

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

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

**DECLARATION OF Y.C.F.**

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

**Biographical Information**

1. My initials are Y.C.F., and I was born in Las Tunas, Cuba. I am a 37-year-old asylum-seeker detained at the South Louisiana Correctional Center (S. Louisiana) in Basile, Louisiana. I am a Spanish-speaker, and I do not speak English.
2. In Cuba, I was a healthcare practitioner. I was forced to flee persecution in Cuba due to my political opinion. I was scared for my life and safety. Although it was very painful for me, I left my young daughter in the care of my sister in Cuba because I knew my life was in danger and I could not ensure her safety if I took her with me. After months of traveling a treacherous journey across several countries and being forced to wait in Mexico to be called for the opportunity to request asylum in the United States (US), I was taken into the custody of Immigration and Customs Enforcement (ICE) on or about October 16, 2019.

### **Impediments to Parole Access**

3. On or about October 28, 2019, I was provided a credible fear interview (CFI) in a Texas detention center. On or about November 3, 2019 I was transferred to S. Louisiana, and about 12 days later, I received a positive CFI determination.
4. I recall that on this same day, I was informed of my eligibility for parole and was told by a Deportation Officer (DO) that I only had three days to submit documents as evidence in support of my parole request. The DO spoke in English and another asylum seeker in detention was helping me as an interpreter. She did not speak English fluently, but she understood enough to communicate these statements to me. As I understood it, the DO would notify me if my request was granted.
5. Since I only had three days to collect and organize supporting documents from my sponsor, I presented documents already in my possession including: a copy of my photo-identification from Cuba, my criminal background record showing no criminal history, a copy of my birth certificate, copies of my sponsor's income taxes and residential bills, and notarized letters of support from close friends living in the US with lawful status.
6. Three days later I received the denial of my parole, but the date listed on the denial was from the same day I had submitted the documents for parole. I strongly feel my initial application was not given any consideration despite having presented the main documents required. The denial letter was in English, but women detained with me helped me to read it. The letter indicated that ICE determined I was a "flight risk," but it did not provide an individualized reason or explanation for this determination.
7. On or about January 12, 2020, I submitted a request for re-determination after hearing that a select few people had been granted release from this facility on parole. I was hopeful that

ICE was now taking the September 5<sup>th</sup> order from the Judge in Washington D.C. seriously.

I added more evidence to my original parole packet including new letters of support.

8. A few days later, I was interviewed in person by Officer Zapia. This is very rare here. Usually the DOs just have women fill out a form, and they do not provide an interview. However, the interview was in English, and I was not provided an actual interpreter. Instead, another detained woman with limited English skills helped me again to understand the DO's questions. He asked me who was going to be my sponsor, what was my relationship to that person, and if I had other family members close to the sponsor. He said he had already submitted my packet to his bosses for review, but he wouldn't tell me what his recommendation was.
9. About one week later, on or about January 26, 2020, I received another parole-denial letter. It indicated my redetermination request was denied again because ICE had determined me a flight risk. It also stated that I did not qualify for bond and that my evidence was unsatisfactory to show I would not be a burden on society. At least this is what a woman detained here who understands some English explained to me by reading the letter.
10. Here DOs have told us a lot of conflicting things. Some tell us that unless we have terminal cancer or we are pregnant, we will not be released on parole. Another ICE officer told me that in the New Orleans Field Office region, no one is granted parole.
11. I found out about this federal lawsuit against New Orleans ICE when I saw a notice at the detention center that was posted explaining the parole litigation. When the notice was initially posted, an ICE officer told me, and other women detained at this center, that this lawsuit was not going to change anything and that the New Orleans Office was not going to follow any court order.

12. I last submitted a parole request in March 2020. About two weeks later, on or about April 4, 2020, I was provided a form questionnaire in English and Spanish. This was my so-called "parole interview." I completed the form and submitted it that same day. My proposed sponsor is my longtime intimate partner who is a Lawful Permanent Resident living in Miami, Florida. We have been in a serious relationship for about five years. In this last request, I submitted evidence of our plans to get married, evidence of our long-term relationship, including evidence of hotels we stayed at when he would visit me in Cuba and evidence from when we met while I was on a medical mission in Venezuela.
13. I also provided evidence of my license as a healthcare practitioner from Cuba and evidence that my intimate partner is approaching the date when he will be eligible to naturalize as a US citizen. I also provided 8 letters of support from close friends who also live in Miami and are either US citizens or Lawful Permanent Residents who attest to my good moral character and to their willingness to support me if I am released on parole. All the Spanish language documents I submitted included certified English translations. 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. I have yet to receive a response to this most recent request.

**Fear of Continued Detention and Plans if Released on Parole**

14. My daughter is now seven years old. I am experiencing severe anguish in this jail. I have been detained for nearly seven months without being able to see her face, even by video call. I am in a very bad mental and physical state, living in constant fear of coronavirus infection. Luckily, I never got sick from the H1N1 influenza outbreak that happened in March at S. Louisiana. I suffer from an iron deficiency, which in Cuba I treated with

vitamins. Once in Cuba I required a blood transfusion due to my condition which was causing me chronic dizziness and tachycardia. Here I have no access to the different vitamins I need. I buy myself Vitamin C at the commissary when it is available.

15. Sometimes my blood pressure goes up too high from the stress of being in here and I get very flushed in the face. I also experience severe anxiety because the DOs refuse to tell me what I need to provide for ICE so that they will no longer consider me to be a flight risk. I understand that my proposed sponsor is not an immediate relative, but one of the first women they granted parole to from this jail was to a woman who used her longtime boyfriend as her sponsor. Others have been released with an uncle or cousin as their sponsor, but now some DOs tell us it has to be an immediate family member. The decisions and process feel very frustrating and arbitrary.

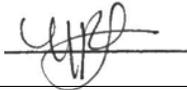
16. If I am released on parole I plan to self-quarantine in my partner's home in Miami. I plan to rely on the extensive support of my community there to recover from the trauma of this experience, to continue fighting my asylum claim, and to present myself at any and all appointments or hearings in my immigration case.

## CERTIFICATION

I, Michelle P. Gonzalez, declare that I am proficient in the English and Spanish languages. On April 21, 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 21, 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 Y.C.F. 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.



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

Date: April 21, 2020