

**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 K.S.R.

I, K.S.R., declare under penalty of perjury that the following is true and correct to the best of my knowledge:

Biographical Information

1. I was born in Holguin, Cuba. I am a 27-year-old asylum-seeker detained at the South Louisiana Correctional Facility in Basile, Louisiana (“S. Louisiana”). I am a native Spanish speaker, and I do not speak English fluently.
2. My husband and I fled Cuba because we were unlawfully detained, physically abused, and threatened by Cuban authorities due to our anti-Castro regime activities and political opinions. Specifically, we were running a clandestine business to provide internet, media and television programs. This is expressly forbidden in Cuba where we do not have freedom of speech or freedom of expression and where outside media is censored.
3. After a long and deadly journey across several countries, we finally made it to the United States (US)-Mexico border in or about July 2019. We were informed by Mexican

authorities that we would be assigned numbers by US authorities and forced to wait in Mexico until our numbers were called.

4. After months of waiting and scraping by in Mexico, my husband and I were processed through a port of entry on or about October 1, 2019. US border authorities took us into custody and immediately separated us. I was then transferred to the custody of Immigration and Customs Enforcement (“ICE”). ICE immediately took possession of my original government-issued photo-identity documents from Cuba.

Impediments to Parole Access

5. I was initially detained by ICE at the West Texas Detention Facility in Sierra Blanca, Texas (“Sierra Blanca”). There, I witnessed that ICE officers took time to explain the parole process to people and to provide a thorough parole interview. In addition, women that were denied parole were expressly told what evidence would be helpful to ICE in making a grant determination in their parole request. On or about October 11, 2019, I was provided a credible fear interview.
6. On or about November 3, 2019, I was transferred to S. Louisiana. On or about December 3, 2019, I received my positive credible fear finding. Meanwhile, on or about November 27, 2019, my husband was granted parole from a facility in a different region. He was released to live in Tampa, Florida, where he continues to reside with our sponsor.
7. On or about December 3, 2019, an ICE officer gave me a parole advisal in English and told me that I had until December 7, 2019 to turn in all my evidence in support of a parole application. I immediately requested two additional days to present all evidence as I knew I would not receive all my supporting documents on time. I turned in my parole application on or about December 9, 2019. I was not provided an interview.

8. On or about December 17, 2019, I was provided a parole denial letter in English with a box checked off indicating I was a flight risk. I was given no other information. I noticed that the denial letter was marked as denied on December 3, 2019, the same day I was given the parole advisal and positive credible fear determination.
9. Since then, I have applied for a redetermination of my parole request approximately three times, each time providing additional evidence. All my efforts have failed. My proposed sponsor is the same person who served as my husband's sponsor. He is my first cousin who lives in Tampa, Florida.
10. I have presented to ICE the following evidence in support of my requests for parole: my cousin's 2018 tax returns, evidence of his US citizenship, copies of his bills, additional letters of support from family and friends residing lawfully in the US, documentation of my clean criminal history, and a copy of my birth certificate. However, ICE refuses to release me, providing denial letters checking off the "flight risk" rationale box without further explanation.
11. Here, Deportation Officers (DOs) provide us misinformation or conflicting information when they visit the dorms. Sometimes they tell us no one will be granted parole. Sometimes they tell us our requests will be denied if the sponsor is not an immediate relative. Other times they tell us the requests will be denied if the proposed sponsor does not make more than seventy-thousand dollars (\$70,000) annually.
12. I submitted a parole redetermination request on or about December 24, 2019 and presented additional evidence to my then assigned DO, Officer Elvin Cabrera, by dropping off an envelope with my documents in the designated mailbox for ICE officers. For this request I submitted additional letters of support, and more proof of my identity. On or about

December 30, 2019 my sponsor also sent DO Cabrera additional evidence via fax showing proof that I had no criminal record.

13. In early January 2020, Officer Cabrera passed by the dorms and I asked him what the status was of my re-determination request. He told me he was looking into my case but did not have a decision yet. A few days later, I saw him and asked him again about the status of my request. In contradiction to his previous statement, he told me that he had not done anything with my parole packet yet. This was exasperating to hear.
14. On or about January 14, 2020, Officer Cabrera returned to the dorm. He gave me a form with questions I had to answer in writing. This is the "parole interview" we are provided here. He instructed me to file the completed form in the designated mailbox. He also told me he was giving me an additional three days to submit evidence that my husband is in fact my husband and that he had been granted parole.
15. That same day, I completed the form and submitted it as instructed. I then gathered all the requested documents evidencing that my husband and I are in a common-law marriage in Cuba and that he had been released on parole. I personally handed DO Cabrera all the documents three days later, on January 17, 2020.
16. On or about January 27, 2020, DO Cabrera came to my dorm and told me that he had received a response from his supervisors, but that he had not been able to review it yet. I asked him whether he thought I would get parole this time. He responded that it was really hard to get parole in this region and that of all the cases he was handling, only two had been granted since his shift at this facility began. He also said that his bosses were looking at evidence of immediate relatives only. I know this is not true because I had a roommate

who was granted parole in early January 2020, and her proposed sponsor was her uncle, not an immediate relative.

17. That same evening, I received a parole denial letter in English only, and it was marked as denied on January 26, 2020. A guard from GEO Group gave it to me. The letter once again indicated it was denied due to flight risk and no bond allowed. No other information was provided.
18. On or about February 9, 2020 I once again requested a redetermination of parole. On February 16, 2020 I was once again provided a parole questionnaire form in lieu of an interview. On February 20, 2020 I submitted all the documents in support of my redetermination request. I submitted new evidence including another letter of support showing I am a person of good moral character. On March 12, 2020 I was once again provided a form denial letter, checking off the same boxes without any explanation as to why ICE continues to deem me a flight risk. Additionally, ICE never took 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.
19. I have personally spoken with an ICE supervisor named Peter who was transferred in or about March 2020 to another location. He specifically told me that his ICE New Orleans bosses wouldn't grant parole to anyone unless the sponsor is an immediate family member.
20. Recently a group of women, including myself, peacefully protested at the center demanding to speak to top ICE officials so we could get a better understanding of these new requirements to apply for parole. Warden Ramos, who speaks Spanish, and other officers came to see us and he told us that the decision to grant parole was out of their hands, that they have no decision-making power, and that it was the bosses in ICE New

Orleans who made these decisions and have told them that only individuals with immediate family members will get parole.

21. I have witnessed other women get denied parole with their parole packets returned to them sealed and unopened. On March 14, 2020 I submitted a new parole redetermination request. I have yet to receive any response to this request.

Fear of Continued Detention and Plans if Released on Parole

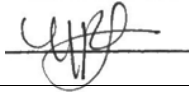
22. In March 2020, there was an outbreak of H1N1 influenza. I was one of the first women to contract it. I was very ill and subjected to medical isolation for 6 days, which were some of the worst of my life. I lost track of time in that room, alone and neglected. I was delirious and at times struggled with suicidal ideation. Since my recovery, I feel weak. Now I live in constant fear of contracting coronavirus and dying in this jail.
23. Additionally, due to the poor diet and the severe stress of my prolonged detention I am suffering from high blood pressure and tachycardia. Staff from the medical unit that last checked my vitals asked me why I was not on medication for hypertension. I explained that I did not suffer from high blood pressure prior to my detention. They did not prescribe me anything.
24. If I am released on parole, I plan to reunite with my husband who lives with my cousin and our designated sponsor in Tampa, Florida. I plan to self-quarantine to keep us and others safe from COVID-19 infection and to keep fighting my asylum case with the help of my family outside of this facility.

CERTIFICATION

I, Michelle P. Gonzalez, declare that I am proficient in the English and Spanish languages. On April 22, 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 22, 2020

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

Signature

VERIFICATION

I, [REDACTED], am the individual referred to as K.S.R. 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.



Michelle P. Gonzalez, Esq.
On behalf of witness [REDACTED]

Date: April 22, 2020