

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

AMERICAN CIVIL LIBERTIES UNION,

Plaintiff,

v.

No. 1:19-cv-11311 (JSR)

UNITED STATES CUSTOMS AND
BORDER PROTECTION and UNITED
STATES IMMIGRATION AND CUSTOMS
ENFORCEMENT,

Defendants.

DECLARATION OF ALEXIA RAMIREZ

I, Alexia Ramirez, in accordance with 28 U.S.C. §1746 declare as follows:

1. I am an attorney at the American Civil Liberties Union Foundation and co-counsel for Plaintiff American Civil Liberties Union in the above-numbered action.
2. I submit this declaration in support of Plaintiff's Memorandum of Law in Support of Plaintiff's Motion for Summary Judgement.
3. The following Exhibits, attached hereto as Exhibits A to S and filed on May 22, 2020, represent true and correct copies, or true and correct copies of excerpts of such documents:

	Exhibit
A	Dep't of Homeland Sec., Policy Directive 047-02, Department Policy Regarding the Use of Cell-Site Simulator Technology (2015) ("DHS Policy"), <i>available at</i> https://www.dhs.gov/sites/default/files/publications/Department%20Policy%20Regarding%20the%20Use%20of%20Cell-Site%20Simulator%20Technology.pdf
B	H.R. Comm. On Oversight & Gov't Reform, Law Enforcement Use of Cell-Site Simulation Technologies: Privacy Concerns & Recommendations (2016) ("House Report"), <i>available at</i> https://web.archive.org/web/20170221015653/https://oversight.house.gov/wp-content/uploads/2016/12/THE-FINAL-bipartisan-cell-site-simulator-report.pdf
C	Robert Snell, <i>Feds Use Anti-Terror Tool to Hunt the Undocumented</i> , Detroit News (May 18, 2017), <i>available at</i> http://www.detroitnews.com/story/news/local/detroit-city/2017/05/18/cell-snoopingfbi-immigrant/101859616
D	Plaintiff's Freedom of Information Act Request (May 19, 2017) ("Request")
E	CBP Final Response Letter (May 24, 2017)
F	Plaintiff's Appeal of CBP Final Response (June 19, 2017)
G	CBP Letter Responding to Appeal (July 13, 2017)
H	ICE Final Response Letter (Sept. 20, 2017)
I	Plaintiff's Email to ICE Seeking Clarification (Sept. 20, 2017)
J	ICE Response to Clarification Email (Oct. 18, 2017)
K	Jose Pagliery, <i>ICE in New York Has a Spy Tool to Hunt Undocumented Immigrants Via Their Cell Phones</i> , Univision (Oct. 17, 2019), <i>available at</i> https://www.univision.com/local/nueva-york-wxtv/ice-in-new-york-has-a-spy-tool-to-hunt-undocumented-immigrants-via-their-cell-phones
L	Conference Transcript (Feb. 3, 2020) (ECF No.19) ("Transcript")
M	CBP Final Response Letter (Mar. 26, 2020)
N	ICE Initial Production Letter (Mar. 4, 2020)
O	ICE Supplemental Production Letter (Apr. 28, 2020)
P	ICE Second Supplemental Production Letter (May 20, 2020)
Q	ICE Third Supplemental Production Letter (May 21, 2020)

R	Letter from James D. Nealon, DHS, to Sen. Wyden (Dec. 4, 2017) (“DHS Wyden Letter”)
S	DHS Response to Senator Al Franken’s August 24, 2017 Letter (Nov. 2017) (“DHS Franken Communication”)

I declare under penalty of perjury that the foregoing is true and correct. Executed on
May 22, 2020.


Alexia Ramirez