

**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 M.P.I.

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

Biographical Information

1. My initials are M.P.I. and I was born in Victoria de las Tunas, Cuba. I am a 51-year-old asylum seeker detained at the South Louisiana Correctional Facility in Basile, Louisiana (S. Louisiana). I have been detained in the custody of Immigration and Customs Enforcement (ICE) since August 21, 2019. I am a native Spanish speaker and I do not speak English.
2. My husband and I fled Cuba on April 18, 2019, because we were being persecuted politically by the government. I was unlawfully detained by Cuban authorities twice in 2018, and once more in or about February 2019. My husband and I had refused to participate in government-mandated events. I was physically tortured on these occasions.
3. We flew to Nicaragua and then crossed through Honduras, Guatemala, and Mexico. We finally made it to the United States (US) - Mexico border on or about May 12, 2019. We had to wait in Mexico to be interviewed at the US border until our numbers were called.

4. I was called before my husband on the list on or about August 15, 2019. US border authorities took me into custody. I was then transferred to ICE custody and held in one of the “hieleras” where ICE immediately took possession of my original government-issued photo-identity documents from Cuba. Thereafter I was detained in Texas. I was later transferred to S. Louisiana on or about August 21, 2019.

Impediments to Parole Access

5. I was first told about the parole process while detained in Texas. I was briefly interviewed about why I had escaped Cuba and whether I had a criminal background. After I was transferred to S. Louisiana, I was provided a credible fear interview (CFI), on or about October 21, 2019, via telephone.
6. I received a positive fear determination based on my CFI on or about November 19, 2019. At that point, the Deportation Officer (DO) explained to me that I qualified to apply for parole. He gave me a sheet with information about parole and he gave me a list to share with my sponsor, so they could begin putting documents together for the submission of a request. The DO told me I only had five days to submit all the documentation.
7. My proposed sponsor is my husband’s 26-year-old, US citizen son. He lives in San Antonio, Texas. Once the documents from my sponsor arrived, I immediately presented them to my assigned DO. The documents included copies of his taxes, evidence of his immigration status, evidence of his residence, letters of support from other individuals in our community with lawful immigration status, and his work information. About a week later, I received a denial of my parole request because I was a flight risk.
8. I waited until about January 2020, to reapply for parole, as no one in my detention facility had been released the previous two months. I put together more documents from my

sponsor including utility bills, a copy of his US. Passport, and evidence that he earned sufficient income to financially take care of me. His 2018 income taxes reflected that he earns over \$88,000 annually. About seven to nine days later, I received another parole denial indicating that I had not submitted sufficient documents in support of my parole application. I was very troubled because I had provided more evidence than the first time I applied. This denial letter did not indicate that I was denied due to a determination that I was a flight risk.

9. I immediately submitted a third request and was once again briefly interviewed. By this time, the DOs were telling us that that we needed to have immediate relative sponsors. Although I had raised my stepson since he was two years old, I was not his biological mother and ICE did not consider him to be an immediate relative. I gathered even more documents for this request, including additional letters of my good moral character from community members with lawful immigration status, and more utility bills from my stepson. I also included a government-issued document evidencing that I had no criminal history. A third parole denial arrived seven to nine days later. Again, the denial letter indicated I had been denied due to lack of documents and providing no other rationale.
10. After this this denial, I fell into depression. In the meantime, my husband who had been detained for several months in Texas was granted release on parole. My stepson submitted a new request for me, using the same evidence he used to secure his father's release the previous month, and we also included more information related to my medical conditions. I was given a questionnaire interview form on April 20, 2020, and I am awaiting a decision.
11. I had made ICE aware that I suffered from asthma and hypertension since the beginning of my time in detention. ICE has provided me some medical treatment, including an inhaler

(Albuterol), and Singulair medication (once per day) that helps me breathe better. For my hypertension I receive a daily medication called “Enalapril” (20 mg). While I have received this limited medical care, I am very concerned that I may become gravely ill if infected with coronavirus.

12. Throughout the months I have been detained at S. Louisiana, all of the parole denial letters that I have received from ICE were provided to me in English and I was given no other information about why I was denied or what I could submit to ICE that would merit my release on parole. Additionally, ICE never took into consideration that I would be able to seek relief from removal by applying for LPR status under the Cuban Adjustment Act, if they released me on parole.

13. Since the pandemic started, ICE has not reviewed my continued custody because I am a medically high-risk individual, nor have they given any new consideration to my multiple requests for release on parole. Here, DOs provide misinformation or conflicting information when they visit the dorms. They very recently stopped saying we needed immediate sponsors to get released but continue to deny nearly all parole requests without providing any individualized reasons for the denials.

Plans if Released on Parole

14. If I am released on parole, I plan to reunite with my husband who lives with his son and his family in Texas. I plan to self-quarantine to keep us and others safe from COVID-19 infection and to keep fighting my asylum case with the emotional and financial support of my family outside of this facility.

CERTIFICATION

I, Victoria Mesa Estrada, declare that I am proficient in the English and Spanish languages. On April 27, 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 27, 2020

Victoria Mesa Estrada

Signature

VERIFICATION

I, [REDACTED], am the individual referred to as M.P.I. 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.



Victoria Mesa Estrada

On behalf of witness [REDACTED]

Date: April 27, 2020