

EXHIBIT C

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

ADHAM AMIN HASSOUN,

Petitioner,

Case No. 1:19-cv-370-EAW

v.

JEFFREY SEARLS, in his official capacity
as Acting Assistant Field Office Director and
Administrator, Buffalo Federal Detention
Center,

Respondent.

DECLARATION OF JEFFREY SEARLS

Pursuant to the provision of 28 U.S.C. § 1746, I, JEFFREY SEARLS, hereby declare and state as follows:

1. I am an Officer in Charge (“OIC”) with the Department of Homeland Security (“DHS”), Immigration and Customs Enforcement (“ICE”). I have held this position since September 2018. Prior to this position, I was the Assistant Officer in Charge from May 2017 to September 2018. I have worked in other positions within ICE since March 2001.

2. As the OIC, I am responsible for the direction and oversight of the Buffalo Federal Detention Facility (“BFDF”). My responsibilities include maintaining the order of the BFDF, and preserving the health and safety of detainees and staff at the BFDF. The mission of the BFDF is to provide for and maintain a set of standards and conduct, ensuring that detainees are treated with respect and dignity and are provided with the best possible care while they are in the custody of the facility.

3. Medical care at the BFDF is overseen by ICE Health Services Corps. (“IHSC”), which provides medical services through a combination of U.S. Public Health Commissioned Corps (“USPHS”) officers, federal civil servants, and contract health professionals. There is access to medical care 24 hours per day, 7 days per week at the facility.

4. The BFDF has the capacity to house up to 650 detainees and has historically operated near capacity. As of March 27, 2020, there are only 382 detainees currently housed in the facility.

5. The BFDF consists of housing units with single cell/double occupancy and dormitory style units. There are nine units. One unit is limited to female detainees. The other eight units are for male detainees and split between criminal and non-criminal status. Additionally, BFDF has a Special Housing Unit (“SHU”), which consists of an additional 32 single capacity cells. BFDF also has a medical unit which provide 3 beds for any sick individuals or for overflow.

6. Each unit consists of cells for detainees, with a central open area where detainees can congregate. The central area contains chairs and tables, telephones, and a small kitchen area. Restrooms are communal and are open 24/7 in the dormitory units, and in the celled units each cell has an individual toilet and sink. All detainees have access to soap and sinks at all times.

7. In response to the ongoing COVID-19 epidemic, BFDF has taken the following precautions:

- a. BFDF is in constant communication with our government partners and local, state, and federal health agencies as we work to keep our employees and those in our care safe and healthy.
- b. Current guidelines from the Center for Disease Control (“CDC”) and World Health Organization (“WHO”) for COVID-19 have been implemented,

including those for operational preparedness, communication and coordination, personnel practices, operations & supplies, prevention, operations, cleaning and disinfecting practices, hygiene, prevention practices for incarcerated/detained persons, prevention practices for staff, prevention practices for visitors.

- c. BFDF medical staff is prioritizing immediate medical care for anyone who claims symptoms indicative of COVID 19 infection, although there have been 0 reported cases to date.
- d. Revised policies and procedures to include best practices for the prevention and handling of coronavirus COVID-19. This includes, among other things:
 - i. The maintaining of social distances between and among employees and detainees.
 - ii. Frequent hand washing.
 - iii. Limiting physical contact.
 - iv. Instructing as to the importance of personal hygiene practices and not touching one's face.
- e. Best practices for personal hygiene to prevent the spread of the disease has been communicated to detainees and staff at the BFDF
- f. Employees have been urged to stay home if they are ill and expanded PTO policies have been implemented for sick employees or those caring for ill family members.
- g. ICE has begun reviewing the custody status of detainees who are at a higher risk for negative health consequences from COVID-19 and making appropriate custody determinations.
- h. Working closely with our government partners to suspend visitation at facilities as necessary. Currently visitation is limited to detainee attorneys only.
- i. Attorneys visiting clients are asked to use the "no-contact" rooms which have a plastic partition separating detainees from their counsel. Attorneys who refuse to use the no-contact rooms are required to wear personal protective equipment ("PPE") including face masks and gloves to limit the transmission of any illness or infection that attorneys may have from spreading to their clients. Attorneys are responsible for providing their own PPE as BFDF does not have the resources to equip attorneys with PPE.
- j. Detainees who arrive from other facilities are medically screened in the garage bay prior to entering into the facility. This includes questioning the detainee as

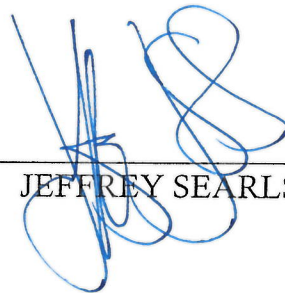
to health history and performing temperature checks. New arrivals are then placed a new intake unit for two weeks.

- k. All transporting officers have been advised to maintain social distancing and utilize PPE where possible.
- l. Detainees are allowed to use facility phones and their tablets to make collect calls at any time and engage in video communications.
- m. Each detainee is now receiving 2 free 5-minute phone calls and one free 15 minute video visit each week. The current proposed schedule is on Mondays, detainees will get two free 5 minute calls, and on Thursdays, they will receive one free 15 minute video visit.
- n. Work programs, religious services, and any other activities in which crowds may congregate or increased contact between detainees may occur have been temporarily suspended.

8. The BFDF is located in Batavia, New York, in the county of Genesee. As of March 27, 2020, Genesee County has 4 confirmed COVID-19 cases. The BFDF has 0 cases.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: March 30, 2020
Batavia, New York



JEFFREY SEARLS