

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

IMMIGRANT DEFENSE PROJECT; and CENTER FOR
CONSTITUTIONAL RIGHTS,

Plaintiffs,

v.

UNITED STATES IMMIGRATION AND CUSTOMS
ENFORCEMENT; UNITED STATES DEPARTMENT OF
HOMELAND SECURITY,

Defendants.

Case No. 20-cv-10625 (RA)

**DECLARATION OF ANDREW WACHTENHEIM IN SUPPORT OF
PLAINTIFFS' CROSS-MOTION FOR SUMMARY JUDGMENT**

I, Andrew Wachtenheim, declare, pursuant to 28 U.S.C. § 1746 and subject to the penalties of perjury, that the following is true and correct:

1. I am a supervising attorney with the Immigrant Defense Project, counsel to Plaintiffs in the above-captioned matter.
2. Attached as Exhibit 1 is a true and correct copy of Bates Nos. 305-308, 506-509, and 868, produced to Plaintiffs by Defendants in this litigation.
3. Attached as Exhibit 2 is a true and correct copy of Bates Nos. 468-488, 833-34, and 941, produced to Plaintiffs by Defendants in this litigation.
4. Attached as Exhibit 3 is a true and correct copy of Bates Nos. 207-208, produced to Plaintiffs by Defendants in this litigation.
5. Attached as Exhibit 4 is a true and correct copy of Bates Nos. 491-493, produced to Plaintiffs by Defendants in this litigation.

6. Attached as Exhibit 5 is a true and correct copy of an e-mail with the subject heading “FW: Cross Check VII - MEGA- Sunday, September 17 through Thursday, September 21, 2017” released as part of *Nat’l Immigr. Project of Nat’l Laws. Guild v. Immigr. & Customs Enf’t*, No. 17-CV-02448 (APM), 2020 WL 5798429 (D.D.C. Sept. 29, 2020).
7. Attached as Exhibit 6 is a true and correct copy of Bates Nos. 502-508, produced to Plaintiffs by Defendants in this litigation.
8. Attached as Exhibit 7 is a true and correct copy of Bates Nos. 119-133, produced to Plaintiffs by Defendants in this litigation.
9. Attached as Exhibit 8 is a true and correct copy of Bates Nos. 612-613, produced to Plaintiffs by Defendants in this litigation.
10. Attached as Exhibit 9 is a true and correct copy of an email with the subject heading “RE: Cross Check VII - MEGA - Sunday, September 17 through Thursday, September 21, 2017,” released as part of *Nat’l Immigr. Project of Nat’l Laws. Guild v. Immigr. & Customs Enf’t*, No. 17-CV-02448 (APM), 2020 WL 5798429 (D.D.C. Sept. 29, 2020).
11. Attached as Exhibit 10 is a true and correct copy of Bates Nos. 489, 757, and 788, produced to Plaintiffs by Defendants in this litigation.
12. Attached as Exhibit 11 is a true and correct copy of Bates Nos. 194-195, produced to Plaintiffs by Defendants in this litigation.
13. Attached as Exhibit 12 are true and correct copies of three ICE memos produced to Plaintiffs by Defendants in separate litigation, *Immigrant Def. Project v. ICE*, No. 14-cv-06117 (JPO) (filed Aug. 5, 2014).
14. Attached as Exhibit 13 is a true and correct copy of Bates Nos. 1127-1274, produced to Plaintiffs by Defendants in this litigation.

15. Attached as Exhibit 14 is a “2014 Fourth Amendment Refresher Training” disclosed to Plaintiffs in separate litigation, *Immigrant Def. Project v. ICE*, No. 14-cv-06117 (JPO) (filed Aug. 5, 2014).
16. Attached as Exhibit 15 is a true and correct copy of a document titled “Fugitive Operations Handbook,” released as part of *Nat’l Immigr. Project of Nat’l Laws. Guild v. Immigr. & Customs Enf’t*, No. 17-CV-02448 (APM), 2020 WL 5798429 (D.D.C. Sept. 29, 2020).
17. Attached as Exhibit 16 is a true and correct copy of a document titled “2014 Fugitive Operations Handbook,” produced to Plaintiffs in separate litigation, *Immigrant Def. Project v. ICE*, No. 14-cv-06117 (JPO) (filed Aug. 5, 2014).
18. Attached as Exhibit 17 is a true and correct copy of Bates Nos. 370-401, produced to Plaintiffs by Defendants in this litigation.

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

Dated: May 2, 2022



Andrew Wachtenheim