

## DECLARATION OF CONSTANTIN JALAL MARKOS

A# 024-980-541

I, Constantin Jalal Markos, hereby declare:

I make this declaration based on my own personal knowledge and if called to testify I could and would do so competently as follows:

1. My name is Constantin Jalal Markos. From what I understand about my early life, I was born in Greece on December 24, 1980.
2. My family is from the Chaldean Catholic ethnic and religious minority.
3. I speak English fluently and a little bit of the Chaldean language, which is called Aramaic. I can speak only a few words in Arabic, but I wouldn't understand it if someone begins speaking Arabic to me.
4. Although I don't consider myself to be an Iraqi national, my understanding is that my parents were born in Iraq.
5. I first learned that the U.S. government intended to treat me as an Iraqi national when I was first fighting my deportation case in 2003 or 2004, when I was an adult. At that time, all the talk was that I could sign a voluntary deportation to Iraq. In May 2017, I learned through an ICE agent while I was housed at an immigration detention facility in Youngstown, Ohio that the U.S. Government still considers me to be an Iraqi national.
6. I traveled to the United States in 1981 when I was about one year old. From what I understand about my early life, my family and I arrived to the U.S. as refugees from Greece. I came to the U.S. along with my sister, my mother, and my father.
7. I believe that my family and I obtained our Green Cards when I was a young child, although I was always under the impression that I was a U.S. citizen. For example, I thought I was a U.S. Citizen because many of my cousins I knew growing up were U.S. citizens. Also, my mother became a U.S. Citizen many years ago and I was under the impression that I may have gotten the same status through her.
8. My family and I settled in Michigan when I was a baby and I have lived in Michigan ever since.
9. All of my known family members live in the United States and are U.S. Citizens. My mother and father are both U.S. Citizens who live in Michigan. My sister who came to

the United States with me as a child is now a U.S. Citizen living in Michigan. My younger brother was born in the U.S. and is a U.S. Citizen. All of my aunts and uncles and cousins are U.S. Citizens and live in the U.S. I don't have any family in Iraq.

10. I have two U.S. Citizen daughters who live in Michigan, aged 10 and 15. My wife is also a U.S. Citizen.
11. When I was about 25 years old I received a state conviction in Michigan for possession of marijuana with the intent to distribute. This was more than ten years ago. To my knowledge, that is the only criminal conviction I have ever gotten.
12. I don't believe that my criminal defense attorney asked me if I was a U.S. citizen before I made the decision to plea to the crime. The truth is that I believed I was a U.S. citizen at that time in my life.
13. After serving my time in Macomb County, Michigan jail several years ago, I was told by the guards that I needed to stay for a few extra days because I had what they called a "USBP hold". I didn't know what that meant. I soon learned that USBP stands for U.S. Border Patrol. This was the first time in my life that I realized I may not be a U.S. citizen. I was in complete shock.
14. I ended up in ICE custody and I was placed in removal proceedings. I hired an immigration attorney at that time and my understanding is that my attorney filed for asylum for me. I ended up with an order of removal during that process, but I'm not clear on the details.
15. After leaving immigration detention several years ago, I was placed on an ICE order of supervision. I was on the order of supervision for many years. For a period of time, I was told to report every three months, then every six months, and then eventually once per year. I always complied with my order of supervision during all these years.
16. In March or April of 2017 I moved houses in Michigan. I knew that under the rules of my ICE order of supervision it was my responsibility to inform ICE of my new address. On or around May 24, 2017, my aunt took me to the ICE office so that I could report my new address. When the ICE agent called me to the back of the office to meet with me, I learned that I was being detained. There was no warning. I didn't have time to say goodbye to my daughters or my wife. ICE didn't even let me speak with my aunt, who had taken me to the ICE office and was in the waiting room.
17. At first, I was held in a facility in Monroe County, Michigan for several days. There were five of us in Monroe County whom the government was trying to deport to Iraq.
18. From Michigan, they transferred the five of us to a facility in Youngstown, Ohio. I was in Youngstown for about three weeks, where our small group of five joined what seemed

like hundreds of other detainees. The other detainees in Youngstown also told me that the government was trying to deport them to Iraq.

19. From Ohio, ICE transferred a large group of us to Louisiana by airplane. I was in Louisiana for only about 24 hours. From Louisiana, myself and others from the Youngstown group were boarded onto a second plane that landed in Laredo, Texas. I believe that we landed in Laredo only so that ICE could let off a certain number of Mexicans who were on the plane with us. Still on the same ICE plane, we took off again and landed in El Paso, Texas. Again, ICE let off a certain number of Mexicans. Then from El Paso, the same plane took off a third time and landed in Arizona. I have been housed in Florence, Arizona for about 2.5 weeks.
20. Here in the Florence detention facility, it's very difficult to communicate with the outside world. The phone service is very expensive. It costs us between 21 cents and 25 cents per minute to make outside calls to family or friends. That is compared with the immigration detention facility in Youngstown, Ohio, where it was 6 or 7 cents per minute. Here in Florence, we can never receive calls. We can only make outgoing calls.
21. If we make a collect call to the outside, the calls are limited to only 15 minutes per call. This is true even if the person we're calling has all the money in the world to pay for more time.
22. Here in the Florence facility, I believe that they recently changed over the phone system. In order to use the phones in the detention facility, each detainee must have a unique PIN number. During the switchover, the guards provided us each with new PIN numbers. During that whole process, many of us could not use the new PINs for a period of days. For me, I was without phone access from a Thursday through Tuesday – about 5 days. During that time, I was unable to speak with family or with anyone else on the outside.
23. We're completely in the dark here in the Florence facility. There is no internet access. No email access.
24. If a detainee has a phone number written down in his personal property, for example, a detainee must submit a written request form to ICE. It could take a day or two, and then ICE officials will arrange to transport the detainee to another facility a few miles down the road so that the detainee can access his personal property in the ICE storage room. All that just to get a phone number that you might have written down in your personal notebook.
25. No one from the facility has ever explained to me whether there are special procedures for us to be able to speak with attorneys on the outside. For example, no one from the facility has ever explained to me that I might have the right to make outgoing free calls to my attorney. Here in Florence, the general picture is that if you don't ask, you don't receive. That's how it is.

26. About one week after I was initially detained in May 2017, I spoke with my mother by phone and she told me that she had found an immigration lawyer for me in Michigan. I am not yet sure what my attorney has done in my immigration case, and I haven't yet had the opportunity to speak with him.
27. So far, all of my communication with my attorney has been through my family members as intermediaries. As I described above, I was not previously aware that I could speak with my attorney on a special attorney telephone line from here at Florence. I just learned of that procedure through the ACLU of Arizona attorney who helped take down this statement. For that reason, I have asked my family to relay certain information to my attorney when I speak with my family during our brief telephone calls.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge. Executed this 13<sup>th</sup> day of July, 2017 in Florence, Arizona.

A handwritten signature in cursive script, appearing to read "Constantin Jalal Markos", is written above a horizontal line.

Constantin Jalal Markos