

**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 C.L.H.

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

Biographical Information

1. My initials are C.L.H. and I was born in Cuba. I am 27 years old.
2. I am a native Spanish speaker. I do not speak any other languages.
3. I am an asylum-seeker and have been in immigration detention since November 2019. My intimate partner of two years and I arrived at the United States (US) border in early September 2019. We fled Cuba together to escape persecution due to our political opinions. We waited more than two months for our names to be called at the border in order to present ourselves at the port of entry at San Luis, Arizona and request asylum.
4. Once we were processed by border authorities, we were immediately separated. I was quickly transferred to the custody of Immigration and Customs and Enforcement (“ICE”) at a detention center in Arizona. My intimate partner, who was about three months pregnant at the time, was granted humanitarian parole and released. About two days later, I was

transferred to the Tallahatchie County Correctional Facility (Tallahatchie) in Tutwiler, Mississippi.

Impediments to Parole Access

5. At Tallahatchie I was given a credible fear interview in early December 2019. Over a week later, ICE determined me credible and provided me with a parole advisal in English that said I had only two days to submit documents in support of a request. Officers at Tallahatchie told me that, even if I submitted documents by the due date, I had no chance at parole anyway because they don't give parole at Tallahatchie.
6. It was so hard to communicate with my family from that facility, and I was barely able to reach them in the amount of time provided. My Lawful Permanent Resident aunt, who served as my proposed sponsor, hurried to gather all of the documents she could, and she was able to fax in a parole request by the due date listed on my parole advisal. The very next day, however, I was provided a letter in English, that I later found out was a parole denial notification. I could not understand the reasons for the denial because the letter was in English only. I never received a parole interview.
7. In or about the end of December 2019, I was transferred to River Correctional Center (River) in Ferriday, Louisiana. At River, all the men in my dorm told me that no one gets parole there. I began to send written, paper-request forms to ICE every day in late December and early January, asking for the chance to reapply for parole, asking for a parole interview, and asking for an opportunity to speak with my assigned deportation officer (DO).
8. On or about January 10, 2020, I added a note to my request that explained that I have a pregnant partner who was granted release on parole. I begged for ICE to let me apply for

parole. To this request, I finally received a response, which stated that there is no parole here, and I would have to ask the judge for release.

9. In early February 2020, a couple of representatives from the Southern Poverty Law Center came to River to provide information about parole. They explained what to include in a parole request and that we all had a right to request parole. Shortly after this training, I decided I would try to resubmit a parole request.
10. On or around February 18, 2020, I was transferred to the LaSalle Ice Processing Center (LaSalle) in Jena, Louisiana. The next day, I had my first master-calendar hearing before an immigration judge.
11. At LaSalle, I received a package with new documents from my family, including new letters of support. In person, I turned in a new parole request to an ICE agent at LaSalle. The ICE agent took my parole request and said that I should also mail my parole request to River. He told me that he did not have much time to tend to my case, so I should send it to River too. That same day, I mailed another copy of my documents to ICE at River.
12. When I did not hear any response, I sent my documents again to River. This happened multiple times as I continued to wait, with no response.
13. A few weeks ago, the ICE agent I had handed my parole request to at LaSalle told me that the DOs at River had changed, so he advised me to give him a new copy of my documents—the same ones I had already presented to him—and that I should also mail my documents to an address in Oakdale, Louisiana. He also gave me a phone number to call. My friend who speaks some English began to call that number repeatedly, but they were never able to get any response at all.

14. I asked an ICE agent, who is Puerto Rican, why I was not receiving any response to my parole request. He told me, “we don’t comply with that rule here.” He said that only people who are sick or pregnant will get parole. He told me just to forget about parole. When we ask ICE officers for their names here, they refused to tell us.
15. In or about early April 2020, I still had received no response to my parole request, and I had never received an interview or even a parole advisal as a receipt of my submitted parole request. I began to work with my family and a volunteer who offered to help me gather new evidence for another parole request.
16. My new request included all required documentation to prove my identity and that I am not a flight risk or a danger to the community. It also included the parole documents for my intimate partner and ultrasounds showing the status of her pregnancy. My sponsor submitted the parole request on April 7, 2020 via email to Diane Witte, John Hartnett, Joey Widlund, Bobby Chronowski, and Quincy Hodges. When no response was received, we faxed in the parole request to two different fax numbers at LaSalle.
17. Again, neither my sponsor nor I received any response to my request, so I submitted a paper request form to ICE at LaSalle, asking for a response to my parole request. Additionally, with the help of a local advocate, my sponsor mailed to LaSalle a copy of my parole application via Fedex Overnight mail on April 23, 2020. I also submitted a request asking how I could submit my parole request directly to my DO. I received a written response telling me that ICE didn’t have time to collect my documents so I should give them to a manager at LaSalle. I submitted a copy of my documents to this manager. I still have never received a parole interview at any of the centers in which I have been detained.

Fear of Continued Detention and Plans if Released on Parole

18. I am very disillusioned and distraught over the way ICE has handled my case. We are supposedly in their custody, but it is clear to me they do not care about us or respect our humanity. It is very important to me that I am with my partner when she gives birth to our daughter, who is due in just about a month. I do not want my daughter to grow up without a father, and my partner desperately needs my support.
19. I have done everything in my power to comply with the laws of the US by waiting to present myself to immigration officials at a port of entry and showing up prepared at my court hearings. I intend to continue to do just that, and I have a Lawful Permanent Resident sponsor who has assured the government that she will provide for me financially and provide me transportation to all future ICE check-ins and court hearings if I am released. Additionally, ICE has not taken into consideration that I would be able to seek additional relief from removal by applying for a green card under the Cuban Adjustment Act a year after my release on parole. There is no reason for me to remain detained here.
20. Especially now with the threat of COVID-19, I am scared for my life. There are already confirmed cases of coronavirus here. There is no way for me to keep my distance from other men in my dorm, which currently houses about seventy people, all of us in close quarters. Many people here are sick, and it wasn't until mid-April that we were provided with masks. There is no disinfectant or hand soap. The only thing we have to try to keep clean is shampoo. We have not been provided any education about the virus and how we can stay safe. We have been told there are cases of coronavirus here, and it seems to me that in a place like this, if ICE does not start releasing people, we are all going to get sick with COVID-19.

21. I now anxiously await a parole decision, and another court hearing on May 14, 2020, which I expect to face alone. I have not been able to secure representation from this remote detention center. If I am released, I plan to self-quarantine in my aunt's home with my partner until our child is born.

CERTIFICATION

I, Jaclyn Cole, declare that I am proficient in the English and Spanish languages. On April 28, 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 April 28, 2020



Signature

VERIFICATION

I, [REDACTED], am the individual referred to as C.L.H. in the attached declaration. I declare under penalty of perjury that the foregoing is true and correct.

I have authorized a legal agent for Plaintiffs 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.



Jaclyn Cole

On behalf of witness [REDACTED]

Date: April 28, 2020