

DECLARATION OF ARISTOTELES SANCHEZ MARTINEZ

I, Aristoteles Sanchez Martinez, declare the following is true to the best of my knowledge:

1. I am at least 18 years of age and am competent to sign this declaration. I am originally from Venezuela. I was in ICE custody from approximately September 2018 to April 16, 2020. I was transferred to Stewart Detention Center in Lumpkin, Georgia, on March 23, 2020, from the Houston Contract Detention Facility (“HCDF”) in Houston, Texas. I had been at HCDF since about January 10, 2020. Before HCDF, I was at Stewart Detention Center (“Stewart”). Previously, I was at Folkston ICE Processing Center in Folkston, Georgia.
2. I am a named plaintiff in *Fraihat v. ICE*. I am also a petitioner in *Sanchez Martinez v. Donahue*. While I was detained at Stewart Detention Facility during the pandemic, my medical care continued to decline and I was very afraid, as my many medical conditions put me at a higher risk for contracting COVID-19. I faced many obstacles trying to speak to my attorneys in *Fraihat v. ICE* and *Sanchez-Martinez v. Donohue*.
3. I am 47 years old and have several medical conditions that make me vulnerable to COVID-19. I have Type II diabetes and hypertension, which both put me at a higher risk for contracting COVID-19. While I was in ICE custody, my hemoglobin A1C levels and sugar levels were dangerously high, at times at 9.7 and 345, respectively. I am recovering from a hernia repair surgery that occurred on or around March 11, 2020. The surgeon removed a large right flank hernia on my abdomen, which had grown substantially since being in ICE custody. I also have neuropathy, a bone spur on my left foot, Charcot foot, avascular necrosis, non-palpable pulses in lower extremities, and venous insufficiency.
4. When I was transferred from HCDF to Stewart on or about March 22, 2020, I was not given any reason for my transfer. Nor, to my understanding, was my attorney notified about the transfer. When I arrived at Stewart, I placed a collect call to my daughter from the shared telephones in my unit to ask her to let my *Fraihat* attorney know that they transferred me back to Stewart.
5. To my knowledge, the only options available for me to speak to my attorneys was by Skype call that my attorneys had to set up with the facility, or by telephone collect call using one of the telephones in my unit. In the almost four weeks that I was detained in Stewart during the pandemic, I only had two skype calls with my attorneys. My attorneys and I had to talk on the telephone in my unit and coordinate our next conversation to be placed on those phones.
6. My attorneys for the two cases explained to me that they would be paying for this call but that we could not treat this communication as a confidential legal call. They explained that

their phone numbers *should* be on a “do-not-monitor” list, but that ICE had not given them a written confirmation of this fact. So, it was difficult to speak about important and confidential information.

7. I also was very careful about what I shared during these telephone calls because I was not very comfortable speaking in the common area and surrounded by other detainees. I was also scared to be using the phone too often, because I knew that it was not cleaned, and it was used by many other detainees. Because we were not provided with our own additional cleaning supplies, I used to use the alcohol pad that the nurse gives me when I receive my insulin shot to wipe down the telephone.
8. I was never given instructions for how to ensure my attorneys’ phone numbers were on the do-not-monitor list. One time, towards the end of the Skype, my attorney asked the guard who came to take me back to my unit if there was a way to confirm this fact or make this happen. The guard said that “he could do it,” referring to me. I did not know of any process and the guard did not explain anything to me when he brought me back to my unit.
9. One of the days I had coordinated with my attorney to speak with her on the shared telephone, I could not call her until because my entire unit was placed on lockdown. I was locked inside my cell.
10. Until March 31, I was living in a dorm unit with approximately eighty (80) other men. I shared a cell with another detainee. The entire unit had eight telephones to share. We were regularly in close proximity to each other and did not have the ability to exercise any social distancing. I was also initially placed in a wheelchair that I could not move on my own and I relied on other people, including my cellmate, to help me move.
11. On Tuesday, March 31st, I was transferred to a separate dorm unit at Stewart. In that unit, I was living in a dorm with approximately twenty (20) other men. I was assigned a cell without any roommates. The unit had about nine telephones, at least one of them was broken. I usually used the same phone. Everyone in the unit would share a shower and eat our meals at the tables in the common area within 6 feet of each other.
12. Since the COVID-19 crisis started and throughout my time at Stewart, ICE did not make any changes to the cleaning schedule for our dorm. My unit was only cleaned by other detainees who did not seem to have adequate cleaning supplies. I never once saw a detainee or someone who works at Stewart cleaning the telephones. Nor were we provided with additional cleaning supplies to keep our dorm disinfected and sufficiently clean.

13. ICE maintained the same schedule for distribution of personal hygiene supplies. Every Thursday, we received one toilet paper roll, batteries, one small bar of body soap (for washing hands and showering), one bottle of body lotion, and one tube of toothpaste. When we would run out of these provisions before the end of the week, the only option was to buy additional supplies at the commissary.
14. Guards would often enter and exit our unit without masks. I was not given a mask until around the time of my last Skype call with my attorney. I was never provided with gloves. Rather, I saw one glove that a guard had just discarded, so I picked it up and used it for my own safety.
15. During my time in ICE detention, before the pandemic, I used to try and spend as much time as possible at the law library. But during the pandemic, I was scared to go there because I worried that it will not be cleaned.
16. Instead, to keep myself busy, I spent my time playing videogames in the common area of the unit. But, even there, I was worried for my life. Again, because we were not provided with additional cleaning supplies, I used to use the alcohol pad that the nurse gives me when I receive my insulin shot to wipe down the video console.

I declare under penalty of perjury that the statements above are true and correct to the best of my knowledge.

Executed on May 6, 2020

A. S. SANCHEZ
