

# Ex. A

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10 UNITED STATES DISTRICT COURT  
 11 FOR THE DISTRICT OF COLUMBIA

13 GRACE, et al.,  
 14 Plaintiffs,  
 15 vs.  
 16 JEFFERSON B. SESSIONS, III, Attorney  
 General of the United States, et al.,  
 17 Defendants.

Case No. 18-cv-1853-EGS

**Declaration of Christopher M. Cronen**

**DECLARATION OF CHRISTOPHER M. CRONEN**

22 I, Christopher M. Cronen, hereby make the following declaration with respect to the  
 23 above-captioned matter:

- 24 1. I am currently the Deputy Assistant Director (DAD) for Domestic Operations
- 25 – East, within the U.S. Department of Homeland Security (DHS), U.S.
- 26 Immigration and Customs Enforcement (ICE), Enforcement and Removal
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1 Operations (ERO), Headquarters Field Operations division. ICE ERO is the  
2 sub-component of DHS responsible for, among other things, executing final  
3 order of removal, including final orders of expedited removal issued pursuant  
4 to 8 U.S.C. § 1225(b).

5 2. As DAD, I supervise operations for Field Offices in the eastern United States,  
6 providing guidance and coordination in support of ERO's enforcement and  
7 removal efforts conducted by its Field Offices. My duties and responsibilities  
8 include oversight and management of ERO enforcement, detention, and  
9 removal operations for Field Offices in the eastern half of the United States,  
10 including application of governing laws, regulations, policies, and  
11 procedures.

12 3. By way of background, ERO's Headquarters Field Operations consists of  
13 three divisions, Domestic Operations, Special Operations, and Law  
14 Enforcement Systems and Analysis, all of which provide guidance,  
15 implement and inform policy and procedures, and facilitate enhanced  
16 coordination between Headquarters and 24 Field Offices across the country.  
17 In addition to my above responsibilities, in my current position I also advise  
18 the AD for Field Operations and represent the AD in advising the ERO  
19 Executive Associate Director (EAD) and Deputy EAD on all aspects of  
20 assigned executive responsibilities, including overseeing, advocating, and  
21 implementing ERO law enforcement operations in accordance with  
22 applicable laws, regulations, and policies. I assist in the development,  
23 oversight, coordination, and implementation of policies and procedures,  
24 ensuring that ERO staff is kept informed of changes in laws, regulations,  
25 policies and procedures. I also provide advice on conditions or situations  
26 which would have a bearing on operations and administration in Field Office  
27 areas of responsibility.  
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- 1 4. I have been continuously employed in various capacities with ICE and the  
2 former Immigration and Naturalization Service since I was hired as an  
3 Immigration Inspector in June 1998. After serving several years as an  
4 Immigration Inspector, and later as a Deportation Officer, in 2006, I was  
5 selected to be an ICE Instructor-Trainer with the Office of Firearms and  
6 Tactical Programs (OFTP) Tactical Operations Branch in Fort Benning, GA.  
7 In 2009, I transferred to Washington, D.C. where I held various leadership  
8 positions within ERO – including Acting Unit Chief for the Operations  
9 Coordination Unit, Acting Deputy Assistant Director for the Response  
10 Coordination Division, Acting Deputy Chief of Staff for the ICE Deputy  
11 Assistant Secretary for Operations, Acting Deputy Field Office Director, and  
12 Acting Deputy Assistant Director for the Repatriation Management Division.  
13 In August 2010, I was selected to be the Deputy Director for OFTP, and  
14 served in that capacity until 2015. From July 2015 to August 2016, I served  
15 as Acting Field Office Director for ERO’s Atlanta Field Office, overseeing  
16 all ERO operations and responsibilities within the states of Georgia, North  
17 Carolina, and South Carolina. From August 2016 until entering on duty in  
18 my current position in January 2018, I served as the Field Office Director for  
19 the Boston Field Office, overseeing all ERO operations and responsibilities  
20 within the six New England states.
- 21 5. This declaration is based upon my personal knowledge, information obtained  
22 from other individuals employed by ICE, and information obtained from  
23 DHS records.
- 24 6. At approximately 9:40am EDT on August 8, 2018, I received an email from  
25 Acting Deputy EAD Corey Price informing me that he had agreed to stay the  
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1 removal of Carmen and her minor daughter, J.A.C.F,<sup>1</sup> collectively referred to  
2 as a singular “Carmen” for purposes of this declaration. San Antonio Field  
3 Office Director Daniel Bible was also included in the address list on the  
4 email. I understood that this stay would be in place through at least midnight  
5 on Thursday, August 9, 2018. It was my understanding that the agreement to  
6 temporarily stay Carmen’s removal was because of this pending litigation.

7 7. At approximately 11:53am EDT on August 9, 2018, I received an email from  
8 Acting Deputy EAD Price inquiring whether Carmen had been removed from  
9 the United States, and to make all necessary inquiries immediately. I have  
10 been informed that this request was initiated after Plaintiffs alleged during a  
11 hearing in this case in federal court that Carmen may have been removed or  
12 was about to be removed from the United States. I directed HQ Domestic  
13 Operations Unit Chief Nikita Baker to investigate and provide this  
14 information immediately.

15 8. I interpreted initial reporting to indicate that Carmen had not been removed,  
16 but rather was traveling by air to a staging location in the United States to be  
17 removed, and that she would be brought back. I notified Deputy EAD Price  
18 of this at approximately 12:26pm EDT. At approximately 12:54pm EDT,  
19 after receiving clarification from ICE Air Operations and the San Antonio  
20 Field Office, I reported to Deputy EAD Price that Carmen was on a removal  
21 flight to El Salvador, that ICE Air Operations had already been contacted,  
22 and that Carmen would stay on the aircraft to be immediately returned to the  
23 United States and transported back to the South Texas Family Residential  
24 Center (STFRC) in Dilley, Texas.

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27 <sup>1</sup> For purposes of this declaration, and to safeguard Plaintiffs’ privacy, they are  
28 identified using the pseudonyms they provided in their court filings. Internal ICE  
communications clearly identified Plaintiffs by name and A-Number.

- 1           9. At approximately 2:18pm EDT, an attorney with the ICE Office of the  
2           Principal Legal Advisor notified me that a federal judge had issued an order  
3           that Carmen be immediately returned to the United States and that notice of  
4           the order was to be conveyed to appropriate personnel.
- 5           10. At approximately 2:32pm EDT, I forwarded this communication to  
6           appropriate individuals in ICE Air Operations and the San Antonio Field  
7           Office, including Field Office Director Daniel Bible. By that time actions  
8           had already been taken to ensure that Carmen was immediately returned to  
9           the United States. I requested that ICE Air Operations and ERO San Antonio  
10          Field Office provide me with information regarding the flight on which  
11          Carmen would be returning to the United States, its departure and arrival  
12          times, the arrival location, and when Carmen was anticipated to return to  
13          Dilley.
- 14          11. At approximately 2:45pm EDT, I was informed that the ICE Air Operations  
15          charter plane was on the ground in El Salvador, that it would be departing for  
16          the return flight to the United States in approximately 25 minutes with  
17          Carmen on board, and that the flight was scheduled to arrive in Houston at  
18          5:20pm CDT. At that time, I understood that the estimated time it would take  
19          to drive from the airport in Houston to the STFRC would be approximately 4  
20          hours.
- 21          12. At approximately 3:22pm EDT, I was informed that the charter flight had  
22          departed El Salvador and that the estimated time of arrival had changed from  
23          5:20pm CDT to 5:00pm CDT (6:00PM EDT).
- 24          13. At approximately 3:52pm EDT, I requested that ERO San Antonio and ICE  
25          Air Operations provide me with hourly status updates, starting at 4:00pm  
26          EDT. I received all hourly updates as requested, even if they are not  
27          specifically mentioned in this declaration.

1 14. At approximately 5:13pm, I notified ERO San Antonio and ERO Buffalo via  
2 email that a stay had been granted for the eight named Plaintiffs in this action  
3 who remain in the United States and who are detained in their areas of  
4 responsibility, including Carmen. I requested that they ensure that data  
5 indices properly reflected the stay and that the individuals are not to be  
6 removed unless specifically instructed to do so by the AD for Field  
7 Operations, the Deputy EAD or the EAD.

8 15. At approximately 5:15pm EDT, I received email confirmation that Buffalo  
9 Field Office Director Thomas Feeley had received my email. I also spoke  
10 with Mr. Feeley by telephone to confirm receipt and understanding. He  
11 clearly indicated that he had received my request and that he would ensure all  
12 appropriate personnel would be notified.

13 16. At approximately 5:48pm EDT, I received email confirmation that San  
14 Antonio Field Office Director Daniel Bible received my email. I also spoke  
15 with Mr. Bible by telephone to confirm receipt and understanding. He  
16 clearly indicated that he had received my request and that he would ensure all  
17 appropriate personnel would be notified.

18 17. At approximately 6:02pm EDT, I was informed that the flight had landed in  
19 Houston, and that Houston Field Office personnel were present to receive  
20 Carmen, pending arrival of officers from the San Antonio Field Office who  
21 would transport her back to STFRC.

22 18. At approximately 7:58pm EDT, I was informed that personnel from ERO San  
23 Antonio and Carmen had departed in route to STFRC at approximately 6:45  
24 CDT (7:45 EDT).

25 19. At approximately 1:21am EDT, I was informed that Carmen had arrived back  
26 at the STFRC.  
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1 Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the  
2 foregoing is true and correct.

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4 Executed this 13th day of August 2018, in Washington, D.C.

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7 Christopher M. Cronen  
8 Deputy Assistant Director  
9 Enforcement and Removal Operations  
10 U.S. Immigration and Customs Enforcement  
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