

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

FILED
03 APR 1 PM 4:14
MIDDLE DISTRICT OF FLORIDA
TAMPA, FLORIDA

UNITED STATES OF AMERICA

*
*
*
*
*

CASE NO: 8:03-CR-T-77-30

TBM

SAMI AMIN AL-ARIAN, ET AL

**DECLARATION OF LINDA MORENO
IN SUPPORT OF SAMI AMIN AL-ARIAN'S RELEASE FROM PRE TRIAL
DETENTION**

Linda Moreno declares under penalty of perjury:

1. I am an attorney, duly licensed to practice law in Florida and make this declaration in support of Sami Amin Al-Arian's release from pretrial detention.
2. I represented Sami Amin Al-Arian as co-counsel with Mr. Nicholas Matassini during the most recent detention hearing in the Middle District of Florida.
3. I telephoned Coleman Federal Prison (the "Prison") today in an attempt to arrange visitation with my client.
4. I spoke to Mr. Francisco Santos, who was described to me as the "unit team manager" at the Prison in charge of the custody of Mr. Al-Arian.
5. Mr. Santos told me that visitation with my client would be nearly prohibitive on Tuesday, Wednesday, and Thursday because of the Prison's staffing issues.
6. Mr. Santos suggested that Friday and Sunday are the most convenient times for the Prison to arrange attorney client visitation.
7. Mr. Santos further informed me that I would have to fax a memo to him and give him 2 days notice in order to see or have phone contact with my client.

8. I was also informed that not all phone calls with my client would be private; there are monitored and unmonitored phone calls.
9. If I wish to have an unmonitored, private phone call with my client to discuss privileged matters, I am required to fax to Mr. Santos a memo requesting such a contact with advance notice. Mr. Santos suggested that only Wednesday, Thursday, and Friday are the days a private phone call can be more easily arranged with my client.
10. I was informed that I could not bring a briefcase of material for my client to review during an attorney visit. I was instructed I would be allowed to bring only "3 to 4 inches" of documents in a folder to review with him. Any documents more substantial than that would have to be sent at a pre-arranged time.
11. Because Mr. Al-Arian is a "pre-trial detainee", it is Mr. Santos' duty to minimize my client's contact with convicted inmates; therefore, he is in the special housing unit, which conditions are severely restrictive.
12. Because of Mr. Al-Arian's special designation as a pre-trial detainee in federal prison, access with his attorneys is severely limited. Given the uniqueness of this case and the estimated pretrial duration to be approximately 12 to 18 months, the sheer distance from Tampa to Coleman Federal Prison makes effective preparation of Mr. Al-Arian's defense an extreme hardship.

Dated: Tampa, Florida
April 1, 2003


LINDA MORENO