

# EXHIBIT

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

Ángel Alejandro Heredia Mons et al.	)	
	)	
<i>Plaintiffs,</i>	)	
	)	
v.	)	Civ. No.: 1:19-cv-01593
	)	
Kevin K. McALEENAN et al.	)	
	)	
<i>Defendants/Respondents.</i>	)	
	)	

**DECLARATION OF L.P.C.**

I, L.P.C., declare under penalty of perjury that the following is true and correct to the best of my knowledge:

1. I am a 26-year-old Cuban asylum seeker detained at the South Louisiana Correctional Center (“S. Louisiana”) in Basile, Louisiana. I am a native Spanish speaker. I do not speak any other languages.

**Synopsis of Past Persecution**

2. In Cuba I studied pharmacology. I completed my degree in or about July 2016. I was instructed that I was obligated to sign up for government service by September of that year. However, I was strongly against the Cuban government’s use of medical workers as pawns for their corrupt agenda. When the time came, I did not want to present myself.
3. I began receiving threats from the supervisor of the relevant sector and from the president of the designated municipality where I was assigned to serve. The police do the government’s bidding. They came to my zone and beat me in front of my family. My

mother was particularly affected by witnessing this brutality because she is older and suffers from hypertension. I have scars on my knee from this assault.

4. After beating me, they dragged me by force and detained me for over twenty-four (24) hours with no food and no water. They left me in a cell with another woman who was violent. She beat me and humiliated me in that cell, and they did nothing to stop her. Eventually my mother decided I needed to leave the island in order to stay safe. I fled Cuba at the age of twenty-two (22) on or about December 23, 2016.

### **Journey to the United States**

5. In order to leave Cuba, I boarded the soonest flight to Guyana. From there I crossed the border to Brazil, where I worked as the caretaker for a family's infant. I soon realized I would have no path to asylum or legal status in Brazil. So, I began my journey to the US in order to formally request asylum. From Brazil I crossed through Peru, Ecuador, Colombia, Panama, Costa Rica, Nicaragua, Honduras, and Guatemala, before finally crossing into Mexico on or about April 10, 2019. This journey was difficult, but I met other asylum seekers that helped me along the way.
6. In Mexico, things grew more dangerous for me. I attempted to board a bus heading to the US border, but I was detained by Mexican authorities. They arrested many of us and detained us in an immigrant jail with terrible conditions. The Mexican officials took all of our belongings, kept our money for themselves, and piled the rest together in a separate cell. Soon, the people detained there grew desperate and a riot ensued.
7. The riot occurred in or about May 2019. The rioters set fire to our pile of belongings. All of my official documents and clothes were destroyed in that fire. I left that detention facility with only the clothing and shoes I had on. Not long after this terrifying experience, I

became infected with the dengue virus. I suffered a fever and was bed ridden for several days in Tapachula, Mexico. When I recovered, I made my way to Chiapas and from there to Oaxaca. I was told that I would need to take a special route in order to avoid getting rearrested by corrupt Mexican authorities.

8. I spent over eleven (11) hours on a raft on the ocean headed to Veracruz, Mexico. There were moments that I thought I would die on that raft. Despite taking this perilous route, when we arrived in Veracruz, Mexican authorities detained me once again. I spent forty (40) days in another detention center there. My family hired a Mexican lawyer who secured my release and helped me get on a flight to Chihuahua, Mexico. From Chihuahua, I took a bus to Ojinaga where I presented myself at the US border.
9. I arrived at the port of entry near Presidio, Texas on or about August 5, 2019. There I was told that I would not be processed. I was assigned a number and forced to wait until that number was called. During the following two months I worked several small jobs in order to survive. There are cartels that control that region and I was living in fear. I was finally allowed to request asylum in the US after I was processed by border authorities at the Presidio, Texas port of entry on or about October 15, 2019. Soon after, I was detained under the custody of Immigration and Customs Enforcement (“ICE”).

#### **Frustration of Access to Parole**

10. After crossing into the US, I was immediately detained at the West Texas Detention Facility in Sierra Blanca, Texas. Shortly after, I received a credible fear interview (CFI). In or around early November 2019, I was transported from Sierra Blanca to S. Louisiana.
11. Upon receiving my positive CFI results, my US citizen cousins and my US citizen aunt quickly sent me documents, including a sponsor affidavit, letters of support, copies of bills,

copies of tax returns (evidencing an annual income of over \$100,000), proof of their identity, proof of their US citizenship, a copy of my Cuban national photo-identification card, and a copy of my clean criminal record. As soon as the documents arrived, I attempted to submit them to my assigned DO, Officer Silva in support of my parole request.

12. Officer Silva refused to accept my documents and told me I would just have to wait until my court date. He said that parole is simply not granted in Louisiana. Over the last four months, I have made several attempts to request parole. All of my efforts have failed. The denial letters are all the same, checking off a box indicating that ICE has determined me a flight risk, without further explanation.

### **Conditions of Confinement**

13. In March 2020, at least two of the dorms in this facility were placed under quarantine, including my dorm. We were expressly told this was due to an outbreak of H1N1 influenza. We are all terrified of a COVID-19 outbreak in this facility.
14. In my dorm there are seventy-two (72) women sharing close quarters and contained air. Our beds are about half a meter apart. We are forced to share three (3) toilets and three (3) sinks. We are not provided hand soap or hand sanitizer. For six (6) days in March, we were not taken to the yard for fresh air. Despite the quarantine, they continue to bring newly detained women to this dorm, putting them at risk for H1N1 and putting all of us at risk for COVID-19.
15. They give each woman here two four-ounce (4 oz) bottles of soap to last us a week or longer. It is like a liquid shampoo and it is all they give us to clean our hands, bodies and hair. It does not contain disinfectant. Many times, they do not have enough to go around.

16. On or about March 19, 2020 for example, it was time for them to replenish our toilet paper and four-ounce bottles. However, they told us they did not have any to provide due to coronavirus. The toilet paper they do provide does not last us for the week and it is very poor quality. During the month of March 2020, we went about five (5) days without any toilet paper.
17. Most of us in this dorm have been experiencing flu-like symptoms including diarrhea and sore throat. If we complain or consistently ask for medical attention, we are provided one or two ibuprofen tablets. I suffered from flu-like symptoms including diarrhea, fever, and pain in my veins. They tested me for influenza and I tested negative, so they returned me to the dorm. They did not test me for COVID-19.
18. We have to purchase the limited medicine available in the commissary to help control our symptoms. For example, you can buy approximately 30 pills of ibuprofen for three US dollars (\$3.00). Vitamin C and other preventative vitamins or medicine are simply not available.
19. In or about the month of March 2020, we witnessed another scary incident of neglect in this dorm. One woman was running a very high fever. She was sweating and she could not stop shaking. We were all concerned she would have seizures or die. We continuously asked the officers supervising our dorm to take her to medical. They ignored our requests for hours. We continued to beg them to get her help.
20. After five hours of asking the officers to please take her to get medical attention, a few women placed a piece of bread in one of the microwaves in our dorm. They turned the microwave on for several minutes. They were hoping to set off an alarm to force the

officers to enter our dorm and help her. The bread started to burn, and the smoke detectors went off as planned.

21. They entered our dorm and took her to the medical unit. One officer told us that the microwave was more valuable than any of us. Since then, she was diagnosed with H1N1 and is in isolation. The only other measure they have taken is that they visit our dorm twice a day to take our temperature.
22. We have been under limited quarantine for about a month, with the same set of gloves and the same limited masks. When we ask for replacement gloves and masks, they tell us they do not have any new ones to provide us. All the workers here are coming back inside after contact from the outside world. They do not wear masks and they do not use gloves. A group of us communicated with a man we believe to be a GEO director. He told us he cannot require staff to wear these items because it is not the law.
23. In this dorm, there are at least ten (10) women who are older than fifty (50) and some who are as old as seventy-one (71). There are also women who suffer from asthma and diabetes, as well as a few survivors of cancer and at least one woman living with lupus. To make matters worse, the food we are provided is of poor quality and has no nutritional value. It often makes us sick.
24. All the measures we are taking to protect ourselves in this dorm are based on news we watch on television or from speaking with our loved ones on the outside. The staff and guards here have not provided us any education on COVID-19 measures or precautions. We are all upset because it is impossible to exercise effective social distancing under these conditions.

25. The medical unit here is not staffed with doctors or nurse practitioners. Even when they have taken women into isolation in the medical unit, they are not provided adequate care. For example, a woman in our dorm tested positive for H1N1. They took her to an isolation room in the medical unit. When she was cleared and finally returned, she told us how she was treated.
26. She told us she was unable to bathe or change clothes for three days. She said she tried asking for soap and toothpaste and clean clothes, but no one helped her. She said she was not given any medicine other than ibuprofen. She said she was left unattended for long periods of time. She said she lost all sense of time in that room, vomiting and running a high fever. She said sometimes they forgot to feed her, and she would have to try to get someone's attention through a glass window to remind them to bring her food.

**Plans if Granted Release on Parole**

27. If I am released on parole, I plan to live with my aunt and cousins in Florida, all of whom are US citizens. I plan to self-quarantine in their home and to continue fighting my case before the non-detained court. I hope to be released to my family soon. They will help me recover from all I have suffered to secure a free and safe life here in the US.



VERIFICATION

I, L [REDACTED] P [REDACTED] C [REDACTED], am the individual referred to as L.P.C. in the attached declaration.

I declare under penalty of perjury that the foregoing is true and correct.

I have authorized my legal counsel in the *Heredia Mons* litigation to sign on my behalf given the difficulty of arranging visitation and travel in light of the current COVID-19 pandemic. I am also foregoing the option to sign documents sent by mail due to the urgency of the COVID-19 situation and due to reasonable fear of destruction of mail or retaliation by officials at this facility. If required to do so, I will provide a signature when I am able.



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Michelle P. Gonzalez, Esq.  
*On behalf of witness Laura Perez Carranza*

Date: March 25, 2020

CERTIFICATION

I, Michelle P. Gonzalez, declare that I am proficient in the English and Spanish languages. On March 25, 2020, I read the foregoing declaration and orally translated it faithfully and accurately into Spanish over a telephonic call with the declarant. After I completed translating the declaration, the declarant verified that the contents of the foregoing declaration are true and accurate.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 25, 2020

A handwritten signature in black ink, appearing to be 'MPG', written over a horizontal line.

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Signature