

6. I was transferred to Winn in or about June 2019. The officers at Winn used to pass by the front door of the dormitories about one day per week, without ever entering the dormitories. They would usually leave as quickly as possible and almost never answer questions or try to help us to understand things we are confused about.
7. More recently, we do not see ICE officers at all, and it is my understanding that they are understaffed due to the coronavirus pandemic.
8. Even prior to the pandemic, we were hardly ever given the opportunity to communicate with ICE or its officers, and I have consistently struggled to identify exactly who my assigned deportation officer is at any given time. They also change facility shifts about every 30 to 45 days.
9. My dorm has 44 beds, which are nearly always filled. Although a few more people are being released on parole with condition of bond, they continue to transfer new people in every week despite the risk it poses to our health. Currently there are 39 of us in my dorm. We are forced to sleep and live in close quarters. We sleep about 40 centimeters apart and we share two toilets and two showers. Yesterday was the first day I witnessed correctional officers utilizing masks. They are still not wearing gloves. It is impossible to practice social distancing here, and we are living on top of one another.

Impediments to Parole Access

10. I have applied for parole several times, all to no avail. My proposed sponsors are my brother, who is a Lawful Permanent Resident and his wife, who is a US citizen. They are waiting to receive me in their home in Arizona.
11. Here, when you want to request parole, you must submit a written request to start the process and leave it in a mailbox for ICE to retrieve. However, this mailbox is not checked frequently. Once ICE retrieves your written request, they eventually send someone down to provide you a form to fill out. This is considered our parole interview.
12. The form is sometimes provided in English only and other times provided in English and Spanish. It has written questions pertaining to our sponsors. This process is the same even if you are submitting a request for redetermination and, conceivably, ICE should have most of your information in their records.

13. Once you have completed the form, you must once again notify ICE in a written request through the mailbox that the form is ready to be retrieved. Then, an officer or assistant eventually comes to pick it up. Sometimes that officer will discuss the answers to your questions, other times not. If the ICE officer does decide to ask you questions, they usually do not speak Spanish and do not provide you with an interpreter. It is not necessarily the case that the officer who provides you this “parole interview” is your assigned Deportation Officer (DO).
14. I have experienced and witnessed many issues in attempting to seek release on parole. The last time I submitted a parole interview form and packet was on March 10, 2020 to my then-assigned DO, Officer Paredes. However, on March 12, 2020, DO Paredes and the other DOs from that time period left, and new ones arrived. Eventually, I was able to ask my newly assigned DO about the status of my previously submitted parole request. He informed me that it was denied, once again because ICE considers me to be a flight risk. He told me he would provide me the denial letter for this denial. Now he has also left, and he never provided me the denial letter.
15. In the months after the September 5, 2019 order, I made several attempts to apply for parole. During one particularly frustrating attempt, I submitted a thorough parole packet, with many documents. However, after the DOs shifted, the new DO informed me that he did not see any of my documents and had no idea where my parole packet was. I had to begin the process of collecting documents from within this jail all over again, including original notarized letters from my proposed sponsors and other letters of support.
16. On another occasion when I was provided a denial letter, an ICE officer personally handed me two pieces of paper in English that had a checkmark in a box on it. He did not provide me a Spanish translation. I asked the officer what it meant, and he said that it meant I was denied. I asked him why I had been denied, and he said it was because I was a flight risk. I then asked the officer if it said why they thought I was a flight risk. The officer said that the document had no further explanation.
17. I could not understand why ICE would think I am a flight risk, when I submitted all the evidence of my proposed sponsor’s financial ability to support me and receive me in their home as well as evidence of my good moral character. I have asked several officers what more I can provide to prove that I am not a flight risk and they simply do not answer or

they tell me it is not in their control, but up to their supervisors, so they cannot answer me.

18. I asked one officer, whose last name I believe is De Mario, if he could review my documents and tell me why I had been denied, and he said, "What for? You're going to be deported," and refused to help me. Soon, I realized that nearly all of us were denied parole, and the few who were granted did not really have any characteristics in common in terms of their sponsors or evidence. It feels arbitrary.
19. I do not remember exactly when it started, but after the September 5th order from the Judge in Washington D.C., many of the officers were making comments on a weekly basis, telling us that no one would receive parole, that we would have to have stage-four cancer or be pregnant to get out, and that there was a zero percent chance of anyone being granted parole.
20. ICE has in its possession my original, Cuban government-issued, photo identification. In my parole request, I submitted copies of my Cuban passport and birth certificate, affidavits from my proposed sponsors who are immediate relatives with immigration status who are willing to financially support me, copies of their tax returns, evidence of their home address, evidence of my lack of criminal history and additional letters of support. Additionally, ICE should take into consideration that if they granted me parole, 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.
21. On or about April 21, 2020, I once again dropped of a written request to start the process of submitting a redetermination of parole to my newly assigned DO. I do not yet know who that person is and, thus far, no one has come to pick up the requests. Many of the men detained here with me have experienced similar problems in attempting to secure release on parole. Other men have told me about their parole documents getting lost or simply not receiving any response to a parole requests or experiencing a month's long delay in obtaining a determination.
22. I have been detained for about one year and two months. I am experiencing terrible anxiety, distress and fear especially now that there are at least three confirmed coronavirus cases here at Winn. Sometimes I am short of breath for no apparent reason and I have terrible sleep.

Plans if Released on Parole

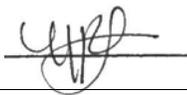
23. If I am released, I plan to self-quarantine in my brother and sister-in-law's home in Arizona. I plan to retain a lawyer to help me continue fighting my asylum case before the Immigration Court in Arizona. They will provide me all the financial and emotional support I need to ensure I comply with any all appointments or hearings I have. I will finally have some peace and rest.

CERTIFICATION

I, Michelle P. Gonzalez, declare that I am proficient in the English and Spanish languages. On April 23, 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 23, 2020

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

Signature

VERIFICATION

I, [REDACTED], am the individual referred to as R.C.L. 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 23, 2020