

# **EXHIBIT**

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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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>	)	

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**DECLARATION OF T.M.F.**

I, T.M.F., declare under penalty of perjury that the following is true and correct to the best of my knowledge:

1. My initials are T.M.F. and I am a 44-year-old Cameroonian national detained at the LaSalle Detention Facility (“LaSalle”) in Jena, Louisiana.

**Synopsis of Past Persecution**

2. I am fleeing torture and death in Cameroon as a member of the English-speaking minority and due to my imputed political opinion as a separatist against the current regime. I also speak an indigenous language called Baforchu. In Cameroon I provided for my wife and children working in food provision out of a small warehouse.
3. Beginning in or about late May 2018, I was targeted by the Cameroonian military. They wrongfully suspected me of belonging to an armed separatist group because they were shown photos of me with members. However, these photos were taken while these separatists were extorting me at gunpoint. They wrongfully detained and tortured me on two separate occasions, for several days on end. They set fire to my warehouse and all the

goods contained therein. They also cut off half of my youngest son's finger. He was less than two years old at the time.

4. The acts of torture I suffered at the hands of military officers included stripping me naked, beating me mercilessly all over my body and face until I bled from my nose and mouth, hitting me with the dull side of a machete, using electric jumper cables to shock my penis, raping me with a baton, hitting my left knee with the butt of a long rifle which broke my skin open and exposed my kneecap, carving into my right knee with a knife, forcing the barrel of a gun into my mouth, and subjecting me to a water pressure hose that caused an infection in my eyes, the side effects of which persist to this day.

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

5. When I was able to escape my tormentors, I fled to Nigeria in or about June 2019. I was told that I could not stay safely in Nigeria because the Cameroonian military would quickly find me again and surely kill me for daring to escape them a second time. I decided I would travel to seek asylum in the United States (US) where I have family members who could help me recover from all the violence and trauma I endured.
6. On or about June 10, 2019 I flew on Turkish Airways from Abuja, Nigeria, to Quito, Ecuador. En route to Ecuador we stopped briefly in Bogota, Colombia, and Panama for connecting flights. I arrived in Quito on or about June 12, 2019. From there I had a long and difficult journey by bus and by foot through Colombia and Central America until I reached Mexico on or about July 28, 2019. This travel included eight terrifying, life-threatening days through the Darien Gap jungle.
7. Once I was in Mexico, I traveled to the US border in Nuevo Laredo. There, I was told I could not directly enter the US to seek asylum. I was assigned a number and forced to wait

in Mexico until that number was called. After struggling to survive for months in Latin America, where very few people spoke English, I was allowed to enter the US to request asylum. I crossed the bridge port of entry in Laredo, Texas on or about October 28, 2019. I was detained by border authorities and transferred to the custody of Immigration and Customs Enforcement (“ICE”). ICE has in its possession my original Cameroonian passport and my original national photo-identity document.

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

8. From Laredo, I was transferred to the Rio Grande Detention Center in Texas, where I was held for about two weeks. I was then transferred to the Tallahatchie County Correctional Facility (“Tallahatchie”) in Mississippi. While detained at Tallahatchie, I was provided a credible fear interview on or about November 29, 2019. Soon thereafter, I was provided a positive credibility finding and related paperwork.
9. While detained at Tallahatchie, I was able to seek out limited legal assistance from the Mid-South Immigration Advocates non-profit. With their help, I was able to apply for parole. They worked with my family to collect all necessary evidence in support of my parole request. However, their efforts proved in vein as I have been denied parole several times now. Each denial letter checks off a box indicating that ICE determined me to be a flight risk as the only rationale for the denial. No further explanation is provided. At least two officers told me that parole is not granted in Louisiana. One Deportation Officer told me to not place my hope in parole and focus on my case.
10. My last request for parole included the following supporting evidence: an affidavit from my proposed sponsor, my cousin who lives in Massachusetts; evidence of his US citizenship; copies of his tax returns for the past two years; a letter of support from another

US citizen cousin living in Massachusetts; and a letter of support from my niece, who is a Lawful Permanent Resident, also residing in Massachusetts. I also included information about the fact that I am on medication for depression and that I have serious chronic injuries from the brutal attacks I suffered in Cameroon, including to my eyes, back, wrist and knees.

11. On or about December 10, 2019, I was transferred to the River Correctional Facility (“River”) in Ferriday, Louisiana. On or about January 6, 2020, I was transferred to LaSalle. Here, no one gave us any helpful information about parole, which fueled my anxiety and despair. For weeks, I pleaded with the officers to tell me the name and contact information for my designated deportation officer (“DO”). They finally told me my assigned officer is DO Feiek. When I asked for his contact information, they provided me the address for the River facility in Ferriday, Louisiana. My family and I have had no luck in communicating with him.
12. I had my final hearing before the Immigration Judge (“IJ”) on March 10, 2020. The IJs in this region are inhumane and not impartial from all I have witnessed over the past five months. However, because of the strength of my case, the severity of my past persecution and my ability to present my facts fluently in English, I was thankfully granted Withholding of Removal due to my fear of return to Cameroon on that day.
13. Despite winning my case, ICE is refusing to release me. They told me that I will have to wait thirty (30) days before they will even consider freeing me from this place. I am terrified they will use COVID-19 as an excuse to keep me here indefinitely. This is frustrating and makes no sense, because most of us have family and sponsor homes where we can live to properly self-quarantine or practice social distancing in order to prevent the spread of this terrible virus.

### **Conditions of Confinement**

14. More than ninety (90) men are in my dorm alone. ICE continues to bring in more men into this facility everyday despite the COVID-19 pandemic. In my dorm we only have five (5) toilets that we must all share. We have one large showering room with only five (5) showerheads for us all to use for bathing. There are no curtains separating the space between showerheads within the shared room. Additionally, the shower room has only two (2) soap dispensers that release foam.
15. We share eight (8) sinks. Next to the sinks are two (2) more soap foam dispensers. All four soap dispensers frequently run out of soap. We are not provided additional soap or shampoo. We are often left with nothing to clean our hands, hair and bodies. We have to buy our own soap from the commissary if we wish to clean ourselves properly. One bar of soap costs about three US dollars (\$3). I had to buy my toothpaste at the commissary because the quality of the toothpaste they provide us is very poor. We are given toilet paper, but it is also very poor quality.
16. The other day, one man in my dorm put his mouth directly on the jug of water from which we all pour our drinking water. We grew very upset and immediately notified the guards, asking for help. They told us to shut up and stay quiet in our dorm. We explained what happened and our reasonable fear of contamination, but they refused to replace the jug of water.
17. Additionally, there is no substantive medical care here. We do not have doctors attending to our medical issues and they rarely provide us medicine. If you complain of any illness, you are lucky if they give you ibuprofen. Throughout my time at this facility, I have endured severe pain from my chronic injuries, but they refused to take me to a real hospital.

The most they would do is provide me a small amount of ibuprofen, which did nothing to ease my pain.

18. One man in my dorm has a painful hernia in his genital region. We cannot sleep because every night he is crying and shouting out in pain. All they do is give him ibuprofen. We have several men in this dorm with high blood pressure and mental health problems. Two men suffer from diabetes and are injected twice daily with needles. There are several men well over fifty years old in my dorm, as well.
19. The men at this facility are growing more desperate as we learn news of the COVID-19 pandemic and its serious risk to all of our lives and well-being. We learn this through our limited access to news sources or from our loved ones on the outside. The officials here do not orient us, provide education or even talk to us about COVID-19. We beg them for information. They are not taking any preventative precautions. Sometimes when we return from the yard, they tell us to wash our hands, but that is it.
20. Many officers are not coming to their post because of this fear. Several wear gloves, but none wear masks. No hand sanitizer or other form of disinfectant is available in the facility. Some officers are rumored to have quit. Now, only one officer is supervising two of our large dorms. She sits outside of our dorms to surveil the two dorms. This is a very dangerous situation, and I am worried what will happen as the men here continue to grow more desperate and fearful for their lives.
21. Recently, I learned that some of the asylum seekers planned a hunger strike to take place throughout the facility. They asked us all to stop eating. They asked people who work in units like the kitchen and laundry to stop working. They are asking people who are taken

to the yard for recreation to refuse to return to the jail. They want ICE to take their requests for release seriously because we are all scared and eligible for release.

22. Today the formal strike began after it was rumored that there were two confirmed COVID-19 cases in one of the dorms at this facility. In retaliation of the protest, officers in riot gear came to intervene. They entered our dorm and sprayed tear gas. I fell and was unable to exert control over my body and limbs.

23. A female officer came to help me up. She had to press on my back before I was able to regain some control. At this point I was taken for a medical check-up. When I returned to my dorm, I realized that some of my items were missing, including a book where I keep important phone numbers and addresses. I only have one family member's phone number memorized, so I was very upset.

24. In my dorm, several of the African asylum seekers are planning to write a letter about our situation, these dangerous conditions, and our increasing panic related to COVID-19. They are planning to put everyone's name and A number to sign the letter. After all we have suffered and endured to seek safe haven in the US, we cannot believe we may be left to die here in these detention centers.

### **Plans if Released**

25. If I am released, I plan to self-quarantine in my cousin's home to protect myself from COVID-19. I also plan to rely on the financial and emotional support of my family living in Massachusetts to physical and psychological therapy. I hope I am released to my family soon, so I can begin to heal from the extensive trauma I have suffered.



VERIFICATION

I, T [REDACTED] M [REDACTED] F [REDACTED] am the individual referred to as T.M.F. 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 Thaddeus Mokom Fon*

Date: March 23, 2020