UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

G.B.T., *Petitioner*, v. JOHN RIFE, et al., *Respondents*.	Case No. 2:26-cv-01842 Judge John M. Younge

PETITIONER'S REPLY TO RESPONDENTS' OPPOSITION TO PETITION FOR WRIT OF HABEAS CORPUS AND COMPLAINT

PRELIMINARY STATEMENT

Respondents violated an immigration judge's (IJ) order to release Petitioner from detention on bond alone by shackling him with an ankle monitor and other reporting requirements. They did so under a policy of the Philadelphia ICE Field Office to impose surveillance on noncitizens without individualized review of their cases, even in violation of court orders. When Petitioner filed suit to stop them, Respondents quickly reduced—but did not eliminate—his supervisory conditions with the hopes of side-stepping this Court's scrutiny. Though Respondents cast the Compliance Assistance Reporting Terminal (CART) as an innocuous "administrative function of ICE," their own evidence demonstrates that CART requires compulsory physical appearance to ICE's office at a time and place controlled entirely by Respondents—an ongoing restraint on Petitioner's liberty that violates the IJ order controlling his conditions of release. ECF No. 13 at 2.

In their opposition, Respondents double down on their unlawful policy, clarifying that in Petitioner's case, the only factors relied upon in deciding to implement additional monitoring were the "recency of his release" and the fact that his "removal proceedings remained ongoing." *Id*. These admissions align with their policy, which implements instructions to ICE officials to "escalate [noncitizens'] supervision level to GPS ankle monitors wherever possible and increase reporting requirements, regardless of case type." ECF No. 1-4. Now subject to ongoing ICE check-ins through CART, Petitioner's liberty is unlawfully restrained. And he remains at heightened risk of re-detention at a check-in and additional unlawful conditions on liberty due to this policy.

This Court should grant Petitioner's habeas petition, order his immediate release from CART monitoring, and set a briefing schedule (ECF No. 12) to adjudicate his challenge to the

Philadelphia ICE surveillance policy under the Administrative Procedure Act (APA).[1] Respondents' placement of Petitioner on CART does not deprive this Court of jurisdiction over his habeas petition. First, this Court maintains statutory habeas jurisdiction because Petitioner was indisputably "in custody" at the time of filing. Second, Petitioner remains factually "in custody" while subject to CART and Respondents' voluntary cessation of ankle monitoring is insufficient to meet their high burden to show this case is moot. And third, Petitioner's ongoing monitoring through CART remains unlawful in violation of his due process rights and the *Accardi* doctrine.

ARGUMENT

I. THIS COURT MAINTAINS JURISDICTION BECAUSE PETITIONER WAS INDISPUTABLY "IN CUSTODY" AT THE TIME OF FILING.

In raising their jurisdictional challenge to Petitioner's claims, *see* ECF No. 13 at 4-8, Respondents conflate the distinct standards for standing and mootness and fail to acknowledge that they are the burden-bearing party. *See Hartnett v. Pa. State Educ. Ass'n*, 963 F.3d 301, 305–06 (3d Cir. 2020) (explaining that standing and mootness allocate different jurisdictional burdens). The Third Circuit recently explained "the important difference between standing (at the start of a suit) and mootness (mid-suit)." *Associated Builders & Contractors W. Pa. v. Cmty. Coll. of Allegheny Cnty*, 81 F.4th 279, 286 (3d Cir. 2023). While plaintiff bears the burden to show standing, defendants bear the burden to show mootness. "The shift in the burden of proof from plaintiff to defendant matters. It means that sometimes, the prospect that a defendant will engage

[1] Though not relevant to Petitioner's request here for habeas relief, Petitioner's APA claims against the Philadelphia ICE surveillance policy do not seek injunctive relief. ECF No. 13 at 4. They seek vacatur, a distinct form of relief. ECF No.1 at ¶¶114–115; *see Cap. Area Immigrants' Rts. Coal. v. Trump*, 471 F. Supp. 3d 25, 57–60 (D.D.C. 2020) (concluding that concerns about the "propriety" of issuing a nationwide injunction were "not the issue" when considering whether to order vacatur). Vacatur is considered a "less drastic remedy" that requires a lower standard. *See Monsanto Co. v. Geertson Seed Farms*, 561 U.S. 139, 165–66 (2010); *Trump v. CASA, Inc.*, 606 U.S. 831, n. 10 (2025) ("Nothing we say today resolves the distinct question whether the Administrative Procedure Act authorizes federal courts to vacate federal agency action.").

in (or resume) harmful conduct may be too speculative to support standing, but not too speculative to overcome mootness." *Id.* (citation modified).

Here, Petitioner has already met his burden to show standing because, as Respondents' concede, he was "in custody" at the time his Petition was filed. *See* ECF No. 13 at 8; *see also Lujan v. Defs. of Wildlife*, 504 U.S. 555, 571 n.5 (1992) ("[S]tanding is to be determined as of the commencement of suit."); *Barry v. Bergen Cnty. Prob. Dep't*, 128 F.3d 152, 159 (3d Cir. 1997) ("In making a custody determination, a court looks to the date that the habeas petition was filed."). Thus, this Court has statutory habeas jurisdiction over Petitioner's claims. *See, e.g., Chong v. Dist. Dir. I.N.S.*, 264 F.3d 378, 382–83 (3d Cir. 2001) (finding jurisdiction over habeas petition even where petitioner was subsequently deported); *Vincent v. Tarra*, 2024 WL 5008499, at *n.9 (E.D. Pa. Dec. 6, 2024) ("Although Vincent is not currently in custody, the Court still has jurisdiction over the instant Petition because Vincent was incarcerated at the time it was filed."). Respondents, meanwhile, bear "[t]he heavy burden of persua[ding] the court that there is no longer a live controversy." *Friends of the Earth, Inc. v. Laidlaw Envtl. Servs. (TOC), Inc.*, 528 U.S. 167, 189 (2000) (citation modified). They cannot meet it.

II. THIS CASE IS NOT MOOT.

A. CART, as a form of monitoring requiring periodic ICE check-ins, is factually a form of "custody" for habeas purposes.

Even though the form of Petitioner's custody has changed since he filed this case, he remains "in custody" for habeas purposes because CART, as a form of compulsory physical monitoring that requires periodic ICE check-ins, is an impermissible restraint on his liberty not experienced by the general public. *See Jones v. Cunningham*, 371 U.S. 236, 243 (1963); *Piasecki v. Court of Common Pleas*, 917 F.3d 161, 166 (3d Cir. 2019). In asserting that CART's "infrequent, minimally invasive nature" does not "impose a significant restraint on Petitioner's liberty," ECF

No. 13 at 1, 7, Respondents rely upon the wrong test for "custody." *Id.* at 5 ("the restraint must *significantly compromise* the individual's 'liberty . . .'") (citing *Lopez-Lopez v. Charles*, 2020 WL 419598, at *3 (D. Mass. Jan. 26, 2020)).

The Third Circuit instead applies the Supreme Court's test in *Hensley v. Mun. Court*, where restraints constitute "custody" if they are: "(1) severe, (2) immediate (*i.e.*, not speculative), and (3) not shared by the public generally." *United States v. Ross*, 801 F.3d 374, 379 (3d Cir. 2015) (citing *Hensley v. Mun. Court, San Jose-Milpitas Judicial Dist.*, 411 U.S. 345 (1973)). "Severity" is determined by both the level of restriction imposed by the requirements and the harsh consequences that would result from failing to adhere to them. *Ross*, 801 F.3d at 379; *Piasecki*, 917 F.3d at 166. "[A]n individual who is required to be in a certain place—or in one of several places—to attend meetings or to perform services, is clearly subject to restraints on his liberty not shared by the public generally." *Barry v. Bergen Cty. Prob. Dep't*, 128 F.3d 152, 161 (3d Cir. 1997) (holding that an individual required to complete 500 hours of community service is in custody). "The state's ability to compel a petitioner's attendance weighs heavily in favor of concluding that the petitioner was in custody." *Piasecki*, 917 F.3d at 170 (citation modified).

Under this test, by Respondents' own admissions, CART is indisputably "custody." As a program designed to monitor noncitizens' compliance with conditions of their release, CART imposes "regularly scheduled reporting visits with ICE." ECF No. 13-3 at 3. It requires a "scheduled reporting timeframe," *id.* at 2 ("You will not be allowed to report to the CART Kiosk early or late."), at the same specific location, *id.* at 4 ("A CART Enrollee must report to the CART Kiosk at the same location where he or she was enrolled in CART."). Noncompliance results in serious consequences, including removal from the program and imposition of even stricter surveillance. *Id.* at 6 ("Failure to use the kiosk appropriately may result in removal from the CART

program."). CART also heightens the risk that ICE will re-detain or impose further conditions on an individual at a check-in appointment. *See* Ex. A, Chen Decl. at ¶¶ 4-18 (describing re-detention of noncitizens at Philadelphia ICE CART kiosk appointments). Indeed, as Respondents acknowledge, when Petitioner was unlawfully re-detained on October 24, 2025, he was arrested by ICE at his CART kiosk appointment. ECF No. 13 at 2; ECF No. 1 at ¶ 59. Prior to the implementation of the Philadelphia ICE surveillance policy, Petitioner had attended three CART kiosk appointments without incident. ECF No. 1 at ¶ 58.

The California district court decision relied upon by Respondents is thus distinguishable where here, Petitioner is compelled to appear *in-person* at periodic ICE check-in appointments, not "virtually" through a "phone application." ECF No. 13 at 6 (citing *J.P. v. Santacruz*, No. 8:25-CV-01640, 2025 WL 2633198, at *2 (C.D. Cal. Aug. 27, 2025)). Although CART "does not *require* interaction with ICE staff," ECF No. 13 at 6-7 (emphasis added), the program requires noncitizens to check-in physically at the ICE office, significantly increasing the probability of arrest by an ICE official. Petitioner's own detention history confirms as much. *See also* Ex. A at ¶ 15 ("Now, when I accompany individuals to the CART check-in appointments, the kiosk almost always tells the individual to report to an ICE official, which requires us to go to the third floor."). Because CART compels Petitioner's physical presence at a specific location at a specific time, with consequences for noncompliance, under the Third Circuit's test, it is a form of custody.

B. Under the voluntary cessation exception, Petitioner's claims are not moot because Respondents are likely to resume their unlawful conduct.

Even if this Court determines that CART does not render Petitioner "in custody," Respondents have not met their "heavy" and "formidable" burden to demonstrate mootness. *Friends of the Earth, Inc.*, 528 U.S. at 189-90. This case falls under the exception to mootness for harms involving the "defendant's voluntary cessation of a challenged practice." *City of Mesquite*

v. Aladdin's Castle, 455 U.S. 283, 289 (1982). The standard is a "stringent" one: a case is moot only "if subsequent events ma[ke] it absolutely clear that the allegedly wrongful behavior [can] not reasonably be expected to recur." *Friends of the Earth, Inc.*, 528 U.S. at 189. Thus, "a defendant's voluntary cessation of a challenged practice does not deprive a federal court of its power to determine the legality of the practice . . . [I]f it did, the courts would be compelled to leave [t]he defendant . . . free to return to his old ways." *Id.* (citation modified). There is also "a public interest in having the legality of the practices settled." *United States v. W. T. Grant Co.*, 345 U.S. 629, 632 (1953) (citation modified). Further, because Petitioner seeks declaratory relief, Respondents "must show that there is no reasonable likelihood that a declaratory judgment would affect the parties' future conduct." *Hartnett*, 963 F.3d at 306.

If anything, Respondents' statements only demonstrate their full embrace of the Philadelphia ICE surveillance policy and the likelihood that unlawful restraints on Petitioner's liberty will recur. *See, e.g.,* ECF No. 13 at 11 (asserting that ICE has the power to dictate reporting requirements despite an IJ bond order and absent changed circumstances). This continued defense demonstrates that this case is not moot. *See, e.g.*, *Fields v. Speaker of the Pa. House of Representatives*, 936 F.3d 142, 161 (3d Cir. 2019) (finding that in a case seeking a declaratory judgment about a practice, where the defendant only changed course in response to the litigation and continues to defend the constitutionality of the practice, the claim is not moot).

Respondents have engaged in a practice of selectively removing ankle monitors of noncitizens who file habeas petitions, all the while continuing to implement the Philadelphia ICE surveillance policy apace. *See, e.g., Tengfang Huang v. ICE*, 2:26-cv-01800-GAW, ECF No. 11 (E.D. Pa. Apr. 2, 2026) (noting concerns about "gamesmanship" when petitioner's ankle monitor was removed only after a show cause hearing was scheduled). *See also*, Ex. A at ¶¶ 15-18

(describing current implementation of the policy at CART kiosk appointments). As the court in *Tengfang Huang* noted: "If removing the ankle monitor is enough to put this matter beyond the reach of the writ of habeas corpus, the government could engage in motte-and-bailey tactics that would allow significant restrictions to remain in place, while leaving Petitioner without recourse to challenge them in court." 2:26-cv-01800-GAW, ECF No. 11. Thus, with every indication that their unlawful conduct will recur, Petitioner's claims fall under the voluntary cessation exception.

III. PETITIONER'S ONGOING MONITORING BY RESPONDENTS IS UNLAWFUL.

A. ICE's implementation of CART violates Petitioner's due process rights.

In asserting that Petitioner's CART monitoring does not violate due process, Respondents conflate the distinct procedural and substantive due process tests. ECF No. 13 at 8-10.

First, CART violates Petitioner's substantive due process rights because these conditions serve no legitimate nonpunitive objective. ECF No. 1 at ¶¶ 94-99 (Count III). The Court must inquire "whether the detention is not to facilitate deportation, or to protect against risk of flight or dangerousness, but to incarcerate for other reasons." *Demore v. Kim*, 538 U.S. 510, 532–33 (2003) (Kennedy, J., concurring). Here, those other reasons are clear: the Philadelphia ICE Field Office's policy of imposing surveillance without individualized consideration, even in violation of a court order. Neither public safety nor flight risk are at issue in Petitioner's case, because an IJ has already determined that he is not a danger to the community and that the only condition necessary to ensure his future appearance in immigration court is payment of a cash bond. *See* ECF No. 1-5.

The cases relied upon by Respondents are wholly inapplicable. ECF No. 13 at 9 (citing *Nguyen v. B.I. Inc.*, 435 F. Supp. 2d 1109, 1114-16 (D. Or. 2006) and *DeSousa v. Garland,* 2022 WL 1773604, at *2 (E.D. Pa May 31, 2022)). Petitioner does not bring a facial challenge the constitutionality of the ISAP program—he brings an as-applied challenge to the government's

application of additional monitoring conditions in violation of an IJ bond order. ECF No. 1 at ¶ 11 (collecting cases). Because Respondents have subjected Petitioner to conditions of supervision not reasonably related to his individual risk of flight, those conditions violate substantive due process.

Second, Respondents' imposition of CART in defiance of an IJ's order violates Petitioner's procedural due process rights. ECF No. 1 at ¶¶ 75-82 (Count I). Respondents do not even address the test in *Mathews v. Eldridge*, 424 U.S. 319 (1976), and thus appear to concede that their violation of the IJ's order fails it. ECF No. 13 at 9-10. In analyzing Petitioner's claim, the question is whether the application of the policy to Petitioner passes the *Mathews* test. ECF No. 1 at ¶¶ 75-82 (applying the *Mathews* test). It does not. Respondents' policy would permit one party in the adversarial process to unilaterally override the outcome of a bond hearing. Such action is anomalous in our legal system and represents a basic conflict of interest of which courts have disapproved of in other contexts. *See, e.g.*, 5 U.S.C. § 554(d)(2) (prohibiting agency employees engaged in prosecuting functions from participating in the adjudicatory decision).

Respondents assert that CART serves a legitimate government purpose because ICE merely seeks to "maintain up-to-date information" about Petitioner "while he remains in removal proceedings without lawful status." ECF No. 13 at 10. But if Respondents' had any legitimate interest in mitigating Petitioner's supposed flight risk, their opportunity to raise such concerns was during the adversarial IJ bond hearing, at which Respondents were represented by counsel and presented evidence. ECF No. 1 at ¶ 81. Because Respondents fail to meet the *Mathews* test, their violation of the IJ's order deprives Petitioner of procedural due process.

B. ICE's implementation of CART violates the *Accardi* doctrine.

In asserting that ICE "maintains the sole authority to enforce and ensure compliance with those conditions of release," ECF No. 13 at 11, Respondents repeat the same arguments already

explicitly rejected by courts nationwide—including a court in this district. *See N-N- v. McShane*, 813 F.Supp.3d 496, 501 (E.D. Pa. Nov. 10, 2025) ("[T]he regulations do not permit ICE to impose additional release conditions without utilizing the administrative appeal process."); ECF No. 1 at ¶ 11 (collecting cases). Respondents attempt to categorize CART as "non-custodial conditions or requirements that ICE may later impose." ECF No. 13 at 11. But reporting requirements are well within the power of an IJ to consider and impose during bond proceedings. *See, e.g., Matter of C-M-M-,* 29 I&N Dec. 141 (BIA 2025) (finding that IJs have the authority to order alternatives to detention); *Matter of Garcia-Garcia*, 25 I&N Dec. 93, 95 (BIA 2009) (similar). The regulatory framework divesting ICE of authority to oppose additional conditions once an IJ has conducted bond proceedings is not "illogical," ECF No. 13 at 11, because reporting requirements are designed to mitigate purported risk of flight.[2] *Id.* at 12 (referencing ICE's need to "ensure that the [noncitizen] participates in their proceedings through CART monitoring). Federal courts have likewise repeatedly found that IJs are *required* to consider these conditions when reviewing a noncitizen's custody in bond proceedings. *See, e.g., Black v. Decker*, 103 F.4th 133, 159 (2d. Cir. 2024) (holding that IJs conducting bond hearings must "consider [the noncitizen's] ability to pay and alternative means of assuring his appearance.").

Further, while Respondents tout CART as a default "administrative requirement" for noncitizens in removal proceedings, this is contradicted by their description of the CART program, which contemplates the use of CART only for noncitizens released pursuant to a Release on Recognizance or an Order of Supervision—not noncitizens whose release is governed by a court

[2] U.S. Department of Homeland Security, Privacy Impact Assessment Update for the Enforcement Integrated Database (EID), DHS/ICE/PIA-015(i) (December 3, 2018), https://www.dhs.gov/sites/default/files/publications/privacy-pia-ice-eid-december2018.pdf (describing implementation of CART program).

order. *Supra* n.2 at 8 ("CART will enable eligible [noncitizens] on the non-detained docket with Orders of Supervision (OSUP) or Orders of Recognizance to check in with ERO using the kiosk rather than meeting with an ERO officer in person."); ECF No. 1 at ¶¶ 53, 57 (noting that Petitioner was initially enrolled in CART after he was released on parole by ICE in 2022). ICE is not charged with monitoring and surveilling noncitizens at all times; the regulatory and statutory scheme cited by Respondents simply gives ICE discretion to detain noncitizens who present a risk of danger or flight. ECF No. 13 at 11 (citing 8 U.S.C. § 1226(a); 8 C.F.R. § 236.1(d)(2)).

Because the statutory and regulatory framework is sequential and IJs have the power to set conditions, the IJ had final authority to set conditions of release, including CART monitoring, if necessary to mitigate any purported risk of flight. ECF No. 1 at ¶¶ 33-40. This interpretation does not implicate ICE's ability to "ensure that [noncitizens] participate[] in their proceedings." ECF No. 13 at 12. Where a noncitizen is released from custody by a court order, that order contains the full and complete articulation of the conditions of that noncitizen's release. A court release order may, in fact, allow for ICE to apply other conditions. But where, as here, the court order does not allow for such conditions, ICE may not unilaterally apply them. An IJ assessed Petitioner's risk of danger and flight at a full custody proceeding on January 27, 2026, and determined that the payment of a monetary bond was the only condition of his release. *See* ECF No. 1-5. Thus, ICE's imposition of CART monitoring is unlawful.

CONCLUSION

For the foregoing reasons, this Court should grant Petitioner's habeas petition, ordering his immediate release from CART and allowing his claims under the APA, *Accardi*, and equity to proceed in accordance with the proposed consolidated briefing schedule. *See* ECF No. 12.

Dated: April 14, 2026

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, undersigned counsel, hereby certify that on this date, I filed Petitioner's Reply to Respondents' Opposition to Petition for Writ of Habeas Corpus and Complaint and the accompanying exhibit using the CM/ECF system. I will furthermore send a courtesy copy via email to the office of the United States Attorney for the Eastern District of Pennsylvania.

DATED: April 14, 2026

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DECLARATION OF WEI CHEN
UNDER PENALTY OF PERJURY UNDER 28 USCA § 1746

I, Wei Chen , declare under penalty of perjury under the laws of the United States of America:

1. My name is Wei Chen. I am currently employed by Asian Americans United as the Civic Engagement Director. I am based in Philadelphia, Pennsylvania where Asian Americans United maintains an office. Asian Americans United was founded in 1985 to provide support to people of Asian ancestry in the Philadelphia area. I have been employed by Asian Americans United for 15 years in Philadelphia, Pennsylvania. I am fluent in the English, Mandarin, and Fuzhou languages.

2. As one of the Directors, I oversee the Immigration Justice programming, which includes providing supportive services for members of our organization. Among the services that we provide is accompaniment to appointments that our members have with the Department of Homeland Security (DHS), Immigration and Customs Enforcement (ICE) who are not fluent in English and who speak languages other than Spanish. In this capacity, I have been permitted to enter the ICE Philadelphia Office located at 114 N. 8th Street, to provide accompaniment to our members who do not speak English or Spanish.

3. The individuals we have personally accompanied are currently in immigration proceedings and pursuing applications to remain in the United States, such as asylum, and are required to check in periodically with the ICE Philadelphia Office. The people that we at Asian Americans United have accompanied are people who entered the United States and were briefly detained at the border but then released from ICE custody and have been living and working in the Philadelphia area while their immigration cases proceed.

4. Since the end of September 2025/beginning of October 2025, our program has accompanied twenty-seven people to their ICE check-in appointments, and ten of the people were

detained. For each of the people that I, our staff, and volunteers have accompanied who have been detained, the following describes the process that has occurred. None of the people were told prior to their appointment that they were going to be detained. All the people detained were men, including men who came to the check-in appointment at the ICE Philadelphia Office with their partners and children, as instructed.

5. When people arrive at the ICE Philadelphia Office they have to wait in a line that can extend onto the street if there are too many people to fit into the line inside the building. Once inside the building, the individual stands in line until they reach a security checkpoint where they are required to go through metal detectors and place their belongings in a screening or x-ray machine. It is similar to what you would do at an airport.

6. Once through the security line, people have paperwork that requires them to check in with CART (or as we call it the "kiosk"). The paperwork has the individual's name, Alien Registration Number, as well as a bar code that the individual has to scan at the kiosk. After scanning, the kiosk generates the person's information. The individual is then required to have their photograph and fingerprints taken. Prior to the end of September/beginning of October 2025, the people that we accompanied for these CART appointments would usually be done once the photograph and fingerprints were taken, and a new piece of paper would be generated and printed with a date and time to appear by the kiosk in the future. For others, prior to the end of September/beginning of October 2025, the person would get a message on the kiosk that said to wait and an ICE Officer would appear and take the person to the third floor.

7. The third floor is another office or area within the ICE Philadelphia Office. On the third floor, there is a reception window with various ICE officers who come to attend to the person at the window. Previously, when a person reached the third floor, the person had to hand in their

check-in paperwork to the officer through a glass window at the front desk, and would be told to wait. After waiting for a period of time, the person would be called back to the front desk, given back their paperwork, and told they could leave. The paperwork would have another appointment in the future to come back to check-in. If the officer did not speak the individual's language and the individual did not speak English, they would often use Google translate to attempt to communicate with the person or rely on the person accompanying them to translate.

8. This all changed at the end of September/beginning of October 2025. On October 27, 2025, I accompanied one of our community members who had a CART/kiosk appointment at the ICE Philadelphia Office. I did not think anything was going to happen other than what we had experienced before, as I described above.

9. But, on that date, the person I was accompanying was detained. We arrived at the Philadelphia ICE Office at the time of the appointment, waited in the line, went through security, and then proceeded to the kiosk to check-in. When the message appeared to wait, I still did not think anything would happen other than we would go to the third floor and the appointment would be completed after an additional check-in. But that is not what occurred.

10. When the ICE Officer came down to the first floor, he was very nice and said that the person had to come with him to the third floor, as if nothing was going to happen. I was permitted to come with the person. Once on the third floor, the person checked in at the window and an ICE staff member gave him a form to fill out, which I helped him fill out to the best of my ability. At one point, an ICE staff member told us that the form was incomplete and that all sections needed to be filled out, including with his medical conditions, the age of his children, and his passport details. We completed those sections of the form, and returned it to the window, as instructed. We were then told to sit down and wait.

11. We waited for approximately forty-five minutes. After that, an ICE Officer came out from a side door attached to the waiting room and called the individual's name and told him to come through the door. They told me I could not accompany him, but I advised that I was needed to interpret, so they ultimately allowed me to come.

12. Once inside the room, the ICE Officer told the individual that he was going to be detained. I tried to understand why he was being detained, because there were no changes in the person's immigration case, he had no criminal history, he had never missed an appointment and was checking in as instructed. The person indicated to ICE that he was a law-abiding person with no criminal record and he already had an immigration court date scheduled.

13. The ICE officer told me and the individual that "under the present Trump administration order, everybody in your situation will be detained." The officer further explained that he would be held in detention while waiting for his court date. I was honestly horrified and in pure shock. Despite being very distraught, the individual remained calm and cooperative.

14. I tried to get additional information but could not and eventually had to leave the ICE Philadelphia Field Office.

15. Since that time, many others have been similarly detained. Now, when I accompany individuals to the CART check-in appointments, the kiosk almost always tells the individual to report to an ICE official, which requires us to go to the third floor. When we arrive at the third floor, the same unfolds.

16. The person has to check in with an ICE official through the glass window and is then usually told to fill out a piece of paper. This piece of paper asks for the following information:

a. Full name;

b. A Number;

c. Address and phone number;

d. Do you have a medical condition? If yes, what type?;

e. Do you take any prescribed medication? If so, what type?;

f. Do you have any children under the age of 18? If so, what are their ages and citizenship?;

g. Are your children in the US? If yes, who has legal custody of the kids?;

h. Are you married? If yes, where does your spouse reside?;

i. Do you have a foreign ID with you? If yes, provide the ID.

17. After the questionnaire is filled out, ICE officials take that paperwork and instruct the person to wait. Then after some time, ICE comes out and informs the person that he or she is being detained.

18. Unfortunately, nine other people we have accompanied since the end of September/beginning of October 2025 have been detained and the process is identical to what happened to the first person who was detained. For some of the people we have accompanied, it has been more than one person because it is a family unit. So, it will be the mother, father and children who have to check-in with the ICE Philadelphia Office. In cases of a family, only the father has been taken. It is devastating to the mother and the children when this has happened.

19. Of the ten community members that have been detained, at least six have been released because lawyers were able to file papers with the Court and the Court ordered their release. For those released, it is so hard for them to regain their footing and to feel any safety. For their family members it is equally difficult. Several of our community members continue to be detained, and several have already been deported. We have tried to obtain assistance for them from detention, but as of the date of this statement, they remain in an immigration jail or have been

swiftly deported to their home countries. All of our community members had done nothing wrong– they were all fully complying with the ICE appointments, their court dates, they were not arrested by police, do not have any criminal cases or convictions, and were living peacefully with their families in the Philadelphia area.

20. Each time a person has been detained, the ICE Officer has not given any reason other than they are "detaining everyone" or "just following orders." But this is not true because other people have not been detained. We have helped individuals insist that they are complying with all of the rules, and have pending applications, but it makes no difference.

21. Our community members now live in a state of constant fear that they are going to be taken away when they go to the ICE Philadelphia Office. They have been following all of the rules and laws of the United States so it has been impossible for them to have any sense of peace or comfort knowing that they may be detained but they must abide by their CART appointments.

22. Many of our community members are fleeing from countries where the government has persecuted and tortured their citizens and have come to the United States seeking safety. Our community members do not understand how the United States government, which they regard as caring about people and respecting the law, can just take them away at the CART appointments that they have been dutifully appearing for on the date and the time instructed by ICE.

23. I cannot advise our community members of anything more than what I have described here. I honestly do not know if on any given day a community member will be detained and separated from their family members and loved ones or permitted to return home.

24. The following is based upon my work and experience in my professional capacity.

I, Wei Chen, , do declare, pursuant to 28 U.S.C. §1746, under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: Philadelphia, Pennsylvania
April 14, 2026

