

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

WILMER GARCIA RAMIREZ, et al.,	)	
	)	Case No. 1:18-cv-00508-RC
Plaintiffs,	)	
	)	
v.	)	
	)	
U.S. IMMIGRATION AND	)	
CUSTOMS ENFORCEMENT (ICE), et al.,	)	
	)	
Defendants.	)	
	)	

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**Declaration of Rebekah Wolf**

I, Rebekah Wolf, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 as follows:

1. I am over 18 years old and competent to make this declaration.
2. I am the Director of the Immigration Justice Campaign (IJC) at the American Immigration Council (Council). IJC accepts referrals for *pro bono* representation in immigration proceedings, places those cases with volunteer attorneys, and provides training, resources, and mentorship to the volunteer attorneys representing individuals in immigration court nationwide, with a particular focus on immigrants in detention. Currently, IJC is involved in approximately 250 active immigration court cases. I have personally been working with IJC since 2019.
3. This declaration is based on my personal knowledge, my review of records as described below, and communication with staff and volunteers I oversee in my position as IJC Director.
4. At IJC we have received many indications that there is a high-level directive or guidance at DHS, under which ICE officers have been instructed across the board not to grant release on parole under 8 U.S.C. § 1182(d)(5). This is a marked departure from past practice,

under which requests for parole were assessed on a case-by-case basis by the appropriate field office. Previously, individuals who had medical conditions or other special vulnerabilities were regularly released from detention by ICE even without a formal parole request. Individuals who had sufficient ties to the community (i.e. a local sponsor who is a US citizen or permanent resident) and were not considered a danger to the public were routinely released. ICE field offices would consult with counsel on any additional documentation needed to assess a release on parole

5. Since February 2025, we have not had a single client released from detention on parole. In the El Paso Field Office, one of the busiest in the nation with a large detention capacity across approximately six detention centers, a Supervisory Detention and Deportation Officer (SDDO) Azucena Sanchez has been responding to requests for parole with an email that indicates that per current policy DHS is not granting parole, release on recognizance, or ICE bonds. An example of one such email from Ms. Sanchez, sent to an IJC volunteer attorney, is attached to this declaration as Exhibit 1.

6. An ICE document that surfaced recently in litigation in a case in Maryland corroborates my understanding that ICE officers have been told they do not have discretion to grant release on parole. That document is a memo from Monica S. Burke, the Acting Director of Custody Management to all ICE ERO (Enforcement and Removal Operations) Field Office Directors, dated June 24, 2025. It was filed in the case *D.N.N. v. Baker*, No 1:25-cv-01613 (D. Md. June 30, 2025), ECF No. 40-3. It is attached to this declaration as Exhibit 2. As relevant to this case, the memo states on page 2 that “ERO field offices no longer have the option to discretionarily release aliens.”

7. In addition to not having discretion to grant at the local level, my experience with multiple jurisdictions across the country is that they are also not seeking approval from supervisors

for release, but rather are denying requests without consideration. For example, the parole denial found at Exhibit 1 was sent less than three hours after the request was made, according to the email time signatures.

8. I periodically review ICE's publicly available detention data, available on ICE's website at: <https://www.ice.gov/detain/detention-management>. The most recent data I have reviewed, from end of fiscal year 2025 (ending at the end of September 2025), shows that rates of release from immigration detention based on a grant of parole have plummeted in recent months. For example, the number of people released from DHS custody on parole in a month, divided by the monthly average daily population in ICE detention, gives a sense of the likelihood of release on parole by month. Using this metric, 12.4% of people in DHS custody were released on parole per month on average (in absolute terms, 4,867 people per month on average) between October 2024 and January 2025. Between March and September 2025, that figure dropped to 0.13% of people in DHS custody released on parole per month, on average, equal to just 75 people per month.

9. This drop in release on parole is particularly significant in my view given that (1) the number of people in DHS custody has increased by around 50% since the beginning of 2025, and (2) starting in July, ICE began for the first time classifying all people who entered without inspection as detained under 8 U.S.C. § 1225(b), which only allows release on parole and not on bond, in contrast with longstanding practice that such individuals were eligible for bond and therefore would not routinely need to request or be considered for release on parole.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed on October 27, 2025 at New York, New York.

A handwritten signature in black ink, appearing to read 'RW', is written over a horizontal line.

Rebekah Wolf

# **Exhibit 1**

## Rebekah Wolf

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**From:** Melissa Celli <mcelli@strhlaw.com>  
**Sent:** Tuesday, June 24, 2025 3:08 PM  
**To:** Rebekah Wolf  
**Subject:** Fw: KD-A# [REDACTED] Humanitarian Parole Request

Well that didn't take long.

Melissa Allen Celli  
Strehorn, Ryan, & Hoose  
100 Main Street, 3<sup>rd</sup> Floor  
Northampton, MA 01060  
P. 413-341-3918  
C. 617-780-9951  
mcelli@strhlaw.com

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**From:** Sanchez, Azucena <Azucena.Sanchez@ice.dhs.gov>  
**Sent:** Tuesday, June 24, 2025 3:07 PM  
**To:** Melissa Celli <mcelli@strhlaw.com>  
**Cc:** Esparza, Raul <Raul.Esparza@ice.dhs.gov>; Duda, Garrett M <Garrett.M.Duda@ice.dhs.gov>  
**Subject:** RE: KD-A# [REDACTED] Humanitarian Parole Request

Good afternoon,

As per the January 20, 2025, Executive Order 14165-Securing Our Borders issued by the president, Sec.2 (c) it requires the Secretary of Homeland Security to detain, to the fullest extent permitted by law, individuals apprehended for immigration law violations until their removal from the United States.

Given the current policies in place, the Department of Homeland Security is not granting release on one's own recognizance, parole, nor are we authorized to issue bond releases. I understand that not all individuals in our custody pose a danger to the community and may not have any prior criminal history. However, please be advised that the policies governing these matters are beyond our control and discretion.

Your client is scheduled to appear the Immigration Judge on August 14, 2025.

Thank you,

**Azucena Sanchez**  
**Supervisory Detention and Deportation Officer**  
**El Paso Field Office, Albuquerque Sub-office**  
**Enforcement and Removal Operations**  
**U.S. Immigration and Customs Enforcement**  
**Office: (505) 452-4830**

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**From:** Melissa Celli <mcelli@strhlaw.com>  
**Sent:** Tuesday, June 24, 2025 12:49 PM

To: Sanchez, Azucena <Azucena.Sanchez@ice.dhs.gov>  
Cc: De Anda-Ybarra, Mary B <Mary.B.DeAnda-Ybarra@ice.dhs.gov>  
Subject: KD-A# [REDACTED] Humanitarian Parole Request

**CAUTION:** This email originated from outside of DHS. DO NOT click links or open attachments unless you recognize and/or trust the sender. Please use the Cofense Report Phishing button to report. If the button is not present, click [here](#) and follow instructions.

Good afternoon,

Please see the attached document requesting parole for my client, Mr. KD, A# [REDACTED]. Please do not hesitate to contact me if I can be of any assistance in this matter.

Sincerely,  
Melissa

Melissa Allen Celli  
Strehorn, Ryan, & Hoose  
100 Main Street, 3<sup>rd</sup> Floor  
Northampton, MA 01060  
P. 413-341-3918  
C. 617-780-9951  
[mcelli@strhlaw.com](mailto:mcelli@strhlaw.com)

# **Exhibit 2**

Enforcement and Removal Operations

U.S. Department of Homeland Security  
500 12th Street,  
SW Washington,  
DC 20536



## U.S. Immigration and Customs Enforcement

June 24, 2025

MEMORANDUM FOR: All ERO Field Office Directors

THROUGH: Thomas Giles  
Interim Assistant Director  
Field Operations

**THOMAS  
P GILES** Digitally signed by  
THOMAS P GILES  
Date: 2025.06.25  
15:39:17 -04'00'

FROM: Monica S. Burke  
Assistant Director  
Custody Management

**MONICA  
S BURKE** Digitally signed by  
MONICA S BURKE  
Date: 2025.06.24  
20:24:58 -04'00'

SUBJECT: Nationwide Hold Room Waiver

### Purpose:

This memorandum provides a nationwide waiver for U.S. Immigration and Customs Enforcement (ICE) Enforcement and Removal Operations (ERO) field offices' 12-hour hold room utilization time, as it relates to [Directive 11087.2: Operations of ERO Holding Facilities](#) (January 31, 2024). Specifically, this memorandum addresses section 5.1, "Holding Facility Supervision and Monitoring – Procedures for ERO Officers," which states: "*Absent exceptional circumstances, no detainee should be housed in a holding facility for longer than 12 hours.*"

This waiver allows for aliens who are recently detained, or are being transferred to or from a court, detention facility, other holding facility, or other agency to be housed in a holding facility<sup>1</sup> for up to, but not exceeding, 72 hours, absent exceptional circumstances. This waiver is effective immediately and will remain in effect for one calendar year, subject to review, extension, and rescission at my discretion.

### Discussion:

On January 20, 2025, President Donald J. Trump issued several executive orders, including [Protecting the American People Against Invasion](#) and [Securing Our Borders](#), which declared a national emergency and ordered the detaining, to the maximum extent authorized by law, aliens apprehended on suspicion of violating Federal or State law, until such time as they are removed from the United States.

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<sup>1</sup> Consistent with Directive 11087.2, this includes all holding facilities operated by ERO, located in ERO field offices, or jointly operated by ERO and Homeland Security Investigations (HSI) in shared offices. It does not apply to detention facilities with hold rooms.

Nationwide Hold Room Waiver

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As a result of increased enforcement efforts, ERO's average daily population has significantly increased to over 54,000. This increase has put additional strain on finding and coordinating transfers of aliens to available beds within the required timeline detailed in Directive 11087.2. Further, ERO field offices no longer have the option to discretionarily release aliens, nor decline to take aliens into custody from our counterparts in Homeland Security Investigations (HSI) or U.S. Customs and Border Protection (CBP). As a result of these constraints, ERO field offices have had to resort to holding aliens in holding facilities beyond than the 12-hour limit.

To accommodate appropriately housing the increased number of detainees while ensuring their safety and security and avoid violation of holding facility standards and requirements, this waiver allows for aliens to be housed in a holding facility for up to, but not exceeding, 72 hours, absent exceptional circumstances. Detainees shall be in a holding facility for the least amount of time required for their processing, transfer, release, or repatriation as operationally feasible. All other hold room and hold facilities requirements continue to apply to ensure the safety, security and humane treatment of those in custody in hold rooms and hold facilities.