

IMMIGRATION  
**JUSTICE**  
CAMPAIGN



**American Friends  
Service Committee**



**SPLC**  
**Southern Poverty  
Law Center**

May 7, 2020

VIA ELECTRONIC MAIL

Cameron Quinn  
Officer  
Office for Civil Rights and Civil Liberties  
Department of Homeland Security  
Washington, DC 20528

Joseph V. Cuffari  
Inspector General  
Office of the Inspector General  
Department of Homeland Security  
Washington, DC 20528

**Re: Individuals in Immigration and Customs Enforcement (ICE) Custody Face Grave  
Risk of Death and Harm During COVID-19 Pandemic**

Dear Ms. Quinn and Mr. Cuffari,

The Immigration Justice Campaign—a joint initiative between the American Immigration Council (“Council”) and the American Immigration Lawyers Association (“AILA”)—and the undersigned partners, jointly file this complaint on behalf of numerous individuals currently and formerly detained in the custody of Immigration and Customs Enforcement (ICE) within the Department of Homeland Security (DHS). We submit this complaint in the midst of an aggressive global pandemic that thrives in exactly the close-quarter settings found in ICE detention facilities, where social distancing is largely impossible. The complaint draws from seventeen firsthand accounts from men and women currently or formerly detained in ICE

detention centers around the United States. The complaint is followed by sworn statements from four of these men and women, and one statement from one complainant's attorney.

Public health experts have called on government leaders to take common-sense steps to counter the outbreak of COVID-19, including the issuance of state-wide "stay at home" orders and calling for social distancing in public spaces. Dr. Scott Allen and Dr. Josiah Rich, medical experts contracted by the Office for Civil Rights and Civil Liberties (CRCL) who have unique expertise in medical care in detention settings, have described ICE detention as a "tinderbox scenario."<sup>1</sup> The doctors recently raised the alarm to CRCL and to Congress,<sup>2</sup> citing the health risks in immigration detention centers during the pandemic and urging the widespread release of individuals from immigration detention.

Just yesterday, news broke of the first individual to die while in ICE custody after testing positive for COVID-19.<sup>3</sup> 57-year-old Carlos Ernesto Escobar Mejia had been detained in Otay Mesa Detention Center in Southern California since January 2020 and was taken to a hospital's intensive care unit due to COVID-19 complications in late April. Unless immediate action is taken, Escobar Mejia's death in ICE custody will not be the last.

In many states, governors have moved to release at-risk individuals from state jails and prisons to minimize the further spread of COVID-19, recognizing the grave harms associated with keeping hundreds or thousands of individuals locked up in close physical proximity.<sup>4</sup> Some government leaders, including Congresswoman Veronica Escobar, Congressman Jason Crow and Governor Jared Polis have similarly called on ICE to follow public health guidelines and consider releasing individuals in ICE custody who are at higher risk of infection.<sup>5</sup>

<sup>1</sup> Catherine E. Shoichet, "Doctors warn of 'tinderbox scenario' if coronavirus spreads in ICE detention," *CNN*, March 20, 2020, available at: <https://www.cnn.com/2020/03/20/health/doctors-ice-detention-coronavirus/index.html>.

<sup>2</sup> Letter to Congress from Dr. Scott A. Allen and Dr. Josiah "Jody" Rich, March 19, 2020, available at: <https://whistleblower.org/wp-content/uploads/2020/03/Drs.-Allen-and-Rich-3.20.2020-Letter-to-Congress.pdf>.

<sup>3</sup> Hamed Aleaziz and Adolfo Flores, "An Immigrant Who Tested Positive for the Coronavirus has Died in ICE Custody," May 6, 2020, *Buzzfeed*, available at: <https://www.buzzfeednews.com/article/hamedaleaziz/ice-detainee-dies-coronavirus-otay-mesa>.

<sup>4</sup> Allen Kim and Anna Sturla, "Cities in the US move to lower inmate populations as coronavirus fears grow," *CNN*, March 16, 2020, available at: <https://www.cnn.com/2020/03/16/us/inmates-released-jail-coronavirus-trnd/index.html>.

<sup>5</sup> Letter from Jared Polis, Governor of Colorado, to Beth Werlin, et al., responding to a letter calling for the release of people detained in ICE custody during coronavirus pandemic (April 28, 2020), available at: [https://www.americanimmigrationcouncil.org/sites/default/files/litigation\\_documents/council\\_urges\\_governors\\_to\\_release\\_people\\_detained\\_in\\_ice\\_custody\\_during\\_coronavirus\\_pandemic\\_colorado\\_response.pdf](https://www.americanimmigrationcouncil.org/sites/default/files/litigation_documents/council_urges_governors_to_release_people_detained_in_ice_custody_during_coronavirus_pandemic_colorado_response.pdf); Letter from Veronica Escobar, Member of Congress, to Acting Director of ICE Matthew T. Albence and DHS Inspector General Joseph Cuffari, calling for greater protective measures for those in ICE detention during COVID-19, May 4, 2020, available at: [https://escobar.house.gov/uploadedfiles/04.29.20\\_letter\\_to\\_ice\\_oig\\_covid19\\_final.pdf](https://escobar.house.gov/uploadedfiles/04.29.20_letter_to_ice_oig_covid19_final.pdf); Letter from Jason Crow, Member of Congress, to Acting Director of ICE Matthew T. Albence, calling for the release of vulnerable individuals from ICE detention and drawing light to the extensive public health concerns related to COVID-19, March 27, 2020, available

However, despite these grave and urgent warnings, about 30,000 individuals remain in ICE custody. As of May 5, 2020, ICE reported that nearly half of the individuals tested for COVID-19 have tested positive. This demonstrates the magnitude of the problem, and yet the estimate is likely an undercount.<sup>6</sup> Acting Director of ICE Matt Albence recently confirmed to Congress that ICE had only tested about two percent of the population detained in ICE custody.<sup>7</sup> These numbers are dire and will only become worse without immediate action.

On April 21, 2020, a federal judge in California ordered ICE to begin considering for release from ICE custody of individuals at higher risk of severe illness from COVID-19.<sup>8</sup> ICE has since released at least 700 individuals from custody, or about two percent of the entire population in ICE custody.<sup>9</sup> While the releases are a step in the right direction, they fall woefully short of what is needed under the current circumstances. ICE has the legal authority and should expeditiously release far more individuals from its custody<sup>10</sup> and make use of alternatives to detention, proven to be more humane, less costly, and effective in ensuring that people attend their removal hearings.<sup>11</sup>

A groundbreaking report ("Modeling COVID Report") released on April 27, 2020, reveals that the continued spread of COVID-19 in immigration detention facilities will have a devastating impact on detained individuals and local health care systems if the population within ICE facilities is not substantially decreased.<sup>12</sup> The report, authored by leading medical experts and researchers in Canada and the United States, draws from official data available on the ICE Enforcement and Removal Operations (ERO) website and reveals a sobering projection of the impact of COVID-19 on immigration detention:

at: <https://crow.house.gov/sites/crow.house.gov/files/Letter%20to%20Acting%20Director%20Albence%20Regarding%20Humanitarian%20Parole%20Due%20to%20COVID-19.pdf>.

<sup>6</sup> Immigration and Customs Enforcement, "ICE Guidance on COVID-19," <https://www.ice.gov/coronavirus> (last update on confirmed cases and detainees tested was 5/5/20); Alejandro Lazo and Zusha Elinson, "Inside the Largest Coronavirus Outbreak in Immigration Detention," *Wall Street Journal*, April 30, 2020, available at: <https://www.wsj.com/articles/inside-the-largest-coronavirus-outbreak-in-immigration-detention-11588239002>.

<sup>7</sup> Sonia Pérez D., et al., "Scant Testing in US Migration System Risks Spreading Virus," *AP*, April 17, 2020, available at: <https://apnews.com/164e0389a95bd646116b077f7d1897c9>.

<sup>8</sup> *Fraiha, et al. V. U.S. Immigration and Customs Enforcement, et al.* Order ---, April 20, 2020, available at: [https://www.splcenter.org/sites/default/files/fraiha\\_pi\\_grant.pdf](https://www.splcenter.org/sites/default/files/fraiha_pi_grant.pdf).

<sup>9</sup> "ICE Releases Hundreds of Immigrants As Coronavirus Spreads in Detention Centers," *NPR*, April 16, 2020, available at: <https://www.npr.org/sections/coronavirus-live-updates/2020/04/16/835886346/ice-releases-hundreds-as-coronavirus-spreads-in-detention-centers>.

<sup>10</sup> INA § 212(d)(5)(A); INA § 236(a)(2)(B); 8 C.F.R. § 212.5(b); 8 C.F.R. § 236.1(c)(8).

<sup>11</sup> U.S. Government Accountability Office, "Alternatives to Detention: Improved Data Collection and Analyses Needed to Better Assess Program Effectiveness," November 2014, available at: <https://www.gao.gov/assets/670/666911.pdf>.

<sup>12</sup> Michael Irvine, et al., "Modeling COVID-19 and impacts on U.S. Immigration and Enforcement (ICE) detention facilities," *Journal of Urban Health*, 2020 (in press), available at: [https://whistleblower.org/wp-content/uploads/2020/04/Irvine\\_JUH\\_ICE\\_COVID19\\_model.pdf](https://whistleblower.org/wp-content/uploads/2020/04/Irvine_JUH_ICE_COVID19_model.pdf)

- 72% of individuals are expected to be infected by day 90 under an optimistic scenario and nearly 100% of individuals are expected to be infected by day 90 under a more pessimistic scenario.
- In the most optimistic scenario, coronavirus outbreaks among a minimum of 66 ICE facilities would overwhelm ICE beds within a 10-mile radius and outbreaks among a minimum of 9 ICE facilities (8%) would overwhelm local ICU beds within a 50-mile radius over a 90-day period, provided every ICE bed were made available for sick detained individuals.<sup>13</sup>

The data uncovered in the report portend potentially devastating consequences for individuals in immigration detention, and the public at large.

ICE has issued guidelines and recommendations regarding staffing of ICE facilities, availability of hygiene supplies (including soap and hand sanitizer), personal protective equipment and medical supplies, and recommended cleaning and disinfecting practices.<sup>14</sup> However, the below case examples demonstrate ICE's repeated failures to comply with these guidelines.

### **Key Findings**

The below pseudonymized case examples and original testimony from individuals detained in 11 facilities in Arizona, California, Georgia, Louisiana, New Mexico, and Texas show a systematic failure by ICE to take meaningful measures to protect the thousands of individuals currently in its custody. The stories demonstrate ICE's systematic failure to provide hygiene and cleaning supplies, personal protective equipment, and access to widespread testing and critical medical care. The enclosed accounts also show the following trends:

- Information about hygiene and prevention is only provided in English and Spanish, even though many detained individuals are from countries where English and Spanish are not widely spoken.
- Many of the complainants have serious underlying health conditions that make them particularly vulnerable to infection of COVID-19.
- Many of the complainants have followed procedures to seek release from detention and have been denied or ignored.
- Some of the complainants have been asked to sign forms which appear to be waivers of liability before being given face masks. According to the reports, the complainants are not given copies of the forms, which appear to be in only English and Spanish.

<sup>13</sup> Ibid.

<sup>14</sup> Immigration and Customs Enforcement, Enforcement and Removal Operations, *COVID-19 Pandemic Response Requirements*, April 10, 2020, available at: <https://www.ice.gov/doclib/coronavirus/eroCOVID19responseReqsCleanFacilities.pdf>.

- Some complainants report being subject to retaliation, physical assault, and solitary confinement for speaking out about their fears of infection and the inadequacy of preventative measures taken.
- Conditions in some facilities are overcrowded, unsanitary and fall far short of what is needed to prevent spread of COVID-19.
- ICE repeatedly fails to provide individuals in ICE custody with access to hygiene supplies, cleaning supplies, and personal protective equipment.
- ICE continues to transfer individuals—some of whom tested positive for COVID-19 shortly after the transfer—across the country between ICE detention facilities, increasing the risk of further spread.<sup>15</sup>
- ICE consistently fails to test individuals who have been exposed to COVID-19, or who are exhibiting COVID-19 symptoms.

At the end of this complaint we offer several recommendations that we urge ICE to implement immediately to ameliorate the risk of further endangering the health and safety of detained individuals, government and facility personnel, and the public. ICE should take every step possible to release individuals in custody and immediately consider alternatives to detention to facilitate their release.

## **INDIVIDUAL COMPLAINTS**

The cases below represent only a sample of the cases of individuals currently or formerly detained in ICE custody. Pseudonyms have been used to protect the complainants from possible retaliation. Sworn statements from four of the following complainants— Iván, Javier, Melisa, and Dario—in addition to a statement from Daniel’s attorney, are included in an appendix following the complaint.

### **1. Daniel, Mesa Verde ICE Processing Center, Bakersfield, CA**

Daniel is a 51-year-old man who was initially detained in Yuba County Jail in Marysville, CA, where he was detained in a housing unit holding up to 40 men, some of whom were in ICE custody and some of whom were county inmates. On March 25, 2020, in the middle of the COVID-19 pandemic, Daniel was transferred by van to Mesa Verde ICE Processing Center in Bakersfield, CA. Daniel and his attorney were not provided advanced notice or explanation of this transfer, leading him to initially be afraid that he was going to be deported. On the way to Bakersfield, the van stopped at an ICE office in Stockton, CA, where Daniel was brought inside and allowed to call his attorney.

Daniel reports not being provided gloves or a mask during his transfer and that none of the officers he interacted with were wearing masks. Upon arrival at Mesa Verde, Daniel states that

<sup>15</sup> Gaby Del Valle and Jack Herrera, “‘Like Petri Dishes for the Virus’: ICE Detention Centers Threaten the Rural South,” *Politico*, May 5, 2020, available at: <https://www.politico.com/news/magazine/2020/05/05/coronavirus-ice-detention-rural-communities-186688pa>.

he received a brief medical exam and temperature check, after which he was immediately put into a large dorm with no isolation period. He reports that the dorm has approximately 50 sets of bunk beds and 98 people, and that he sleeps above one man and a few feet away from another. Daniel states that the extremely close physical proximity within the dorm is making social distancing impossible.

On April 20, Daniel reported that there are not sufficient measures taken to maintain hygiene in the detention center. He states:

"There are no rules about when people use the bathrooms and sinks to minimize multiple people touching them. They are cleaned twice a day, but not in between individual uses. We have no choice but to touch the bathroom sinks that others have used without cleaning in between. For washing your hands, there is just a shared cloth towel that is disgusting. There are a couple of bars of soap sitting out there for people to share, but it's gross and people don't want to touch them. I buy my own soap from commissary, so I don't have to use the shared soap, but for some people that's all there is. There's no hand sanitizer, not even to buy in the commissary. I try to clean to avoid the virus, but I'm afraid it doesn't work. I try to clean my bunk and the wall that my bunk is against. I clean it with a rag and a watered-down chemical solution. The rags are shared.

No matter how careful I am, I still have to touch shared surfaces and pass very close by to others all day long. To eat, we go to a cafeteria where people from other dorms eat at different times. When we are in the line for food, we aren't six feet apart. When we eat meals, there are four people seated at a table, and we aren't six feet away from each other then either. New people are still arriving in our dorm from outside Mesa Verde. For example, in the past week I think about ten new people came into D Dorm. In addition, the staff leave at the end of the day and then they come back in. The staff do not wear masks or gloves. In order to make calls to my lawyer or family, I have to use a shared phone in the dorm that is near the restrooms. There is nothing by the phone for me to clean it off with before I use it. I am terrified of catching COVID-19 in here."

As of April 20, the detention center had installed paper towels and soap dispensers, but Daniel's other concerns about hygiene remain.

Daniel is in remission from follicular lymphoma, a cancer that affects the white blood cells. He has also been diagnosed with Post Traumatic Stress Disorder, depression, anxiety, and hyperlipidemia. He states:

"I am 51 and my health hasn't been the same since my cancer. I lost approximately 20 pounds during my first few months in ICE detention. I am worried about the nodule they recently found in my lung. I'm also worried about my immune system. I remember that when I had cancer, my doctor told me my immune system would be affected. My lawyer also explained to me that my PTSD makes my immune system weaker and that my low platelets do the same. In addition, I have high cholesterol. The way ICE has handled my medical treatment so far makes me feel even more unsafe. When I first arrived at Yuba in

June 2019, I was due for my regular scans that July. I had to ask over and over for my scans and was getting really worried, especially because I lost 20 pounds during my first few months in ICE custody, and was having night sweats, which my doctor told me to watch out for. When I finally got my scan in November, they found the nodule in my lung.”

## **2. Melisa, Eloy Detention Center, Eloy, AZ**

Melisa is an asylum seeker from Mexico who has been detained at Eloy Detention Center in Eloy, Arizona, since November. Melisa was previously diagnosed with prediabetes and has a family history of diabetes. She is currently suffering from migraines, lightheadedness, lack of appetite, and fatigue—symptoms which have led her to worry that she may be diabetic and therefore at higher risk for COVID-19. Medical tests in detention have revealed that Melisa has low blood pressure and high cholesterol. She reports that she does not want to leave her bed because she feels terrible physically and mentally. Melisa states that others detained with her who have requested therapy have told her that it is not worth doing so because there are no real therapists at the detention center.

Movement within the detention center has become very restricted during the COVID-19 pandemic. As a result, Melisa reports spending almost all her time in her pod, where the lights are on day and night. At one point, she says that she was not permitted to leave the pod for an entire week.

Melisa is very concerned about the lack of precautions taken to prevent the spread of COVID-19 in the detention center. She has heard that some of the staff have COVID-19 and believes her cellmate may also be at risk because of asthma. Melisa says that she is completely unable to social distance because, as of mid-April, people were moved into her pod until it was nearly full, with approximately 50 people detained there total. Melisa states that there are five tables with five chairs each and an additional 20 chairs in the pod. As a result, the pod feels very crowded.

Melisa reports that on April 21, she and others in her pod finally each received a mask made by other detained individuals, about three weeks after detention center staff told them they would receive them. She states that the woman who works in the detention center library appears to be sick but continues to work.

She is also concerned about the risk of poor hygiene during the pandemic. Melisa says that she and other detained individuals receive soap only once a week, and that it is not enough to enable her to wash her hands frequently. Melisa reports purchasing additional soap, but many others cannot afford to do so. Melisa says that she uses the additional soap to wash her hands, mask, clothing, and sheets. She reports that the sheets would never be washed if she didn't do it herself, that her clothing comes back dirty from the laundry, and that a detained individual who works in the laundry room told her that the clothing is washed in dirty water without soap. Melisa also says that there has been a shortage of toilet paper in her pod.

Melisa has family members ready to receive her in the United States, including her parents and two siblings. She states:

“I have a family that will receive me and together we will follow the curfew in California. I am putting a lot of work into my case and I will be at all my court dates. We need to be together because we’re all witnesses in each other’s cases. There’s no reason why I should remain here during this pandemic and become another person at risk that’s also putting at risk other people, and creating more work for the workers of ICE. I fear that I will get sick at the detention center since they have a hard time keeping us at the correct distance and perhaps do not have the resources to supply all of us with masks and gloves. They told us that they would provide us with masks two weeks ago, and to this day nothing.”

Melisa’s attorney requested humanitarian parole on approximately April 22, 2020, but was told that there is at least a 30-day backlog for parole adjudications. As of May 5, 2020, ICE had confirmed that one ICE officer who works at Eloy Detention center had tested positive for COVID-19.<sup>16</sup>

### **3. Iván, La Palma Correctional Center, Eloy, AZ**

Iván is a Mexican asylum seeker detained in La Palma Correctional Center, in Eloy, AZ. While detained, he underwent surgery for a growing cyst in his stomach. He also suffers from a head injury he sustained due to an attack involving a machete before he fled Mexico. Iván has constant debilitating headaches but has been denied an appointment with a specialist.

La Palma was one of the first three detention centers for which ICE publicly confirmed COVID-19 cases, which it did on April 1, 2020. As of May 4, 2020, the number of confirmed cases in the facility has risen to 30.<sup>17</sup> Iván describes a lack of food, toilet paper, soap, masks, and other personal protective equipment among both guards and those detained, as well as inadequate laundering. He says that he sleeps in a bunk bed and that he spends almost all of his time in a pod of 120 people. He reports detention center staff coming to work sick, and frequent rotations of different staff. He says that other detained individuals have been denied medical care until they are so sick they have to be carried out on a stretcher.

Iván works in the detention center kitchen and has seen other detained individuals and facility staff work alongside him in the kitchen even though they are visibly sick. He is unable to sanitize the things he has to touch to perform his duties. However, he fears retaliation if he does not report to work or if he complains about the lack of COVID-19 prevention in the detention center. Iván reports that officials at the detention center have responded to protests and hunger strikes with pepper spray, rubber bullets, lockdowns, and solitary confinement. He states that over the weekend of April 24 and 25, a person detained at the facility was airlifted out, and that the facility has been on lockdown since.

<sup>16</sup> “ICE Guidance on COVID-19.”

<sup>17</sup> Ibid.



Before COVID-19, Iván was already struggling with the effects of psychological trauma, saying “When I remember, I start to sweat and can barely control my nerves. It is almost as if I were reliving everything again.” His mental health has further declined due to the fear of contracting COVID-19. He states:

“I am also very sad and I cannot sleep. We no longer have a library and we can only go outside once a day at 5 A.M. We are almost all day in our rooms. A friend of mine thinks I am depressed because I am not the same. I am afraid to say anything because depressed people are taken to solitary confinement rooms. I had a friend in Eloy that requested therapy and they only asked him if he was suicidal and was confined for 12 days. I think this could only jeopardize my mental health. I only pray to God and with my friends [who] do yarn crafts.”

Iván’s attorney submitted a request for humanitarian parole based on his underlying medical conditions, a strong asylum claim, and multiple family members in the U.S. willing to receive him. ICE has not provided a response. As of May 5, 2020, ICE had confirmed 33 cases of COVID-19 among people detained at La Palma Correctional Facility.<sup>18</sup>

#### **4. Javier, Otero County Processing Center, Chaparral, NM**

Javier is an asylum seeker detained at Otero County Processing Center, where he is detained in a pod of 50 people.

Around April 6, 2020, Javier and 14 others who work with him doing laundry for one dollar a day went on strike for a day because they wanted the detention center to take preventative measures against the spread of COVID-19. They opposed the detention center's failure to provide them with masks, and that facility staff came in and out of their pod without masks or other personal protective equipment. They also disagreed with only being given a small amount of soap each week, which is insufficient to bathe and wash their hands. Those who have money can buy more, but many cannot afford it. In response, officials confiscated the three tablets that their pod shared and needed for communication. They stopped the strike for fear of further punishment.

By approximately April 26, Javier reports that two pods at Otero had been quarantined due to COVID-19. Javier states:

“On the day of my court, almost 20 days after we protested, there were two pods in quarantine here in Otero County Processing Center because of coronavirus. Still, the officials did not give us masks or gloves. They never checked our temperature and I saw other peers with fevers and other flu symptoms. In our pod, there are 50 of us and we cannot social distance.”

<sup>18</sup> “ICE Guidance on COVID-19.”

Javier says that they finally received masks a few days later, around the time a third pod was quarantined. Javier describes symptoms he has experienced during his detention:

“Around April 28 I started to get sick with fevers, pain in my bones and heachaches [sic]. I was also hungry since I did not have any money in my comisionary [sic] and the food they gave us was not enough. I also started to have difficulty breathing. After a day of having put in my request to see a doctor, some officials came, they took me out of the pod and took me to my own [hielera] cell.”

Javier was denied parole, despite his partner and child living in the United States, along with a network of people willing to help support him upon his release. He says:

“I want to get out of here as soon as possible since I am extremely scared of getting sicker and here I do not have access to medical treatment other than pills that they give me, but I don’t even know what they are.”

Javier was denied parole, despite his partner and child living in the United States, along with a network of people willing to help support him upon his release. As of May 5, 2020, ICE had confirmed ten cases of COVID-19 among people detained at the Otero Country Processing Center.<sup>19</sup>

#### **5. Marco, Otero County Processing Center, Chaparral, NM**

Marco is an asylum seeker from Honduras currently detained at the Otero County Processing Center. Marco was originally detained at the El Paso Service Processing Center (EPSPC) but was transferred to Otero in late-March during the COVID-19 pandemic, five days before he was scheduled to have a hearing at EPSPC.

Marco says that he started to feel sick in mid-April, but that the medical providers at the facility told him that his fever was not high enough to have COVID-19. He says that they gave him pills but refused to tell him what they were and told him to drink water. He reports that other people detained with him were experiencing similar symptoms and received the same treatment and were not tested for COVID-19. He says that at this time, facility officials were talking about plans to transfer people between dorms. Marco says he was also concerned about the lack of disinfectant to clean the dorm.

Marco’s attorney submitted a parole request on his behalf on April 13, 2020. It was denied on April 17.

Marco reports that on April 24 some of those detained in the facility started a hunger strike. Marco says that the staff shuffled dorm assignments to attempt to break up the organizers of the strike, even though many people were exhibiting possible COVID-19 symptoms.

<sup>19</sup> Ibid.

Marco states that he was transferred from his dorm into solitary confinement on April 24 with fever, cough, nausea, and body aches. He reports that he was not tested for COVID-19 until on or around April 30. He states that on May 4, he was informed that he had tested positive. He is no longer receiving pills. Marco says that he has been told that he will be held in the cell until May 8, when he will be returned to his dorm.

Marco's grandmother lives in the United States and is ready to receive him. As of May 5, 2020, ICE had confirmed ten cases of COVID-19 among people detained at the Otero Country Processing Center.<sup>20</sup>

#### **6. Freddy, El Paso Service Processing Center, El Paso, TX**

Freddy is a Cuban asylum seeker detained at El Paso Service Processing Center. In early March, Freddy organized other men detained with him to denounce ICE's failure to implement COVID-19 precautions in a video, which was published online. On April 17, some of the men started a hunger strike demanding safety precautions. Freddy was not an organizer of the hunger strike but intended to participate. A facility staff member tried to force them to eat. Freddy states:

"Since he wasn't wearing gloves, I told him that he should set the example for sanitary conditions and wear gloves. Because of this, he accused me of being the one that put together the hunger strike, so he went with [another officer] so they could put together a story and declare against me. Three hours later they processed me and sent me to solitary confinement."

Other men detained at the facility asked what had happened to Freddy. Staff responded that there are rules and those who break them will be punished. The other hunger strikers broke the strike out of fear that Freddy would be further punished. Freddy received a piece of paper that said he had been sentenced to 12 days in solitary confinement, but a facility staff member told him he would be there for the rest of his time in detention. He spent over a week in solitary detention, before recently being released on bond. As of May 5, 2020, ICE had confirmed eight cases of COVID-19 among those detained at the El Paso Service Processing Center and one case of an ICE employee who works at the facility.<sup>21</sup>

#### **7. Camilo, Joe Corley Detention Facility Conroe, TX**

Camilo is a Cuban asylum seeker whose work experience as a health inspector and degree in hygiene and epidemiology have informed his concerns about the lack of COVID-19 prevention in detention. Camilo was originally detained in El Paso Service Processing Center but was transferred in mid-March to Joe Corley Detention Facility in Conroe, Texas, with no notice to his attorney. Camilo describes his experience of being in an ICE facility during the pandemic:

<sup>20</sup> Ibid.

<sup>21</sup> Ibid.

“Conditions in this center are ripe for the propagation of the novel coronavirus. Detainees with respiratory symptoms are forced to go without medical assistance, and there are over 30 people in most dorms, making social distancing virtually impossible. We do not have access to personal protective equipment like masks or gloves. Meanwhile, individuals from the border and other detention centers are being transferred to the facility. I myself was transferred here from El Paso, though I had a sore throat at the time.

Detention center staff members do not have PPE, nor do the kitchen workers. Testing and widespread checks for fevers are nonexistent. We have reported these conditions to Joe Corley staff, but nothing has happened.”

Camilo reports being detained with 30 other men, including some with asthma and diabetes, in an approximately 8 by 15-meter room, even though he and others in the room have experienced fever, fatigue, dry coughs, and difficulty breathing. According to Camilo, they have not received medical care. He also states that there are 24 men with fevers in the dorm next to his.

He states that officials come in and out of the room frequently without masks and touch the men and their beds, including after entering designated sick rooms. He says that the people working in the kitchen also do not have adequate screening before their shift and are not given masks. He reports having to clean the room with shampoo due to a lack of cleaning supplies. He says that the spray bottles they were given to clean the room smell and appear to only contain water.

In mid-April, Camilo reports that officials came to his dorm and tried to coerce him into signing a document in English which he believes stated that the facility had taken proper precautions against COVID-19. When he refused to sign, one of the officials pushed him to the ground, got on top of him, called him a “motherfucker,” and told him to sign the document. Camilo states that he has made repeated requests to add a news outlet to the list of approved numbers he can call so that he can share his experience with the press, but it has not been approved.

While detained at Joe Corley, Camilo reports that he has experienced a fever on at least three separate days, a sore throat, and a cough that made him feel like he could not breathe. He states that he asked repeatedly for medical attention but waited days for medical staff to take his temperature. By that time, he says that he no longer had a fever and that medical staff called him a liar and sent him back to his dorm.

Camilo’s attorney filed a parole request on his behalf on March 25, 2020. ICE denied the request on March 26 and emailed their decision to his attorney on March 27. Camilo is struggling with significant anxiety and other mental health issues.

As of May 5, 2020, ICE had confirmed 21 cases of COVID-19 among people detained at Joe Corley Detention Center.<sup>22</sup> Camilo has a sponsor ready to receive him in the U.S. as well as several family members willing to help support him after release.

<sup>22</sup> Ibid.

## 8. Dario, Houston Contract Detention Facility, Houston, TX

Dario is a Salvadoran asylum seeker. After entering the United States in February 2020, he spent two months in a federal prison as a potential witness for a human trafficking criminal case. On April 1, 2020, in the middle of the COVID-19 pandemic, Dario was transferred to Houston Contract Detention Facility. He requested a credible fear interview over a month ago but has not received one.

For about the first two weeks of April, Dario reports that he and the other approximately 34 men housed in the A1 dorm had not received masks. He says that on or around April 13, officials brought masks but required them to sign a document in Spanish in order to receive one, even if they did not speak Spanish. Dario recalls that the documents included the following text: "I understand and agree that I can't make a single type of claim against Core-Civic over these masks" and "I am conscious that the masks can't protect in some aspects."

Dario states that the officials said it was just for ICE to keep a record of who had received a mask. He states that he signed the document to avoid problems with the officials, but that others refused. He says that the officials became angry, saying in English that those who did not sign would not receive masks and that ICE did not care if they did not understand. He says that one official told the people who did not sign to give him back the forms and that when they refused, he snatched them and walked away. Dario reports that he has been using the same mask since that day, and when someone requests another one, officials tell them to be grateful that they have a mask.

Dario also states that they have not been given enough soap to bathe themselves, even though they must use the same soap to clean the dorm themselves and have not been given gloves. He says that they also have not received gloves for cleaning. Dario reports that on April 16, one of the officials dumped shampoo and water on the floor at 1:00 a.m. while they were sleeping. He states that the official said that the first person to fall would have to clean. He says that a man who spoke English got up and said that if he fell, he was going to make a claim against the official. He states that the official told them they had to clean, and that the men tried to refuse. Dario reports that the officials repeated that they had to clean "the easy way or the hard way" and that a man who refused was taken out of the dorm. Dario reports that the rest of them cleaned, and that two people fell on the slippery floor.

Dario says:

"They have not trained us, their training is coming in and pasting papers on the wall in English and Spanish. Yesterday they came and pasted a paper that says how to avoid coughing and cover ourselves. In the pod where I'm at there's 4 people from China, one person from India, and one person from Africa. Those who are Chinese here don't understand anything. The people from China are the most harmed. They don't understand any English and any Spanish."

Dario reports that for the last two weeks of April, they have had barely anything other than potatoes to eat and in very small portions. He states that a policy was implemented for people with bottom bunks to eat in their beds and people with top bunks to eat at the tables, but that it stopped being enforced after two days and that everyone started eating close to each other at the tables again. He says:

“Here they don’t give a lot of priority to anything coronavirus related. It is not mandatory to use face masks. Now almost nobody has the facemasks. Not even the officers or guards use the face masks.”

Dario states that on May 5, 2020, detention center staff posted a piece of paper on the wall stating that someone in a nearby dorm had tested positive for COVID-19 and that officials told him and others that they would be quarantined due to possible exposure. Dario reports that until very recently, his dorm had been going outside and mixing with two other dorms. He states that when they come back inside they are required to line up in a very small area, estimating that each man is about 20 centimeters away from the next. He also states that the men share exercise equipment.

Dario reports that the officials advised them to wash their hands, use masks, and cough into their sleeve. He says that the men responded that this would not help them if they did not have the space to social distance. He reports that the officials told them to be grateful for being detained and for having a place to sleep and food to eat unlike in our countries. Dario says that the men explained that they needed more soap in the bathroom because it runs out every day. He says the officials said they would refill the soap but that they have not done so. He states that the only change he has seen is that staff are now wearing masks inside the dorms. Dario states that he is worried that the Chinese and Indian men in his dorm do not know what is going on, because none of the information was translated to them.

Dario suffers from high blood pressure but has not received treatment in detention. His lawyer has submitted a parole request in the hope that he can be released to live with his aunt, who has agreed to receive and support him.

As of May 5, 2020, ICE had confirmed two cases of COVID-19 in ICE employees who works at Houston Contract Detention Facility.<sup>23</sup>

#### **9. Brian, Houston Contract Detention Facility, Houston, TX**

Brian is a Nicaraguan man detained at the Houston Contract Detention Facility. He states that he is detained with approximately sixty men in one space. Brian reports that the men sleep in bunk beds one meter apart, and that he sleeps with someone above him and people on either side of him. He says that when they eat, “it’s almost like a buffet that everyone touches.”

<sup>23</sup> Ibid.

Brian suffers from high blood pressure. He reports that many of the men he is detained with have flu-like symptoms but have not been tested for COVID-19. He says that staff are not checking temperatures unless the person chooses to go to the medical area. Brian reports that when someone has a fever and requests medical care, medical staff only tell them to drink water. He says that he went to the medical staff because he was experiencing sneezing, a cough, sore throat, headaches, congestion, watery eyes, and what felt like a fever. He says that medical staff checked his temperature and blood pressure, but only told him he needed to remain calm to keep his blood pressure down.

Brian is concerned that detention center staff are preventing him and those detained with him from receiving information about COVID-19. He states:

“[The staff] come and tell us that the news is fake and everything is a lie. They tell us that Univision and Telemundo are fake news.... They tell us nothing is happening and not to pay attention to the news or anything. The officials change the channel when we are watching the news. Once they came and gave a presentation and said that everything was under control. They said that everything was a lie. That the virus wasn’t happening. I said that people are dying and this is not a game.”

He states that two other dorms are quarantined, and that he has heard that there are detained individuals there who have tested positive.

Brian reports that the men do not have proper cleaning supplies to keep their dorm sanitary, must shower very quickly, and do not have access to hand sanitizer. He says,

"I sneeze and speak into this mask and it gets dirty. That was 20 days ago [that they gave me the mask] and they haven’t exchanged it.”

#### **10. César, Houston Contract Detention Facility, Houston, TX**

César is a Cuban man detained at the Houston Contract Detention Facility. He says that it was early April, well into the COVID-19 pandemic, when officials first advised the men to wash their hands and remain six feet apart. He says, “It is impossible. Everyone eats in the dining area of the dorm together, we eat and bathe here in the dorm, everyone is mixed together here.” He describes the dorm as “overcrowded with bad hygiene.” Until recently, he shared the space with approximately 60 men, but about 15 have now been deported.

César states that the beds and tables are each about a meter apart from each other and that the dorm has 3 showers, 6 toilets, and 9 sinks, all in the same bathroom without walls between them. He says that when the men buy instant soup from the commissary, they have to fill the water right next to and in view of people who are using the toilet. He says, “Everything is open, there is no privacy. People even use the water for soup or something and another man is the next to him doing his business.”

César reports that when someone is feeling sick, medical staff only take their temperature and blood pressure but do not provide any other treatment. He states that the staff do not check temperatures unless someone goes to the medical area. He says that some other dorms in the detention center have signs on the doors that say “quarantine,” and that the people in those dorms do not leave the dorm and instead food is brought to them on paper plates.

César states that the officials required the men to sign documents in order to receive a mask, and that those who refused to sign did not receive a mask. He says that for the most part, the only staff consistently wearing masks and gloves are those who work in the kitchen.

César says:

“There are things that they hide from here and they tell us that everything is okay but it’s not okay. We have asked officials [whether anyone detained here has tested positive] but the supervisors don’t tell them. We did a hunger strike and since then they have limited our information and we don’t know if something is a lie because we don’t have information.”

He reports that since the hunger strike, which was featured on television in early April, he has not been allowed to continue his job in the kitchen. He states that everyone else in his dorm who participated in the hunger strike also lost their jobs working in different areas of the detention center.

César is concerned that he and those detained with him are unable to maintain a clean environment due to a lack of cleaning supplies. He says that they were given hand sanitizer once but it ran out and has not been replaced and that he was only given shampoo to wash his hands.

César suffers from asthma and allergies and was told by his doctor before he was detained that he needed surgery on his head but has not received this medical care in detention.

#### **11. Dominic, Prairieland Detention Center, Alvarado, TX**

Dominic was initially detained at Pike County Correctional Facility in Pike County, Pennsylvania. On or around April 11, in the middle of the COVID-19 pandemic, he was transferred unexpectedly with a group of other detained individuals to Prairieland Detention Center in Alvarado, Texas, with no notice to him or his attorney. Throughout the entire transfer, he was forced to be in close contact with other people and had no access to soap. He is now quarantined at Prairieland and has not been outside in three weeks. He watches the daily news on television and is very afraid of contracting coronavirus in detention.

News reports state approximately 72 people were transferred to Prairieland from Pike County Correctional Facility and Buffalo Federal Detention Facility on or around April 11. At the time of the transfer, ICE had confirmed 5 cases of COVID-19 among detained individuals at Pike County and 7 at Buffalo, and local news had reported two county inmates deaths from COVID-19 related



complications from Pike County.<sup>24</sup> It was later reported that at least 21 of those transferred have tested positive for COVID-19. As of May 5, 2020, ICE had confirmed 18 cases of COVID-19 at Pike County, 41 cases at Prairieland, and 49 at Buffalo.<sup>25</sup>

#### **12. Dmytro, Prairieland Detention Center, Alvarado, TX**

Dmytro is a 51-year-old man who was initially detained at Pike County Correctional Facility in Pike County, Pennsylvania. On approximately April 11, 2020, he was transferred to Prairieland Detention Center in Alvarado, Texas. Dmytro suffers from severe depression, anxiety, bipolar disorder, tension headaches, severe osteoarthritis, and hypertension. Before he was detained, he was undergoing neurologic and psychiatric care. He requires a CPAP machine due to obstructive sleep apnea. He reports that he has not received proper medical care in detention.

His attorney submitted a parole request on his behalf on April 8, 2020, but it was quickly denied on April 9. His attorney then submitted another custody redetermination request on April 20, pursuant to the *Fraihat v. ICE* nationwide preliminary injunction,<sup>26</sup> of which he is a sub-class member. As of May 4, his attorney had not received a response and Dmytro continues to be detained, despite his significant physical and mental health conditions and the fact that his mother is in the U.S. and prepared to receive him.

Dmytro's mother reported to his attorney that her son was not given a mask, was not feeling well, and was having respiratory problems. His attorney attempted to confirm his medical condition with ICE but was referred to his deportation officer, who never answered the phone or returned the call.

#### **13. Nisay, Prairieland Detention Center, Alvarado, TX**

Nisay was detained at Pike County Correctional Facility in Pike County, Pennsylvania, between March 4 and April 11, 2020. During that time, he reports becoming very ill with a high fever, and testing negative for COVID-19 but positive for the flu.

On April 11, 2020, Nisay was part of the group of detained individuals transferred to Prairieland Detention Center in Alvarado, Texas, despite having a hearing scheduled before the immigration court on April 13. His request to contact his attorney was denied. His attorney heard that a group had been transferred from Pike County and tried to confirm with ICE whether he had been transferred but did not receive a response. Nisay's attorney learned that he had been transferred only because DHS filed a motion to change venue to the Dallas Immigration Court. Because of the transfer, Nisay's hearing did not take place and was rescheduled to more than

<sup>24</sup> Lori Comstock, "2 Pike County inmates die from COVID-19; other inmates, staff positive," *New Jersey Herald*, April 8, 2020, available at: <https://www.njherald.com/news/20200408/2-pike-county-inmates-die-from-covid-19-other-inmates-staff-positive>.

<sup>25</sup> "ICE Guidance on COVID-19."

<sup>26</sup> *Fraihat, et al. V. U.S. Immigration and Customs Enforcement*.

a month later. Nisay's attorney opposed the government's motion to change venue, but it was granted and reconsideration of venue transfer was denied.

When Nisay arrived at Prairieland, he was put into the general population. About three or four days later, he was put into isolation in a cell by himself and tested positive for COVID-19. He reports not showing any symptoms, and believes he contracted the virus while in close proximity to others during the transfer.

Nisay's attorney requested that ICE confirm the test results to her. ICE stated that the attorney would need to mail the client a release form for him to authorize the release of his medical records. ICE stated that they would not give a copy of the form to the client themselves.

While in quarantine, Nisay was only allowed a five-minute phone call twice a week to call his family and attorney. After his attorney complained, the calls were increased to thirteen minutes twice a week. Since then, calls have started cutting off after ten minutes. The detention center has told Nisay's attorney that he has access to free video calls, but he has limited access from quarantine and the calls charge his attorney.

Nisay has been told that he needs to test negative for COVID-19 twice to be released from quarantine. He has tested negative once and is awaiting the results of the second test.

Nisay's lawful permanent resident and U.S. citizen parents and siblings live in the United States and are willing to support him upon his release, as are various community organization in their city.

#### **14. Aramis, Prairieland Detention Center, Alvarado, TX**

Aramis was initially detained at Pike County Correctional Facility in Pike County, Pennsylvania. On or around April 10, 2020 he was transferred to Prairieland Detention Center in Alvarado, Texas, with no notice to him or his attorney. When Aramis was taken to the plane, he did not know where he was going. His attorney learned of the transfer on April 12 from Aramis's wife.

Before the transfer, Aramis had only heard rumors of what was occurring at the Pike County facility, because the facility had blocked those detained from seeing any local television news or newspapers. These news outlets were reporting that there was an outbreak at the facility, that staff were sick, and that two county inmates had died.

At the Pike County facility, Aramis and those detained with him were not given personal protective equipment until April 6, nearly a month after the World Health Organization had categorized COVID-19 as a pandemic. No hand sanitizer was available, and they had limited soap. Three or four people were housed in each cell. People were getting sick and being removed from their cells.

Aramis had been scheduled for an April 17 hearing in Pennsylvania. His Philadelphia-based attorney was struggling to prepare him because phone calls were limited by cost and

availability. Aramis was also concerned that the phones and tablets were not properly sanitized between uses. Since his transfer, his new court date in Dallas has not been set. Aramis has limited phone access at Prairieland and has stated that he is having challenges getting on the official roster that would allow him to register for an inmate account and make calls.

Aramis has a U.S. citizen wife who is ready to receive him if he is released, along with significant support from his community, employer, and a local non-profit organization.

**15. Eva, South Louisiana ICE Processing Center, Basile, Louisiana**

Eva is a Cuban asylum seeker detained in South Louisiana ICE Processing Center in Basile, Louisiana. Eva suffers from Post-Traumatic Stress Disorder, Severe Depressive Disorder, Severe Generalized Anxiety Disorder, respiratory disease with a lifelong history of chronic asthma, and high blood pressure. She was diagnosed with Stage IIIA cancer in 2019, for which she underwent a partial mastectomy, radiation, and chemotherapy. These treatments have left her immunocompromised. During her detention, Eva has suffered numerous infections and contracted a flu or cold that lasted 10 days. She is not being provided the medications she normally takes for breast pain, sleep, allergies, and nausea.

Eva reports repeated delays in her asylum case during her period of detention. Her attorney filed a humanitarian parole request based on her medical condition and increased risk of COVID-19, but it was denied. Her attorney filed an updated parole request in late April, but ICE has failed to confirm that the request has been received.

On March 22, during the COVID-19 pandemic, Eva was taken to an off-site hospital for a medical appointment. She was not provided personal protective equipment for the trip. On April 1, her dorm was quarantined because someone in her dorm had flu-like symptoms. The dorm was quarantined for two days while the test was pending. During the quarantine, Eva and those detained with her did not receive masks and could not make confidential legal calls, but facility staff continued to enter and leave the dorm frequently. Before and after that quarantine period, the staff who entered routinely did not wear masks.

**16. Okeyo, Pine Prairie ICE Processing Center, Pine Prairie, LA**

Okeyo is a Kenyan asylum seeker detained in Pine Prairie ICE Processing Center in Pine Prairie, Louisiana. He suffers from deep vein thrombosis, allergies to dust, smoke, and cold, chronic respiratory illness, high blood pressure, and blood clots. Okeyo has submitted two parole requests himself, one of which was denied and one for which he never received a response. His attorney submitted a third request over a month ago. At the time, Okeyo's deportation officer said that Okeyo would likely receive parole, and that he just had to check with a supervisor. On May 4, Okeyo's attorney was notified that the request had been denied.

As of May 5, 2020, ICE confirmed that 26 individuals detained at Pine Prairie had been confirmed to have COVID-19.<sup>27</sup> However, based on the number of people with symptoms, Okeyo fears that there may be hundreds of cases. According to Okeyo, all of the dorms are under quarantine. Meanwhile, the deportation officers do not answer their phones or email. Okeyo's immigration case is pending in the Oakdale Immigration Court, but has been repeatedly rescheduled, increasing the time he spends in detention at risk of contracting COVID-19.

Okeyo has a sponsor ready to receive him in the United States.

#### **17. Raúl, Folkston ICE Processing Center, Charlton County, GA**

Raúl is an asylum seeker detained in the Alpha pod at the Folkston ICE Processing Center in Charlton County, Georgia. Some of the men in his pod have participated in a hunger strike, saying that they are doing this so that “authorities will take them into consideration” because they are afraid that they will contract coronavirus in the detention center and possibly die.

The men did not receive masks until approximately April 27, at which point an official told them that they would each receive a new mask every Monday, Wednesday, and Friday. However, a week later they had still only each received one mask. They report guards entering the pod without masks and touching things, even when they have recently entered other pods which are quarantined. The men still go to the shared dining hall, but the schedule has been shifted so that only one dorm is there at a time.

Raúl and the other men in his pod also report unsanitary conditions. They state that they have not been given anything with which to disinfect surfaces, and that the staff have not done anything four days after the men reported backed up toilets.

On May 3, detention center staff announced to Raúl and other men that one detained individual at the facility, from another dorm in the same building, had tested positive for COVID-19. The men believe that there are more cases, because even when certain officials were denying that there were any cases, a captain, doctor, and pastor at the facility told them it was true that there were multiple cases. They report that men have been taken out of their pod and moved into the Bravo pod to be quarantined.

As of May 5, 2020, ICE had confirmed one case of COVID-19 in the Folkston ICE Processing Center.<sup>28</sup>

#### **CONCLUSION**

As scientists around the globe rush to develop a vaccine to permanently stop the further spread of contagion, one thing is abundantly clear: those who remain in close physical proximity—like the

<sup>27</sup> “ICE Guidance on COVID-19.”

<sup>28</sup> Ibid.

thousands of individuals currently in ICE detention facilities—are more likely to become infected.

Failure to take immediate steps to significantly reduce the population of individuals in ICE detention facilities will lead to avoidable suffering and loss of life and will only exacerbate a global public health crisis. We urge your office to investigate the lack of protective measures being taken to stem the further spread of COVID-19 within ICE detention facilities. We also urge your office to make the following immediate recommendations to ICE:

1. ICE should exercise its discretion under its parole authority to release individuals in its custody and immediately consider alternatives to detention to facilitate their release.
2. ICE should immediately provide free hygiene supplies and personal protective equipment, including face masks, soap, and hand sanitizer, to all individuals who remain in ICE custody.
3. ICE should require all staff, including both ICE employees and staff contracted at the facilities—some of whom may be infected—to use personal protective equipment while in immigration detention facilities.
4. ICE should regularly report the number of COVID-19 cases that have been confirmed among detained individuals as well as staff working in, or entering, immigration detention facilities.
5. ICE should increase availability of testing for COVID-19 for individuals in ICE custody who have been exposed to COVID-19 or who are exhibiting symptoms.
6. ICE should immediately discontinue the transfer of detained individuals, many of whom may be without symptoms, between ICE detention facilities; failure to do so will further disseminate the virus throughout the entire ICE detention system with terrible consequences to public health.

Thank you in advance for your time and consideration. If you have any questions or require additional information, please contact Katie Shepherd, National Advocacy Counsel at the Immigration Justice Campaign, [KShepherd@immcouncil.org](mailto:KShepherd@immcouncil.org).

American Friends Service Committee

American Immigration Council

American Immigration Lawyers Association

Catholic Charities of Southern New Mexico

Diocesan Migrant & Refugee Services, Inc.

HIAS

Innovation Law Lab

Las Americas Immigrant Advocacy Center

New Mexico Immigrant Law Center

Remote Immigrant Assistance Project/CBK Immigration

Santa Fe Dreamers Project

Southern Poverty Law Center

CC:

Matthew T. Albence

Deputy Director and Senior Official Performing the Duties of the Director

U.S. Immigration and Customs Enforcement

Department of Homeland Security

Washington, DC 20528

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DECLARATION OF [REDACTED]

I, [REDACTED], hereby declare as follows:

1. I am an attorney licensed in the state of New York and authorized to practice before the Executive Office for Immigration Review and the Department of Homeland Security throughout the United States. I am the [REDACTED] Attorney for the [REDACTED] [REDACTED], a coalition of organizations providing coordination, advocacy, and legal services to the immigrant community in California, with a focus on individuals who are in, and who face, detention.
2. The facts stated in this declaration are true and of my own personal knowledge, except as to any matters stated on information and belief, and as to those matters, I am informed and believe them to be true.
3. I am the attorney for [REDACTED]. Mr. [REDACTED] has been in U.S. Immigration and Customs Enforcement ("ICE") custody since June 25, 2019. He was initially housed at Yuba County Jail in Marysville, California, where he was housed in "D Pod." D Pod is a housing unit comprised of 20 two-person cells and holds a combination of county inmates and ICE detainees.
4. Mr. [REDACTED] is 51 years old and is in remission from follicular lymphoma. He has also been diagnosed with Post-Traumatic Stress Disorder (PTSD), depression, anxiety, hyperlipidemia. While at Yuba County Jail, he was prescribed medications for all these conditions except low platelets.
5. On March 25, 2020, Mr. [REDACTED] was suddenly transferred from Yuba County Jail to Mesa Verde Detention Facility in Bakersfield, California. Neither my client nor I were notified of the transfer in advance. My client was not even told he was being transferred, so he was terrified thinking he was being deported.
6. During the drive from Yuba County Jail to Mesa Verde, a stop was made at ICE's office in Stockton, California, and Mr. [REDACTED] was brought inside that facility. I spoke



to him by telephone while he was at the Stockton facility and he informed me that he had not been provided with gloves or a mask during his transfer and that the officers were not wearing masks either.

7. I spoke to Mr. [REDACTED] again on the morning of March 26, 2020. At that time, he told me he had arrived at Mesa Verde Detention Facility the day before and been placed in a large group dorm, “D Dorm.” He told me that he had not been quarantined or placed in any sort of isolation upon arrival at Mesa Verde. In a subsequent conversation, on March 30, 2020, Mr. [REDACTED] told me that he underwent a brief medical exam when he arrived at Mesa Verde on March 25, 2020, including taking his temperature. However, he informed me that for at least five days after arriving at Mesa Verde, he did not receive his prescribed psychiatric or hyperlipidemia medications.
8. Mr. [REDACTED] also told me that it is impossible to maintain six feet of distance from other detainees in D Dorm. He told me there are 50 sets of bunk-beds spaced approximately three feet apart, and approximately 98 people currently housed in the dorm. To make any sort of request, such as for medical care, you must use a shared “tablet.” He told me that masks were only recently made available, but that most people—including staff—are not wearing them and that they are only required when one is going to medical or court. Mr. [REDACTED] has told me he feels at great risk of infection, especially in light of his age and medical conditions.
9. I swear under penalty of perjury that the foregoing is true and correct. Executed at San Francisco, California, on this 6th of May 2020, by:

[REDACTED]

**Melisa**

**Declaración de [REDACTED] en soporte a su petición de salida  
15 de abril del 2020**

1. Yo, [REDACTED], declaro and afirmo que lo siguiente es la verdad y esta correcto según lo mejor de mi conocimiento y memoria bajo pena de perjurio bajo las leyes del estado de California and las leyes Federales de Los Estados Unidos.
2. Yo nací el [REDACTED] en [REDACTED], Michoacán, México. Soy ciudadana mexicana.
3. Yo entre a los Estados Unidos el 24 de noviembre del 2019 con mis papas y mi hermano [REDACTED]. Yo y mi hermano nos encontramos detenidos en Eloy, Arizona. Mis papas se encuentran en [REDACTED] California con otros familiares que también viven allá. Mis papas [REDACTED] viven con mi hermano y mi cunada [REDACTED] en la dirección: [REDACTED]. Viviré con ellos si soy liberada.
4. Aquí esta una lista de todos mis familiares que viven en [REDACTED], California. Algunos de ellos tienes estatus legal en los Estados Unidos y otros se encuentran en trámites de asilo, así como yo.
  - [REDACTED] – cunada y ciudadana americana
  - [REDACTED] - hermano
  - [REDACTED] – sobrino y ciudadano americano
  - [REDACTED] – sobrino y ciudadano americano
  - [REDACTED] - sobrina y ciudadana americana
  - [REDACTED] - sobrino y ciudadano americano
  - [REDACTED] – hermana y en trámites de asilo
  - [REDACTED] - hermano y en trámites de asiloTengo también otros familiares, pero estos son los más cercanos a mí, a parte de mis papas que ya les comenté arriba.
5. Le pido que por favor me deje salir del centro de detención bajo fianza o bajo palabra. Desde que empecé con esta petición de asilo, he logrado seguir las leyes de los Estados Unidos. Me apunte en una lista para los que buscan asilo en la frontera y espere meses hasta que inmigración llamo mi nombre y de mi familia. Nos presentamos en una aduana y pedimos asilo sin faltar respecto a las leyes de entrada a los Estados Unidos.
6. Si soy permitida a salir, estaré reuniéndome con mi familia en [REDACTED]. Tenemos dirección fija y ya tengo una abogada en Oakland, California, que me va a representar. Afuera, también tendré la opción de reunir mi caso con los casos de inmigración de mis papas y hermanos y juntos podemos presentarnos frente al juez.
7. Tenemos un caso de asilo fuertes pues hemos sufrido de amenazas de muerte y dos hermanos míos han sufrido de tortura en las manos de miembros del crimen organizado en México. Teníamos una vida económica bien confortable en México y éramos dueños de un rancho de 54 hectáreas. Miembros del crimen organizado nos hicieron daño para

- poder apoderarse de nuestro rancho y porque no queríamos colaborar con sus actividades criminales. Fue algo muy difícil para todos nosotros pues perdemos todo lo que teníamos además de nuestra seguridad y la salud de mis papas. Pero decidimos mantenernos honestos y no colaborar con el crimen. Por esta razón tuvimos que dejar nuestro país y nuestras vidas. Si yo pudiera estar en México, allá estaría.
8. He sufrido muchísimo en la detención desde noviembre del 2019. Primero, sufrí de racismo por parte de unas muchachas cubana a quien nos le gustaba las mexicanas. Eso paso cuando yo estaba en el tanque 500. Mi celda era la [REDACTED]. Yo andaba con un grupo de 6 mexicanas. Estas muchachas cubanas llegaban a ofendernos y nos llamaban de “pinches mexicanas.” Eso me afectaba muchísimo emocionalmente. Entonces, yo con mis compañeras mexicanas decidimos hablar con la consejera. La consejera, en vez de ayudarnos lo que decidió fue separar a mí y mis amistades y nos enviar cada una a otro tanque.
  9. Me pusieron en una celda con una muchacha que no estaba bien de la cabeza. Esta muchacha antes estaba sola por cuenta de sus problemas. Ella pasaba la noche golpeando el colchón. Le tenía mucho miedo y pensaba que quizás me habían puesto en esta celda por punición por hablar demasiado.
  10. Otra vez, me cambiaron de celda. Me alegre que una de mis compañeras de celda era una de las muchachas mexicanas con quien tenía amistad. Pero la consejera me miro hablando con ella y otra vez me cambio de celda.
  11. En este tiempo, también me paso una situación adonde Core Civic me dejo por un total ocho días con la misma ropa. Yo pedía ropas limpias, pero no se las traían. Llego al punto que bajó mi menstruación y me manche. Y por otro día tuve que quedarme con los pantalones sucios. Después, alguien me trajo pantalones, pero estaban rompídos. El el día siete de tener las mismas ropas yo misma las lave. Y en día ocho finalmente me trajeron nuevas ropas. Eso me hizo sentir muy mal.
  12. Aquí tengo mucho miedo de hablar mucho sobre las cosas que pasan porque si uso reclama mucho le castigan con tiempo en hoyo que es una celda solitaria. Creo que por retaliación por ya haber hablado demasiado, una vez los de Core Civic o de ICE me prohibirán el correo por muchos días. Alguien de ICE o Core Civic me dijo que mis cartas estaban retenidas. Eso fue muy duro porque yo me comunico con mi hermano que está detenido en Eloy por cartas. Una consejera o manager que trabajaba aquí ya decidió que no me iba entregar mi correo. Después tuve que sacar un permiso especial con ellos para otra vez poder recibir y enviar correo.
  13. En el último mes he presentado síntomas de enfermedad. He sufrido de migrañas fuertísimas y tengo que tomar muchas pastillas todos los días. También he sufrido de mareos, falta de appetite, y falta de energía. Por esta razón recién fue a un doctor para chequearme. Todavía no tengo los resultados, pero sospecho que pueda estar sufriendo de diabetes pues mi mamá tiene diabetes y hace muchos años en México un doctor me dice que yo presentaba síntomas de prediabetes.

14. Sufro también porque necesito estar con mis papas en [REDACTED]. Ellos andan muy enfermos y la preocupación conmigo y con mi hermano que seguimos detenidos los pone hasta más enfermos. Me deprimó mucho aquí pensando en ellos.
15. Además, me preocupo mucho por la situación de la pandemia COVID-19. Por cuenta de la pandemia, ahora yo y otras detenidas pasamos prácticamente todo el día trancadas en el cuarto con las luces prendidas. Pasamos ocho días trancadas sin salir para nada con las luces prendidas día y noche. Esto es muy difícil para mí y me imagino que para cualquier ser humano. Yo tengo para donde irme. Tengo una familia que me va a recibir y juntos vamos a observar el toque de queda en California. Yo estoy poniendo muchas ganas en mi caso y estaré en mis cortes. Necesitamos estar juntos en las cortes porque somos todos testigos del caso uno del otro. No hay razón para mantenerme aquí durante esta pandemia y ser más una persona en riesgo poniendo otros en riesgo y creo que creando más trabajo hasta para los de inmigración. Tengo miedo de que pueda hacerme enferma en este centro de detención pues miro que hay mucha gente aquí y los oficiales de inmigración tienen dificultad de mantenernos a la distancia correcta y quizá no tengan los recursos para darnos máscaras y guantes a todos. Nos dijeron que nos iban a dar mascarillas hace dos semanas y hasta ahora nada. He observado la “miss” que trabaja en la biblioteca otro día, y ella se miraba enferma. No nos dan jabón suficiente para poder lavar las manos muchas veces al día como hay que hacer.
16. Es bien difícil comer bien aquí pues la comida que nos dan son puro pan y pasta. Una vez nos dieron un sándwich de jamón pero este jamón estaba verde de hongos. Hablamos con los oficiales de eso, y ellos nos dijeron que quien no quisiera comer que no lo comiera. El agua de la llave tampoco está buena para tomar.
17. Estoy orando para que mis resultados de mis exámenes salgan bien porque si ya estoy enferma acá me preocupo hasta más con este virus. Salí en las noticias que hubo un caso aquí y eso me da mucho miedo.
18. Yo nunca he cometido crímenes ni Aquí y en la California. He sido muy trabajadora toda mi vida y me he dedicado a mi trabajo y a mis papas.
19. En adición, fue víctima de fraude de una notaría en California mientras estuve detenida y ahora empecé un trámite legal en contra de esta notaría con la junta de abogados de California. Esta notaría ha estafado muchas personas de mi familia y síguelo haciendo. La junta de abogados de California va a necesitar mi testimonio en contra de ella para que puedan asegurar que ella ya no haga eso o hasta empezar trámites criminales en contra de ella.
20. Por estas razones, le pido que por favor acepte mi petición.

X [REDACTED]  
[REDACTED]

Certificate of Interpretation

I, [REDACTED], am competent to translate and interpret from Spanish into English, and I certify that I have read this entire document to the respondent in Spanish, and that the respondent stated he understood the document before the signed the Pleading Declaration above.

[REDACTED]  
Signature of Interpreter

[REDACTED]  
Print name

**Melisa**  
**Declaración de [REDACTED] en soporte a su petición de salida**  
**24 de abril del 2020**

1. Yo, [REDACTED], declaro and afirmo que lo siguiente es la verdad y esta correcto según lo mejor de mi conocimiento y memoria bajo pena de perjurio bajo las leyes del estado de California and las leyes Federales de Los Estados Unidos.
2. La situación de la comida aquí sigue terrible. Hay días que nos dan cosas viejas que ya no se puede comer, y no nos dejan usar las microondas hasta después que todos ya han comido y después de la cuenta. Entonces, si no queremos comer la comida que nos dan vieja y toda revuelta, tenemos que esperar un largo tiempo para poder comer lo que compramos en la comisaria (generalmente es Maruchan). Si mezclamos el Maruchan con la poca comida que nos dan, nos hacen botar la comida. Lo que no comemos de lo que nos dan, nos hacen echar en la basura. No podemos guardar para comerlo en unas horas cuando nos se hambre otra vez. Yo casi no siento hambre, pero esto es porque al mirar la comida que me sirven me da grima.
3. Hace tres días que tengo mucho dolor de cabeza. Hice un examen otro día porque también estaba con muchos mareos y me salió presión baja y colesterol alto. Le pregunte porque me sentía tan mareada y cansada todo el tiempo, y ella me dijo que era por el stress. Es verdad que me siento terrible aquí, casi no quiero salir de la cama. No he pedido un terapeuta porque otras muchachas me dijeron que aquí realmente no hay terapeuta. Para mantenerme sana, trato de mantener mi mente ocupada. Paso mucho tiempo leyendo, escribiendo, dibujando y haciendo artesanías con papel. Cuando se distorsiona un poquito la mente eso es lo que hago.
4. El martes, finalmente nos dieron mascarillas de tela. A cada uno le dieron una mascarilla. Nos dieron a todos un papel en ingles y español explicando para que eran las mascarillas. No tuvimos que firmar nada. Las mascarillas son echas de y los propios detenidos que trabajan en la lavandería son los que las hacen. Yo lavo mi mascarilla todo día yo misma.
5. Yo también lavo mi propia ropa pues las ropas no llegan limpias de la lavandería. Una conocida que trabaja en lavandería me dice que las ropas se lavan sin jabón y con agua sucia. Hay mucha gente aquí que se puso con alergias de las ropas y andan arrunchados. Yo compro mi propio jabón pues el jabón que nos dan a la semana no dura nada. Yo también lavo mi propia ropa de cama porque Core civi nunca la ha cambiado o llevado para lavar. Tengo que comprar mi propio jabón para lavar mis ropas y también para poder lavar mis manos.
6. Hace un mes atrás yo trabajaba limpiando el tanque. Core Civic me pagaba un dólar al día. Hace un mes me cambiaran de tanque y ahora ya no estoy trabajando. Tengo suerte que tengo familia que me ayuda desde afuera con mi comisaria si no estaría pasando por hambre y tampoco podría cuidar de mi propia higiene.
7. Esta pasando también una situación aquí con el papel de baño. Desde el lunes yo venia pidiendo papel de baño pues ya no tenía. El responsable por mi celda me dice que iba a tener que esperar hasta el martes. Otra compañera me brindó papel y pude utilizar el baño hasta el martes, pero sé que otras compañeras se quedaron sin papel de baño.
8. Además, ando cada día más preocupada por la pandemia. He escuchado que personas que trabajan aquí han tenido coronavirus. Es esta última semana se llenaron los tanques de gente otra vez y no se puede mantener la distancia. Ahora somos 50 personas en el tanque. Tenemos 5 mesas y 20 sillas y las mesas son para 5 personas. No hay como sentarse de manera distante con 50 personas en el tanque. Me preocupa mucho por las personas que ya traen enfermedades. La persona que comparte la celda conmigo tiene asma. Ella trae una bombilla. No miro que aquí están tomando precauciones especiales con ella. Tengo mucho miedo de enfermarme aquí.
9. Por estas razones, le pido que por favor acepte mi petición para salir de aquí y poder estar con mi familia mientras tramito mi caso de asilo.

X [REDACTED]  
[REDACTED]

Certificate of Interpretation

I, [REDACTED] am competent to translate and interpret from Spanish into English, and I certify that I have read this entire document to the respondent in Spanish, and that the respondent stated he understood the document before the signed the Pleading Declaration above.

[REDACTED]  
Signature of Interpreter

[REDACTED]  
Print name

**Melisa**  
**Declaration of [REDACTED] in support of her petition for release**  
**April 15, 2020**

1. I, [REDACTED], declare and confirm that the following is correct and the truth to the best of my knowledge and memory under penalty of perjury under the laws of the state of California and the Federal Laws of the United States.
2. I was born on [REDACTED] in [REDACTED], Michoacan, México. I am a Mexican citizen.
3. I entered the United States on the 24th of November 2019, with my parents and my brother, [REDACTED]. My brother and I find ourselves detained in Eloy, Arizona. My parents are in [REDACTED], California with other family members that also live there. My parents, [REDACTED] and [REDACTED], live with my brother and my sister-in-law [REDACTED] at the address: [REDACTED]. I will live with them if I am released.
4. Here is a list of all of my family members that live in Modesto, California. Some of them have legal status in the United States and others are in the process of seeking asylum, like myself.
  - [REDACTED] – sister-in-law and American citizen
  - [REDACTED] - brother
  - [REDACTED] – nephew and American citizen
  - [REDACTED] – nephew and American citizen
  - [REDACTED] - niece and American citizen
  - [REDACTED] - nephew and American citizen
  - [REDACTED] – sister and in process of asylum
  - [REDACTED] - brother and in process of asylumI also have other family members, but these are the closest to me, aside from my parents that have already been mentioned above.
5. I ask you, to please let me leave the detention center under bond or under oath. Since I started my petition for asylum, I have been able to follow all of the United States' law. I signed up on a list for those seeking asylum at the border, and I waited months before the immigration officials called my and my family's names. We presented ourselves at customs and asked for asylum without disrespecting the laws of entry of the United States.
6. If I am permitted to leave, I will be reuniting with my family in [REDACTED]. We have a permanent residence and I have a lawyer in Oakland, California, that will sponsor/represent me. Outside, I will also have the ability to join my case with the



immigration cases of my parents and siblings, and together we can present ourselves before the judge.

7. We have strong asylum cases because we have suffered death threats and two of my brothers have been tortured at the hands of members of organized crime in Mexico. We had a very economically comfortable life in Mexico and were owners of a 54 hectare ranch. Members of organized crime wanted to cause us harm to have the ability to take over our ranch because we did not want to partake in their criminal activities. It was something very difficult to go through, we lost everything as well as our security and the health of my parents. But we decided to remain honest and collaborate with crime. For this reason, we had to leave our country and our lives. If I could be in Mexico, I would be there.
8. I have suffered a lot at the detention center since November 2019. First, I suffered from racism by some Cuban women who did not like Mexicans. This happened when I was in pod 500. My cell was [REDACTED]. I was with a group of 6 Mexican women. These Cuban women would approach us to offend us and called us “fucking mexicans”. This affected me a lot emotionally. So, myself and my Mexican peers went to talk to the counselor. The counselor, instead of helping us, decided to separate me and my friends and sent each of us to a different pod.
9. They put me in a cell with a lady that was not right in the head. This lady used to be alone on account of her problems. She would spend the night punching the mattress. I was very afraid of her and thought that they may have placed me in this cell as a punishment for talking too much.
10. Again, they switched me to a different cell. I was happy to see that one of my cellmates was one of the Mexican women that I was friends with. But the counselor saw me talking to her and changed me to another cell again.
11. At this time, a situation happened where Core Civic left me in the same clothes for a total of eight days. I asked for clean clothes, but they would not bring them. There came a point where I had my period and stained my clothing. And I still had to wear my stained pants for another day. Then, someone brought me pants, but they were ripped. On the seventh day of having the same clothes, I washed them myself. And on the eighth day, they finally brought me clean clothes. That made me feel really bad.
12. I have a lot of fear to speak a lot about the things that happen here, because when someone complains too much, they punish them with time in the hole, which is a solitary cell. I think that for retaliation and for talking too much, one time the people from Core Civic or ICE prohibited me from receiving my mail for many days. Someone from Core Civic or ICE told me that my letters had been retained. That was very hard for me because that’s how I communicate with my brother who is detained in Eloy, by letters. A

counselor or manager that works here decided that they were not going to give me my mail. Afterwards I had to get a special permit with them so that I could once again be able to receive and send mail.

13. This past month I have presented symptoms of an illness. I have suffered from strong migraines and have to take many pills everyday. I also have suffered from dizziness, lack of appetite, and lack of energy. For this reason I recently went to the doctor to check me over. I don't have the results yet, but I suspect that it may be suffering from diabetes, since my mom has diabetes and many years ago in Mexico a doctor said that I presented prediabetic symptoms.
14. I also suffer because I need to be with my parents in [REDACTED]. They are very sick and with their concern for me and my brother being detained makes them even more sick. I get depressed a lot here thinking about them.
15. Also, I worry a lot due to the situation of the COVID-19 pandemic. Due to the pandemic, now other detainees and I spend basically the entire day locked in the room with the lights on. We spent eight days locked in the room without going out for anything with the lights on day and night. This is very difficult for me and for any other human being I imagine. I have somewhere to go. I have a family that will receive me and together we will follow the curfew in California. I am putting a lot of work into my case and I will be at all my court dates. We need to be together because we're all witnesses in each other's cases. There's no reason why I should remain here during this pandemic and become another person at risk that's also putting at risk other people, and creating more work for the workers of ICE. I fear that I will get sick at the detention center since they have a hard time keeping us at the correct distance and perhaps do not have the resources to supply all of us with masks and gloves. They told us that they would provide us with masks two weeks ago, and to this day nothing. I saw the "Miss" that works at the library the other day, and she seemed sick. They do not give us sufficient soap to wash our hands multiple times a day like you're supposed to.
16. It's very difficult to eat appropriately here because they only give us bread and pasta. One time they gave us a ham sandwich but the ham was green with fungus. We talked to the officials about this and they told us that whoever didn't want to eat it, not to eat it. The tap water is also not drinkable.
17. I am praying that the results on my tests come out okay because if I already am ill, then I am worried that I'll be even more sick with the virus. The news said that there was a case here and that made me very afraid.
18. I have never committed a crime here or in California. I have been a hard worker my entire life and have dedicated myself to my work and my parents.

19. In addition, I was a victim of fraud at a notary in California while I was detained and now I have started a legal procedure against that notary along with my lawyers in California. This notary has cheated many of my family members and continues to do so. The group of lawyers in California will need my testimony against the notary so that they can assure that she doesn't do it again, or to even start criminal formalities against her.

20. For these reasons, I ask that you please accept my petition.

[initials [REDACTED].]

[REDACTED]

**Melisa**  
**Declaration of [REDACTED] in support of her petition for release**

**April 24th, 2020**

1. I, [REDACTED], declare and confirm that the following is correct and the truth to the best of my knowledge and memory under penalty of perjury under the laws of the state of California and the Federal Laws of the United States.
2. The food situation continues to be terrible. There are days that they give us old food that you can't eat, and they do not let us use the microwave until after everyone has eaten and until after the count. Then, if we do not want to eat the old food they give us and it's all mixed in, we have to wait a long time until we can eat what we bought at the commissary (usually it's ramen). If we try to mix what they have given us with our ramen they make us throw it away. We can't keep it for later for when we are hungry again. I usually don't feel hungry, but this is because when I look at the food it makes me grossed out.
3. I have had a bad headache for three days. I had another medical exam the other day because I had a lot of nausea and I had low pressure and high cholesterol. I asked why it is that I get a lot of nausea and why I'm tired all the time and she said it's due to stress. It's true that I feel terrible here, I hardly want to get out of bed. I haven't asked for a therapist because many have told me that there really isn't a therapist. To keep myself sane, I try to keep my mind busy. I spend a lot of time reading, writing, drawing and making art projects with paper. When my mind goes the wrong way, that's what I do.
4. On Tuesday, they finally gave us cloth masks. They gave every single person a mask. They gave everyone a paper in English and Spanish explaining what the masks were for. We didn't have to sign anything. The masks were made out of and by the very detainees that work at the laundromat. I wash my mask everyday myself.
5. I also wash my own clothes because the clothes never come back clean from the laundromat. Someone I'm familiar with works at the laundromat and told me that the clothes are washed without soap and with dirty water. There's a lot of people here that got allergies from the clothes and are hunched over. I buy my own soap since the soap they give us each week doesn't last. I also wash my own bed sheets because the Core Civic doesn't change them or take them to be washed. I have to buy my own soap to wash my clothes and my hands.
6. About a month ago I worked cleaning the pod. Core Civic paid me one dollar per day. About a month ago they changed me from the pods and now I don't work. I am lucky that my family helps from the outside, if not I would be hungry and would not be able to practice proper hygiene.

7. There's also a situation with toilet paper now. I have been asking for toilet paper since Monday since I no longer have any. The person responsible for my cell says that I have to wait until Tuesday. Another one of my companions brought me paper and I was able to use the bathroom on Tuesday, but I know that my other detainees do not have toilet paper.
8. Also, everyday I am more worried because of the pandemic. I have heard that people here have coronavirus. This last week they filled the pods with people and once again we cannot maintain a distance. There's now 50 people in the pod. We have 5 tables and 20 chairs and the tables are for 5 people. There's no way to seat 50 people within a safe distance in the pod. I am really worried for those who already have illnesses. The person I share my cell with has asthma. She has an inhaler. I don't see any special precautions taken on her behalf. I am scared to get sick here.
9. For these reasons, I ask you to accept my petition for release so that I can stay with my family during my asylum procedure.

**Certificate of Translation**

Date: May 5, 2020

I, Robin Ragan, am competent to translate the attached documents:

Description: **Declaration from** [REDACTED]

From Spanish to English. This translation is accurate and true to the best of my abilities.



Robin Ragan

[REDACTED]

[REDACTED]

[REDACTED]

**Ivan**  
**Declaración de [REDACTED] en soporte a su petición de salida**  
**16 de abril del 2020**

1. Yo, [REDACTED], declaro and afirmo que lo siguiente es la verdad y esta correcto según lo mejor de mi conocimiento y memoria bajo pena de perjurio bajo las leyes del estado de California and las leyes Federales de Los Estados Unidos. Yo nací el [REDACTED] en [REDACTED], Michoacán, México. Soy ciudadano mexicano.
2. Yo entre a los Estados Unidos el 24 de noviembre del 2019 con mis papas y mi hermana [REDACTED]. Yo y mi hermana nos encontramos detenidos en Eloy, Arizona. Mis papas se encuentran en [REDACTED], California con otros familiares que también viven allá. Mis papas son [REDACTED] y [REDACTED] y viven con mi hermano y mi cunada [REDACTED] en la dirección: [REDACTED]. Viviré con ellos si soy liberado. Necesito mucho estar con mis papas en [REDACTED]. Ellos andan muy enfermos y los nervios por tener a mí y a mi hermana detenidos los hacen hasta peor. Mi papa sufre del corazón y tiene 81 años. Mi amma sufre de diabetes y tiene 71 años. Sufro en pensar en ellos. Nunca estuvimos separados.
3. Tengo muchos familiares que me van a apoyar en [REDACTED], California. Algunos de ellos tienen estatus legal en los Estados Unidos y otros se encuentran en trámites de asilo.
  - [REDACTED] – cunada y ciudadana americana
  - [REDACTED] - hermano
  - [REDACTED] – sobrino y ciudadano americano
  - [REDACTED] – sobrino y ciudadano americano
  - [REDACTED] - sobrina y ciudadana americana
  - [REDACTED] - sobrino y ciudadano americano
  - [REDACTED] – hermana y en trámites de asilo
  - [REDACTED] - hermano y en trámites de asiloEn realidad, ya toda mi familia esta en los Estados Unidos. Solo nos quedamos yo y mi hermana detenidos.
4. Le pido que por favor me deje salir del centro de detención bajo fianza o bajo palabra. Se puede mirar en mis papeles que, mismo con el miedo que tenía, he hecho de todo para seguir las leyes de los Estados Unidos. Con mi familia, nos apuntamos en una lista para los que buscan asilo en la frontera y esperamos meses escondidos hasta que inmigración nos llamó para entrar. Nos presentamos en una aduana y pedimos asilo sin faltar respecto a las leyes de entrada a los Estados Unidos.
5. He sufrido muchísimo en la detención. Sufro de dolores de cabeza por los puntos que tuve en la cabeza. Cuando llegue a la frontera, ICE me quito mis medicamentos cuando yo estaba en la hielera. Creo que los nombres de mis medicamentos eran

“Tribedoce Compuesto” y “Flanax.” Lo reemplazaron por ibuprofeno, lo que no se realmente si tiene el mismo efecto.

6. A veces partes de mi cabeza se ponen entumecidas. Siento que un punto interno se me abrió. Casi no puedo dormir. He pedido para mirar un doctor, pero como ya expliqué solo lo que me dan aquí es ibuprofeno. No he tenido un examen médico con un especialista de cabeza y eso me preocupa pues no sé lo que me anda pasando. También tuve una operación aquí en el centro de detención por un quiste que me salió en el estómago en el 22 de diciembre del 2019. Era un grano dure que fue creciendo. Los medico aquí lo operaron y lo reventaron. Pero, después de la operación ya no hubo cuidados. Estuve con el mismo curativo por cuatro días y yo mismo tuve que curarme con agua y sal. Me sentí como si no hubiera cuidados médicos apropiados para mi herida. Por mucho tiempo tenía mucho comezón y pus en la herida. Pero aquí no me quisieron atender por eso.
7. También sufro de mucho trauma de lo que me paso en Mexico. Recién mi familia me envió las fotos de cuando estaba en el hospital y mirar eso me hizo recordar de todo. Cuando me recuerdo, me pongo a sudar y casi no puedo controlar mis nervios. Es casi como si estuviera viviendo todo otra vez.
8. A parte de eso, hay casos de coronavirus aquí adentro de la detención. Hay unos muchachos que andan de ropa gris que son de un tanque de personas que estuvieron enfermas. La gente que anda enferma se cura aquí adentro mismo. Los ponen todos en el mismo tanque. Estamos todos en cuarentena, pero no nos traen cubrebocas o guantes. También hay detenidos nuevos que llegan desde afuera.
9. Durante esta cuarentena, no tenemos iglesia, no tenemos copiadora, no tenemos biblioteca, no tenemos comedor. A la yarda solo nos sacan una vez en la semana. A parte de esto pasamos todo el día encerrados en el tanque. El tanque Apache aquí está de cuarentena y desde que metieron los detenidos ahí no lo han sacado para nada. Ahí está la gente que tiene diabetes, asma. Yo se de eso porque soy lo que los lleva la comida.
10. La comida en realidad es terrible, la carne que nos llega a veces no se que animal sea pero toda comida siempre esta toda revuelta.
11. En el tanque Zuni algunos detenidos se manifestaron y los oficiales los tiraron pimienta y pistolas de goma. Ahora están todos castigados en el hoyo, que es un confinamiento solitario.
12. Aquí ya hubo gente que quiso ahorcarse o cortar las venas porque se manifestaron y ICE nos les dio una respuesta buena. Aquí Core Civic ha sacado gente en la camilla, en realidad a la gente aquí no le atiende el medico hasta que lo miran ya tirado. Hay gente con gripa, con calentura, dolor en los huesos. Los de CoreCivic



los atienden y después dicen que con alergias. Eso me da muchísimo miedo pues los síntomas son de coronavirus.

13. No em acuerdo bien cuando, pero firmamos unas hojas forzadas para que nos dieran unas mascarar. Creo que eso fue el lunes pasado cuando nos dieron un cubrebocas a cada uno que firmo el papel. A parte de eso no nos dieron nada. No nos dieron guantes o mas jabón.
14. El 10 y 11 de abril hubo una huelga de hambre, pero la huelga se paró porque los oficiales nos amenazaron que nos iban a meter en el hoyo. Nos amenazaron con ocho días en el hoyo. Los que siguieron con la huelga estuvieran loqueados en el tanque por cuatro días.
15. Eso me da mucho miedo de hablar o reclamar algo aquí. Tengo miedo de que me pongan en el hoyo. En realidad, he hecho de todo para hacer todo lo que los de CoreCivic me ponen para hacer. Lo hago sin renegar. No tengo ningún rayón (advertencia) pues mantengo mi cuarto limpio y me porto bien. El 18 de abril supuestamente Core Civic me va a dar un certificado de buen carácter.
16. Esto me hace preocuparme mucho por la situación de la pandemia COVID-19. Tengo miedo de agarrar este virus y tener complicaciones por lo de mi cabeza y por el quiste en mi estómago. Yo sigo trabajando en la cocina y ayudando en lo que puedo. Pero ahora también siento que mi trabajo en la cocina ahora es un peligro porque no hay modos de desinfectar todo que toco allá. Yo y otros detenidos trabajamos en la cocina. Nuestro contrato con Core Civic es que debemos trabaja desde las 3 de la tarde hasta las 9 de la noche. Core Civic nos paga \$2,50 a la hora. Pero muchas veces nos tienen ahí hasta las 11 de la noche preparando comida. Personas que trabajan aquí me dijeron que nos quitarían las botas y ropas si uno no viene a trabajar. Tengo miedo pues sospecho que unos encargados de la cocina, [REDACTED] y [REDACTED], andaban enfermos y creo que podían tener el coronavirus.
17. Otro problema que tuve aquí es que me negaran visitas con mi hermana. Mi hermana esta detenida al centro de detención al lado, en Eloy. Pase 2 meses sin visita con ella y eso fue muy difícil para mí, estar sin saber si ella esta bien. También le intente mandar cartas, pero trabajadores de Core Civic me dijeron que yo necesitaba de autorización para mandar cartas. Empezaron a detener mis cartas.
18. A parte de eso, por cuenta de la pandemia, pasamos trancados en el cuarto con las luces prendidas. Pero por favor tomen en consideración que yo tengo para donde irme. Tengo una familia que me va a recibir y juntos vamos a observar el toque de queda en California. Yo creo en mi caso de asilo y estaré en mis cortes. Mi abogada me explico que necesito estar afuera para pelearlo bien pues mis testigos están casi todos en California.

19. Si puedo ser liberado, estaré con mi familia en [REDACTED]. Ellos tienen dirección fija y ya contrataron una abogada en Oakland, California, que me va a seguir con mi caso allá. Ella me explico que la mejor manera de seguir con mi caso es consolidándolo con lo de mis familiares y presentándonos todos juntos en la corte.
20. Además, mi juez me dijo que mi caso de asilo parece fuerte pues he sufrido de amenazas de muerte y tortura en las manos de miembros del crimen organizado en México. Traigo pruebas. No teníamos problemas económicos en Mexico, de echo vivíamos bien confortables en nuestro rancho dedicándonos a cultivar sorgo, ajonjolí y maíz. Miembros del crimen organizado quisieron apoderarse de nuestro rancho para cargar sus actividades criminales. Fue algo muy difícil para todos nosotros pues por no acceder a los que estos criminales querían de nosotros perdemos todo lo que teníamos además de nuestra seguridad y la salud de mis papas. Intentamos vivir en otras partes de Mexico, pero los miembros de este cartel nos siguieron buscando y encontrando. Lo último fue que intentamos establecernos en San Luis en Mexico, pero allá es adonde unos hombres intentaron a matarme y me machetearon la cabeza. Desafortunadamente, el sistema legal en Mexico nos falló y estos hombres que me atacaron salieron en libertad.
21. A parte de todo eso, no he tenido mi audiencia final todavía pues fui víctima de fraude de una notaría en California, ella hacia parecer que estaba trabajando mi caso, pero eso no es verdad. Ahora empecé un trámite legal en contra de esta notaria con la junta de abogados de California. Esta notaria ha estafado muchas personas de mi familia y síguelo haciendo. La junta de abogados de California va a necesitar mi testimonio en contra de ella para que puedan asegurar que ella ya no haga eso o hasta empezar tramites criminales en contra de ella. Pero si he trabajado muchísimo en mi caso y ahora ya tengo una abogada que em representa.
22. Yo nunca he cometido crímenes ni en Mexico y en la California. Mi conducta aquí en el centro de detención ha sido ejemplar y no tengo ninguna advertencia. Paso el día tranquilo trabajando y ayudando mismo con miedo.
23. Por estas razones, le pido que por favor acepte mi petición.

Ivan

**Declaración de [REDACTED] en soporte a su petición de salida  
24 de abril del 2020**

1. Yo, [REDACTED], declaro and afirmo que lo siguiente es la verdad y esta correcto según lo mejor de mi conocimiento y memoria bajo pena de perjurio bajo las leyes del estado de California and las leyes Federales de Los Estados Unidos. Yo nací el [REDACTED] en [REDACTED], Michoacán, México. Soy ciudadano mexicano.
2. Hoy comparto informaciones adicionales acerca de las razones por las cuales necesito ser liberado y permitido a estar con mi familia en California.
3. Hoy traigo una mascarilla de papel quirúrgico. Esta es la segunda mascarilla que Core Civic nos da. La última mascarilla, también de papel quirúrgico la tuvimos que reutilizar por 15 días. No se por cuanto tiempo tendré que utilizar esta mascarilla. Me preocupa un poco pues este material no se puede limpiar. Para esta segunda mascarilla, Core Civic ya no nos forzó a firmar papeles. Desde esta semana, para trabajar en la cocina, es un requisito que yo traiga las mascarillas.
4. La situación aquí en Las Palmas continua muy grave. Este último domingo o lunes, la oficial de Core Civic responsable por nuestro tanque se desmayó en el tanque (Mojave Alfa). La oficial había llegado a las 6 de la mañana, y las 8 se desmayo por dificultades de respirar. Ya hacia días que la miraba enferma y mis mascara tosiendo por el tanque.
5. Otro día también, desde el tanque Mojave Bravo, sacaron un muchacho ya desmayado, se lo llevaron al medico y ya no lo regresaron.
6. Me da mucho desespero mirar lo que pasa aquí. Tengo compañeros que ya están ordenados deportados hace meses y todavía están aquí. Me imagino porque quieren mantener esta gente que ya deportada aquí. Y lo que me imagino que es porque con más gente adentro, CoreCivic sigue haciendo dinero. Hacen dinero por la gente que mantienen aquí encerrada. Hacen dinero arriba de nuestra seguridad y salud.
7. Yo sigo luchando por mi libertad. Mi abogada me envió documentos em apoyo a mi caso para mi salida humanitaria. Así que me lleo el paquete el martes yo hable con mi “manager” para ver como haría para comunicarme con mi oficial de deportación, pero el manager me dijo que hoy en día es bien

difícil. Mi deportadora se llama [REDACTED]. Al fin, le mande un paquete con el sobre. Mi abogada también le mando un paquete por correo.

8. Me preocupo muchísimo pues las condiciones aquí no permiten el distanciamiento social y ICE/ Core Civic no nos da mucho cuidado y atención en medio de esta pandemia. Los tanques andan llenos. Mi tanque tiene 120 personas y 2 personas por celda. En casa celda, hay una litera, un lavamanos y un baño. No se puede estar a dos metros de distancia. Las sillas para la tele están puestas una al lado de la otra.
9. No hubo chequeos de temperatura que yo he observado. A veces, informalmente, los oficiales nos dicen de lo que esta pasando. Por ejemplo, el oficial del tanque de nosotros (de Core Civic) me dijo en platica que ya había gente afectada y que ya no quería venir a trabajar pues no quería llevar la enfermedad a sus hijas. Ahora miro que llegan muchos oficiales nuevos. Por trabajar en la cocina, yo me mirado alrededor de seis oficiales de Core Civic que parecían enfermos con síntomas de gripa y calentura. Por trabajar en la cocina también se que hay tanques adonde hay enfermos. En los tanques Apache, Cocopa y Pima no puedo entrar con el carrito de comida. El carrito trae una cinta amarilla que la señal que no puedo entrar ahí. Las personas en estés tanque están loqueadas y les sacan para nada.
10. Esto todo me preocupa y me da muchísima ansiedad, pues el tratamiento médico aquí em parece terrible. Ahora en mi tanque, hay un muchacho cubano que trae gripa y calentura en mi tanque y ni siquiera han llamado un médico. El miércoles, otro muchacho cubano estaba desmayado con su corazón latiendo muy rápido. Lo sentaron, le dieron un medicamento y ya. Yo tengo preocupaciones con mi propia salud pues mis puntadas en la cabeza me duelen. Ya hace una semana yo envíe un “request” para mirar un doctor, pero hasta ahora no he tenido respuesta. Tengo también gastritis nerviosa. En Eloy tomaba medicamentos, pero aquí por mucho tiempo no em han dado.
11. Yo creo que van a haber más casos del virus acá porque no hay cuidado. No hay jabón suficiente para todos. Nos das dos botes de tamaño viaje dos veces por semana, pero este jabón es para todo: lavarse las manos, lavarse el cuerpo, lavarse el pelo, lavar los trastes. Mucha gente que no tiene comisaria ya se queda sin jabón el sábado. El papel de baño también se acaba y los oficiales nos dijeron que tanteáramos el papel de baño.
12. A parte de eso, hay problemas con la higiene general. A nuestras ropas, todos los días se la llevan para limpiar, pero un compañero que trabaja en la

lavandería me dice que no usan jabón, solo pura agua. Eso se nota pues las ropas no se miran limpias. Yo mismo lavo mi ropa también en el baño pues me gusta andar limpio. Me baño todos los días, pero cuando estamos loqueados uno ya no puede bañarse. Una vez pase cuatro días sin baño. A las sabanas, nunca las cambian o lavan. Ya llevo dos meses con las mismas sabanas sin cambiar y sin lavarlas. También, mismo que yo he pedido, no quieren cambiar los undershirts y los boxers.

13. Hace ocho días pusieron un pañuelo para limpiar los teléfonos, pero antes de eso no había nada para limpiar.
14. La situación de la comida también anda grave. La gente aquí que no tiene comisaria pasa mucha hambre. Yo he pasado hambre también. Lo que hacemos es que nos acostamos con hambre, pues que podemos hacer. Nos dan un poco de comida primero en la mañana. Hoy por ejemplo nos dieron un hot dog la mañana. Después de seis horas, una bolsita con 2 sandwiches pequeños. Muchas veces a mí no me alcanza a comer en la noche pues me tienen trabajando en la cocina hasta bien tarde. [REDACTED] la manager solo me da 10 minutos para alistarme para acostarme después de trabajar. Yo me baño y ya no tengo tiempo de comer. Si pido mas tiempo, ella me dice que no. Entonces me duermo sin comer después de trabajar todo el día.
15. También estoy sufriendo de mucha tristeza y ya no puedo dormir. Ya no tenemos biblioteca y para salir a la yarda, solo una vez al día a las 5 de la mañana. Pasamos casi todo el tiempo en el cuarto. Un compañero me dice que cree que me agarro la depresión pues ya no soy el mismo. Pero tengo miedo de hablar de eso aquí pues lo que miro es que la gente que esta deprimida no más los ponen en un cuarto solos por muchos días y los vigilan. Tenía un compañero en Eloy quien pedio apoyo a un consejero y no mas le preguntaron si él quería matarse y lo trancaron en un cuarto por 12 días. Yo creo que algo así solo me puede empeorar mi salud mental. Entonces me dedico a orar a Dios y con mis compañeros nos ponemos a hacer artesanías de hilo.
16. Por estas razones, le pido que favor me escuche y me deje estar con mi familia.

**Ivan**  
**Declaration of [REDACTED] in support of his release**  
**April 24, 2020**

1. I, [REDACTED], declare and affirm that the following is true and correct to the best of my knowledge and memory and I swear under penalty of perjury under the laws of the state of California and federal laws of the United States. I was born on [REDACTED], in [REDACTED], Michoacan, Mexico. I am a Mexican citizen.
2. Today I share additional information relating to the reasons for which I need to be released and allowed to be with my family in California.
3. Today I am wearing a surgical paper mask. This is the second face mask that Core Civic gives us. The other face mask was also made from surgical paper and we had to use it for fifteen days. I do not know how long I will have to use this face mask. I am worried because the material on the face mask cannot be cleaned. For the second face mask, Core Civic obligated us to sign paperwork. Since this week, to work in the kitchen, it is a requisite to wear a face mask.
4. The situation here at Las Palmas continues to be profoundly serious. Last Sunday or Monday, the officer of Core Civic responsible for our detention tank fainted in our area (Mojave Alfa). The officer had arrived at 6 A.M. and she fainted around 8 for difficulty breathing. It had been several days since I had seen the officer look sick, without a facemask, and continuously coughing around our detention tank.
5. Also, another day from the detention tank Mojave Bravo, another individual fainted. He was taken to the hospital and he did not return.
6. I am despaired by what I have seen around here. Other detainees already have been ordered deported months ago and yet, they are still here. I imagine that they want to keep a lot of detainees detained so that Core Civic can generate more money. They make money by having detainees. They make a profit regardless of our security or health.
7. I continue to fight for my liberty. My attorney sent me documents for my humanitarian release. I received a packet on Tuesday, and I spoke to my manager to request to speak to my deportation officer, but I was told it would be difficult for me to speak to her. My deportation officer is [REDACTED]. I and my attorney later send her a packet via mail.
8. I am worried because the conditions here prevent us from social distancing and ICE/Core Civic do not provide the attention needed during this pandemic. The detention center is full, my tank has 120 detainees and each cell has 2 detainees. In each cell, there is a sink and a toilet. It is impossible for social distance while in the cell. The chairs to watch tv are close together.
9. There were not any fever checkups. Sometimes, unofficially, the officers will let us know what is happening. For example, the officer responsible for our tank told me in conversation that there have been infected people here and that he did not want to come


to work because he did not want to take the virus to his daughters. New officers are coming here lately. Working in the kitchen, I have seen six officers from Core Civic that look sick, with cold and fever symptoms. I also know that some detention tanks have sick people. In the Apache, Cocopa, and Pimo tanks, I cannot go in with the food. The food cart has a yellow ribbon that indicates that I cannot enter those tanks. The people there are in lockdown and are unable to go out.

10. All of this worries me, and I am anxious because the medical treatment here is terrible. Now, there is another Cuban detainee that has a cold and fever in my tank, and they have not even called a doctor. On Wednesday, another person had fainted with a very slow heart rate. They sat him down and only gave him medicine. I am worried about my health and the stitches on my head hurt. I requested to see a doctor for over a week, but I have not heard back from the medical request. I also have gastritis. In Eloy, I took medicine, but I have not received any medicine here.
11. I believe there will be more virus cases here because they are not safe here. There is not enough soap for all of us. They give us two travel size soaps twice a week, but this soap is for everything, to wash our hands, wash our body, wash our hair, and wash plates. A lot of us are without soap on Saturdays. Toilet paper also runs out and the officers told us to be careful not to use much.
12. Apart from that, there is not a very safe general hygiene here. Our clothes are taken every day to wash, but a friend of mine who works in the laundry room told me they do not use soap, only water. You can tell because the clothes are still dirty. I also try to wash my clothes when I shower because I like to be clean. I shower every day, but whenever we are unable to shower. One time I was unable to shower for four days. The bedsheets are never washed or cleaned. They also refused to change my undershirts and underwear.
13. Eight days ago, they put a handkerchief to clean the phones, but before that nothing was used to clean them.
14. The food situation is also worrisome. The people here are very hungry. What happens is that we go to bed hungry, we cannot do anything about it. They give us a bit of food in the morning. For example, today they gave us a hot dog in the morning. Six hours later, they gave us a little bag with two small sandwiches. Sometimes I cannot have dinner as I am working in the kitchen. My manager, [REDACTED], only gives me 10 minutes to get ready to go to bed. I shower and I run out of time to eat. If I ask for more time, she tells me no. I go to bed without having dinner after working all day.
15. I am also very sad and I cannot sleep. We no longer have a library and we can only go outside once a day at 5 A.M. We are almost all day in our rooms. A friend of mine thinks I am depressed because I am not the same. I am afraid to say anything because depressed people are taken to solitary confinement rooms. I had a friend in Eloy that requested therapy and they only asked him if he was suicidal and was confined for 12 days. I think this could only jeopardize my mental health. I only pray to God and with my friends do yarn crafts.

16. For these reasons, I asked you to listen to me and let me be with my family.

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I, **Alonzo Provencio**, declare that I am fluent in the English and Spanish languages and that I am competent to translate the foregoing document, and that the translation is true and accurate to the best of my abilities.

DocuSigned by:  
**Alonzo Provencio**  
X  EB7971E8B3A140E  
Alonzo Provencio

**May 6, 2020**

Date

Alonzo Provencio





Ivan's attorney  
DECLARATION OF [REDACTED], ESQ.

I, [REDACTED], declare and affirm that the following is true and correct to the best of my knowledge and memory under the penalty of perjury under the laws of the State of California and the Federal laws of the United States.

1. My name is [REDACTED]. I am a sole practitioner at [REDACTED], located at [REDACTED]. I currently represent [REDACTED] on his immigration proceedings.
2. Mr. [REDACTED] has been under the custody of Immigration and Customs Enforcement (ICE) since approximately November 25, 2019. He has been detained at La Palma Center since February of 2020, after being transferred from Eloy Detention Center.
3. Mr. [REDACTED] retained me to represent him on his immigration matters on April 9<sup>th</sup>, 2019. After speaking with him on the phone a few times, I determined that, due to the sensitive nature of his case, I could only establish rapport and represent him effectively if I met him in person. Going to see my client in person was a complicated and calculated decision since the COVID-19 pandemic brings numerous risks related to in-person visitation. When I met with him in person, I confirmed that our face to face interaction was necessary as he said that many of the things he told me when we met in person, he did not feel comfortable sharing over the phone until he met me and thought he could trust me.

**April 16, 2020**

4. My first visit was on April 16, 2020. I first inquired about the requirements of personal protection equipment (PPE) with a Core Civic employee stationed at the entrance. The employee, who wore a mask, a protective face shield, gloves, and a plastic shirt cover, told me that the PPE requirements for a legal visit were a mask, gloves, and protective glasses (no sunglasses accepted). I was already wearing a Tyvek safety hooded coverall, safety goggles, gloves, and a mask, so my PPE was cleared. I also had soap and Clorox in the car, so I had just disinfected myself before proceeding to the door. The CoreCivic employee checked my temperature, and asked if I had been out of the country, have had any symptoms, and had been exposed to someone with COVID in the past fourteen days. My answers were negative, and I was allowed to enter.
5. My first impression of the lobby was shocking because I expected everyone to be in full PPE, just like the person sitting outside. However, reception employees were not wearing gloves nor masks. I became more worried about my safety and the safety of those detained inside. There was a notice posted on the lobby regarding the use of masks, and how to wear a mask safely, but the information on the post did not make the use of masks mandatory, and no one was wearing them. I saw people coming in and out of the detention center, and no one was wearing masks nor gloves.
6. I observed that the Core Civic reception employee cleaned the bin in which my items were placed to go through security after I retrieved my items.
7. I proceeded to the visitation area. At the door, there a post regarding the requirement of masks

and gloves for legal visits. At the visitation area, the employees were not wearing masks nor gloves. The visitation area was a large room with several desks with numbers on them. I was told to pick a desk and wait for my client. I was also told that next time I had to schedule visitation and given instructions to do so. I saw that there was hand sanitizer available at the room at two different locations by the exit doors but did not see any cleaning products.

8. My consultation took approximately two hours. My client did not have a mask or gloves on. I observed that other detainees in the waiting room also did not have masks nor gloves. After the consultation, I left, and as I walked out, I again observed that Core Civic employees did not have masks nor gloves on as they moved around the facility.
9. At the exit, I was told by a different office that next time I came in, I would have to remove my shoes, even though I had the Tyvek coveralls. (I had asked not to remove the coveralls upon entry).

### **April 17, 2020**

10. I came in wearing the same PPE I wore the day before. Again, the core civic employee stationed at the entrance wore a mask, a protective face shield, gloves, and a transparent shirt cover. He checked my temperature and asked a couple of screening questions, then let me in.
11. I had slit an opening at the shoe part of my coveralls, so I could remove my shoes without removing the coveralls. In the lobby, I removed my shoes and placed my items in a bin. After I went through security, I observed that the lobby employee cleaned the bin with some cleaning products. Again, the lobby employee did not have any masks nor gloves.
12. I was over one hour late for visitation. When I came to the visitation area, the male employee who was there (not wearing a mask) told me that someone has taken my client back inside and that clients cannot wait for over an hour at the visitation area because of the risk of COVID.
13. I explained the inadvertent circumstances that caused me to be late, and I said that I was willing to wait to see my client. Another Core Civic female employee said that if I waited I would violate the visitation policy as it was already almost 4 pm, and visitation ends at 4 pm. I said that if I were not allowed to see my client, core civic would be interfering with my client's rights to communicate with his attorney. The employee said she knew and would not interfere with my rights but that I would possibly have to wait for an indefinite number of hours and that if she allowed me to stay there, that would interfere with their policy.
14. I waited for about 30 minutes until 4 pm. I then decided to leave and come back another day because it seemed unproductive and not safe to stay inside the facility for an indefinite number of hours. And to be honest, my interaction with guards made me nervous about them deliberately making me wait for hours.
15. Again, as I left the facility, I observed several employees coming in and out with no PPE.

### **April 24, 2020**

16. I came in wearing different PPE: a raincoat, rain pants, instead of the Tyvek suit, because I had just used the Tyvek suit at Eloy and did not want to use the same coveralls at La Palma. I had

the same glasses, masks, and different gloves. Again, the core civic employee stationed at the entrance wore a mask, a protective face shield, gloves, and a transparent shirt cover. He checked my temperature and asked a couple of screening questions, then let me in. The employee at the lobby did not wear a mask nor gloves. He cleaned the item bin after I retrieved my items.

17. At the visitation area, I notice that two of the employees were wearing cloth masks. There was also a group of detainees who were wearing paper masks; however, they were not observing social distancing. My client came in, and he was wearing a paper mask too.
18. After my appointment, as I exited the facility, I observed that some Cove civic employees had gloves and masks, but some did not.

*Executed on April 25, 2020*

\_\_\_\_\_  
\_\_\_\_\_

Javier

Declaración de [REDACTED]

A [REDACTED]

3 de mayo del 2020

1. Yo, [REDACTED], declaro and afirmo que lo siguiente es la verdad y esta correcto según lo mejor de mi conocimiento y memoria bajo pena de perjurio bajo las leyes Federales de Los Estados Unidos. Yo nací el [REDACTED] en Honduras.
2. Tuve que huir de mi país bajo amenazas de muerte por miembros del crimen organizado por mis actividades religiosas e de derechos humanos de los jóvenes hondureños, y también porque intente a proteger mi hermana menor (que ahora sigue desaparecida) del reclutamiento de las pandillas. Crecí en Tegucigalpa y desde los diez años de edad estuve involucrado con la iglesia "[REDACTED]." Yo era la mano derecha del pastor. Cuando yo tenía unos diecisiete anos me hice coordinador de un centro comunitario para jóvenes. A cada día llegaban más de cien jóvenes al centro pues hacíamos campaña en las escuelas. Nuestra filosofía era la "cultura de paz." Eso quería decir que queríamos fomentar la paz con cero violencias, cero maltratos y cero bullying. También dábamos un seminario en la iglesia llamado "Desafío Sonar mi vida." A los jóvenes con quien hablamos les dábamos esperanzas de oportunidades en la vida, lo que no agradaba a las pandillas locales pues ellos reclutaban los mismos jóvenes. Desafortunadamente, pandilleros lograron intentar reclutar mi hermanita menor y la desaparecieron. Hasta hoy no se si esta viva o muerta.
3. Yo ingrese a los Estados Unidos el 9 de junio del 2019. Estuve detenido por casi un ano hasta la fecha de mi audiencia individual el día 23 de abril del 2020, cuando el juez negó mi caso después de decirme que las razones por las cuales vengo no eran válidas para un asilo. Primero estuve en Piedras Blancas, Texas, y después Otero County Processing Center.
4. Sigo con muchísimo miedo de regresar a Honduras y creo que mi vida esta em peligro, pero tampoco puedo aguantar la punición de la detención aquí en los Estados Unidos.
5. Ya llevo casi un año detenido. Y la situación solo se empeoro cuando empezó la pandemia del coronavirus. Alrededor del día 6 de abril del 2020, yo y otros trabajadores que conmigo trabajan en la lavandería nos paralizamos por un día porque queríamos soluciones y protección contra el coronavirus. Mirábamos que no estaba bien el hecho que no teníamos mascarillas y que los que nos cuidan entraban y salían sin mascarillas o protección. Tampoco había jabón suficiente para lavar las manos. Solos nos dan bien poquito para una semana y este jabón es para todo: para lavarnos, bañarnos. No nos alcanza para lavar las manos, así como debemos lavar todo el tiempo. Quien tiene comisaria puede comprar más, pero quien no tiene dinero ya no puede lavarse. Por eso decidimos hacer esta huelga. Somos unos 15 quien trabajamos en la lavandería por un dólar al día los que nos manifestamos y decidimos hacer huelga por un día. Los oficiales llegaron y nos dijeron que con paralización no habría solución que eso no se hace, y nos sacaron nuestros tablets por 3 días. Fuimos forzados a regresar al trabajo por esta coerción y por miedo de lo que más nos podrían hacer.

6. En el día de mi corte, casi 20 días después que nos manifestamos, había ya dos tanques en cuarentena aquí en Otero County Processing Center por el coronavirus. Todavía, los oficiales no nos habían dado ni mascarillas ni guantes. Ninguna vez nos habían sacado la temperatura y yo miraba otros compañeros que andaban con calenturas y síntomas de gripa. En nuestros tanques, son 50 personas y no podemos mantener la distancia social.
7. Unos días después de mi corte, unos oficiales llegaron y nos dieron una mascarilla de tela a cada uno de los detenidos. No tuvimos que formar ningún papel para tener derecho a mascarilla. Alrededor de este tiempo, otro tanque también entro en cuarentena. Los oficiales no nos dicen mucho de lo que pasa, pero me imagino que muchos aquí ya estaban contaminados con el coronavirus.
8. Alrededor del 28 de abril yo empecé a enfermarme con calenturas, dolor de huesos y dolor de cabeza. Andaba también con hambre porque estaba sin dinero en mi comisaria y la comida que nos dan no alcanza. También empecé con dificultades de respirar. Después de un día de poner mi request para ver un médico, unos oficiales llegaron, me sacaron del tanque y me pusieron en una hielera solo. Me quede aquí hasta hoy. Alguien llega a chequearme tres veces al día. Me sacan la temperatura y la presión. Están me dando pastillas, pero no me dieron el nombre de las pastillas. Tengo acceso a agua del lavamanos y la comida que me dan es la misma de siempre, pan y papas. Pase 24 horas sin poder comunicar a nadie lo que me estaba pasando pues no me dieron teléfono. Sacaron tres otras personas de mi tanque en la misma situación que yo. Todavía no se si tengo el coronavirus o no.
9. Ahora, estoy en comunicación con mi pareja que es la mamá de mi bebe y que viven en California, con mi patrocinador que me iba a recibir, y con la abogada [REDACTED] que me vino a mirar antes de mi corte, a diario y ellos están pendientes de mi salud. Quiero salir de aquí lo más pronto posible pues tengo mucho miedo de ponerme más grave y aquí no tengo acceso a tratamiento médico afuera de estas pastillas que me dan que ni sé que son.
10. Por estas razones, le pido que por favor me ayuden a mi y a mis compañeros. Les doy consentimiento para compartir mi informacion incluyendo mi nombre y numero de caso.

I, [REDACTED], am competent to translate and interpret from Spanish into English, and I certify that I have read this entire document to the respondent in Spanish, and that the respondent stated he understood and agreed with the contents of above document.

[REDACTED]  
05/03/2020

**Javier**

**Declaration from** [REDACTED]

**A** [REDACTED]

**May 3, 2020**

1. I, [REDACTED], declare and affirm that the following is the truth and correct to the best of my knowledge and memory under penalty of perjury under Federal laws of the United States. I was born [REDACTED] of 1994 in Honduras.
2. I had to leave my country under death threats by members of organized crime because of my religious activities and human rights work for Hondorans Youth, and also because I attempted to protect my younger sister (that currently is still missing) from gang recruitment. I grew up in Tegucigalpa and from the age of ten I was involved in the church "[REDACTED]". I was the pastor's right hand. When I was seventeen years old I became coordinator of a community youth center. Everyday hundreds of youth would come to the center since we would recruit in schools. Our philosophy was "culture of peace." This means that we wanted to promote peace with zero violence, zero abuse, zero bullying. We also gave a seminary at the church called "Desafio Sonar mi vida. [I dare to dream my life]" To the teens that we were talking to we gave hope of opportunities in life, which did not please local gangs since they recruited the same youth. Unfortunately, gang members managed to try to recruit my little sister and they made her disappear. To this day I don't know if she is dead or alive.
3. I came to the United States on June 9th of 2019. I was detained for almost a year till my individual hearing on April 23 of 2020, when the judge denied my case after telling me that my reasons for coming are not valid for asylum. First I was in Piedras Blancas, Texas, and later in Otero County Processing Center.
4. I continue to have an immense amount of fear to return to Honduras and I believe my life is in danger, but I also can't take the punishment of the detention centers here in the United States.
5. I am getting close to a year being detained. And the situation only got worse when the coronavirus pandemic started. Around April 6th of 2020, I and workers of the laundromat stopped working for a day because we wanted soluciones and protection against the coronavirus. We felt that it was not right that we had no access to face masks and the people taking care of us came in and out without face masks or protection. There also wasn't enough soap to wash our hands. They only gave us a small amount to last a week and this soap is used for everything: showering, washing. It's not enough to wash our hands, like we should, which is multiple times. If one has commissary, they can buy more, but for those who don't have money, they can't stay clean. That's why we decided

to go on strike. There were about 15 of us who work in the laundromat getting one dollar a day who decided to go on strike for one day. The officials came and told us that with the strike there would not be solutions and that it should not be done, and they took out our tablets for 3 days. We were forced to go back to work with this coercion and out of fear of what else they could do to us.

6. On the day of my court, almost 20 days after we protested, there were two pods in quarantine here in Otero County Processing Center because of coronavirus. Still, the officials did not give us masks or gloves. They never checked our temperature and I saw other peers with fevers and other flu symptoms. In our pod, there are 50 of us and we cannot social distance.
7. A few days after my court, some officials came and gave some cloth masks to each one of us detainees. We did not have to sign anything to have the right to a mask. Around that time, another pod also entered the quarantine. The officials don't tell us much about what is happening, but I imagine that many of us here were already contaminated with coronavirus.
8. Around April 28 I started to get sick with fevers, pain in my bones and headaches. I was also hungry since I did not have any money in my commissary and the food they gave us was not enough. I also started to have difficulty breathing. After a day of having put in my request to see a doctor, some officials came, they took me out of the pod and took me to my own [hielera] cell. I have been in this cell up until today. Someone comes to check on me three times a day. They check my temperature and blood pressure. They gave me pills but did not give me the name of the pills. I have access to water by the sink and the food they give me is the same as always, bread and potatoes. I spent 24 hours without being able to communicate with anyone about what I was going through since they didn't give me a phone. They took out 3 other people from my pod that were in the same situation as me. I still don't know if I have coronavirus or not.
9. Now, I am in communication with my partner who is the mother of my baby and that lives in California, with my sponsor who was going to receive me, and with the lawyer [REDACTED] who came to see me before my court, daily, and they are aware of my health. I want to get out of here as soon as possible since I am extremely scared of getting sicker and here I do not have access to medical treatment other than pills that they give me, but I don't even know what they are.
10. Due to these reasons, I ask that you please help me and my peers. I give you consent to share my information including my name and case number.

I, [REDACTED], am competent to translate and interpret from Spanish into English, and I certify that I have read this entire document to the respondent in Spanish, and that the respondent stated he understood and agreed with the contents of the above document.

[Signature]\_\_\_\_\_

05/03/2020\_\_\_\_\_



**Certificate of Translation**

**Date: May 5, 2020**

**I, Robin Ragan, am competent to translate the attached documents:**

**Description: Declaration from [REDACTED]**

**From Spanish to English. This translation is accurate and true to the best of my abilities.**

A handwritten signature in black ink, appearing to read 'Rob Ragan', with a long horizontal flourish extending to the right.

**Robin Ragan**

[REDACTED]

[REDACTED]

[REDACTED]

**Dario**

**Declaración de**

**A**

**4 de mayo del 2020**

1. Yo, [REDACTED], declaro and afirmo que lo siguiente es la verdad y esta correcto según lo mejor de mi conocimiento y memoria bajo pena de perjurio bajo las leyes Federales de Los Estados Unidos. Yo nací el [REDACTED] en El Salvador. Tengo diecinueve años.
2. Tuve que huir de mi país bajo amenazas de muerte por miembros del crimen organizado porque me recuse a ayudarlos con sus actividades criminales. Como resultado, me golpearon fuertemente, me amenazaron con un cuchillo y me dijeron que me iban a matar.
3. Yo ingrese a los Estados Unidos el [REDACTED] del 2020 y he estado detenido desde entonces. Primero estuve en una cárcel federal pues fue potencial testigo en un caso criminal en contra de una señora que fue juzgada por trata de humanos. Después, en el 1 de abril, me movieron a Houston Contract Detention Facility. Hace un mes, pedí una entrevista de miedo creíble con un oficial de asilo. Sigo esperando mi entrevista. Mi abogada también pidió a mi oficial de ICE mi salida con un “parole” pues tengo mi tía en California quien me está esperándome y me va a cuidar y recibir.
4. Tengo bastante preocupación con la pandemia del coronavirus pues mi abogada me ha dicho que hay casos confirmados aquí en el centro de detención, y yo padezco del colesterol alto, Aquí en la detención no me dieron tratamiento. Lo que hago es evitar comer cosas con mucha grasa y estoy haciendo ejercicio, pues trato de caminar lo más que pueda, entonces eso siento que me está ayudando un poco, pero sí mi preocupación es esa que debido a ese virus me vaya a dar ese virus y pues como yo estoy delicado de salud me puede afectar bastante, más que a otras personas que les puede dar así.
5. A principio no nos dieron mascarilla ni nada. Después, creo que el martes 13 de abril estábamos aquí y de repente vinieron los oficiales y trajeron unas páginas y nos dijeron que para que las firmáramos y les diéramos nuestro ID y nuestro nombre y que con eso nos iban a dar una mascarilla. Entonces varios de aquí las firmaron. Algunos que ni siquiera saben español pues ellos les dieron las paginas en español y los firmaron. Pero algunos de ellos se opusieron. No quisieron firmarlo porque dijeron que nos estaban privando de nuestro derecho a la salud al estarnos dando una página para que nosotros pusiéramos nuestra firma cuando para la salud no tendría que estar poniendo nuestras firmas.
6. Los oficiales entonces nos dijeron que de que eso nada más era un conteo para dar a ICE de cuantas mascarillas estaban distribuyendo y entonces varios de aquí se opusieron a firmar. Los oficiales se pusieron enojados diciéndoles que si no firmaban no les iban a dar las mascarillas. Y pues como si fuera mucho pues a personas que les dieron mascarillas no les han vuelto a dar nada. No nos han dado guantes, no nos dan jabón suficiente para lavarnos. Con el mismo jabón con el que nos bañamos es el mismo jabón con el que nos estamos lavando las manos aquí. Y pues si nosotros no limpiáramos aquí en este lugar, ellos no limpian pues nosotros somos los que hacemos la limpieza en la mañana y en la noche.
7. Las páginas que querían que firmáramos estaba en español, los que lo leímos vimos que esa página traía una parte que decía: Yo entiendo y estoy de acuerdo que no puedo hacer

ningún tipo de reclamo a la Core-Civic, ya con esas mascarillas. Y había otro que decía: “Yo estoy consciente que las mascarillas no pueden proteger en cierto aspecto”. Entonces varios de aquí, fueron los que no firmaron y dijeron a un traductor que ellos andaban que hablaba inglés y español que lo que ellos estaban tratando de hacer era de lavarse las manos con eso. Porque nos estaban dando una mascarilla, pero aparte de eso querían que nosotros pusiéramos nuestra firma en esa papeleta en donde decía que nosotros entendíamos que no podíamos hacer ningún tipo de reclamo. Eso se lo dijeron al traductor que ellos andaban.

8. Y pues aquí ese hizo un desorden con las personas que no quisieron firmar porque vinieron más oficiales y empezaron a decirles cosas en inglés y varios de aquí no entendían. Y a ellos no les interesa si nosotros entendemos o no, pues ellos solo nos hablan en inglés y no les interesa que nosotros no entendemos. Lo mismo pasa cuando nos regañan aquí, nos dicen que nos callemos y únicamente nos están hablando en inglés y nos dicen cosas así y no entendemos y ese es un problema que pasó. Que el traductor que andaban ni siquiera nos traduce lo que ellos están diciendo. Y pues se armó el problema que todos aquí tenían que firmar y como ellos les dijeron que no, les dijeron que, si no vas a firmar, dame la papeleta, Y le dijo uno de ellos pues dame la mascarilla. Y le dijo, si no firmas, no te voy a dar la mascarilla. Entonces le dijo, pues yo no voy a firmar, y entonces le dijo, pues dame la papeleta, se la quitó y se fueron. No quisieron darle mascarilla a las personas que no firmaron la papeleta. Y también dijeron que como firmamos esta parte donde dice que entendíamos, que no podemos hacer ningún tipo de reclamo a la a la detención de aquí.
9. Yo firme pues no quería problemas. A los que no firmaron, no les dieron mascarillas y los apuntaron en una libreta.
10. Después de este día, siguieron los maltratos. El día 16 abril, creo yo, uno de los oficiales botó champú en todo el suelo y donde nosotros estamos y empezó a tirar agua en el suelo a la una de la madrugada cuando nosotros ya estábamos dormidos. Entonces él dijo que el primero en que se cayera era el que iba a limpiar. Y uno de ellos se levantó y como es la única persona que puede hablar inglés y español, les dijo en ingles que si él se llegara a caer que lo iba a demandar. Y pues no le importó. Y empezó a decir que nosotros teníamos que limpiar. Entonces nosotros le dijimos que no. Entonces el oficial dijo que teníamos que limpiar o por las buenas o por las malas. Entonces uno de ellos se levantó y dijo que no iba a limpiar. Entonces lo sacó de aquí del tanque en donde nosotros estamos. Y pues cuando salió, habló con otro oficial que también habla español y entonces él entró al tanque, aquí y nos dijo que limpiáramos. Y pues nosotros, como él nos habló en buena forma, limpiamos, a la una de la madrugada, con nuestros zapatos que son zapatos de hule, dos de las personas que están aquí pues se cayeron, y pues no ocurrió nada más grave pero el suelo estaba lleno de jabón y de agua, y nosotros limpiando a la una de la madrugada. Y luego de eso, el mismo oficial que nos pidió de favor que limpiáramos, todo eso nos estaba tratando de ignorantes, preguntándonos que, si queríamos la revolución y cosas así, total que nosotros nos molestamos de la forma en la que nos han tratado.
11. Aquí podemos bañarnos de las 7 y media hasta las 9 y media, 7 noche a 8 de la noche. Si son las 3 de la tarde y estamos bañando nos reganan, eso paso con una persona, el guardia se enojó bastante y nos movió a todos adonde están las mesas. Aquí quien no tiene comisaria

guarda comida para comer después para no pasar hambre. El guardia como castigo empezó a echar toda la comida de toda la gente en una bolsa y la boto en la basura.

12. Últimamente estas dos semanas hemos estado comiendo casi solo pura papa, la ración de comida que nos dan es muy pequeña y pues casi nos obligan a estar comprando comida aquí en comisaría. Tenemos que comprar sopas y cosas así porque la comida que ellos nos dan es muy poquita. Y pues esos han sido varios de los problemas que ha pasado aquí en “Core-Civic.” No nos dan las medidas de protección adecuadas aquí en esta detención. No nos han dado guantes, nos prometieron que nos iban a dar guantes y mascarillas y jabón y pues solo nos trajeron la mascarilla y eso es todo lo que nos han dado.
13. Hace unas dos semanas, unos oficiales llegaron y pegaron papeles en la pared en inglés y español. Ellos vienen con sus mascarillas y desinfectan adonde se sientan. Solo nos dijeron no se toquen mucho quédense en una distancia de un brazo. No nos han capacitado, su capacitación es venir y pegar papeles en la pared en inglés y español. Ayer vinieron y pegaron un papel adonde dice como evitar toser y taparse. En el tanque adonde estoy hay 4 personas de China, una persona de la India y una persona de la África. Los que son chinos aquí no entienden nada. Las personas de China son los más perjudicados. Ellos no entienden nada de inglés y nada de español.
14. En mi tanque están 46 personas en mi tanque. Las camas están una encima de la otra. Pero adonde sentamos a comer unos guardias nos dijeron que las personas que duermen arriba en la litera tenían que comer en la mesa. Las que dormían abajo que comieron en su cama. Eso lo hicieron solo dos días. Ahora ya nada de eso. Las mesas son para cuatro y quedamos bien cerca.
15. Aquí hay varias personas que andan con gripe. A otra persona le salió algo en la pierna. Le tomaron la temperatura y como tenía calentura él dijo que era por lo que tenía en la pierna y lo regresaron al tanque. Ayer tenía su vuelo para Honduras pero le dijeron que tenía que esperar una semana más. Solo me han llevado una vez al médico ellos me quisieron llevar. Me tomaron la presión y me pusieron un termómetro y me regresaron. Después pusieron el tanque en frente en cuarentena por 10 días. El rumor es que había personas con coronavirus. Siempre hay 40 o 45 personas en cada tanque.
16. Aquí no le dan mucha prioridad a lo que sea el coronavirus. No es mandatorio utilizar las mascarillas. Ahora casi nadie esta con las mascarillas. Ni los oficiales y guardias usan las mascarillas. Sigo con muchísimo miedo de regresar a El Salvador y por eso aguanto todo. Tengo esperanza de pronto poder salir y estar en seguridad con mi familia.

X

Certificate of Interpretation

I, [REDACTED] am competent to translate and interpret from Spanish into English, and I certify that I have read this entire document to the respondent in Spanish, and that the respondent stated he understood the document before she signed the Pleading Declaration above.

[REDACTED]  
Signature of Interpreter

5/4/2020  
Print name

Dario

Declaration of [REDACTED]

A [REDACTED]

May 4th 2020

1. I, [REDACTED], declare and affirm the following is the truth and is correct according to the best of my knowledge and memory under penalty of perjury under the Federal law of the United States. I was born on [REDACTED] in El Salvador. I am nineteen years old.
2. I had to flee my country under death threats by criminal members because I refused to help them with their criminal activities. As a result, they hit me hard, they threatened me with a knife and told me that they were going to kill me.
3. I came to the United States on February 6, 2020 and have been detained since then. First I stayed in a Federal Prison since I was a potential witness for a criminal case against a woman who was tried for human trafficking. Then, on April 1, they moved me to a Houston Contract Detention Facility. A month ago, I asked for a credible fear interview with an asylum officer. I'm still waiting for my interview. My lawyer also asked my ICE officer for my release with "parole" since I have my aunt in California who is waiting for me and will take care of me and take me in.
4. I'm very worried about the coronavirus pandemic since my lawyer had told me that there are confirmed cases here in the detention center, and I suffer from high cholesterol. Here in the detention center they haven't treated me for that. What I do is avoid eating things with a lot of grease and I'm doing exercise, well I try to walk as much as I can, so I feel like it's helping me a bit, but my preoccupation is that because of the virus I'm going to get that virus and because of my delicate health it could affect me quite a lot, more than other people who can get it.
5. At first, they didn't give us a mask or anything. After, I think Tuesday April 13 we were here and suddenly the officers came and brought some papers and they told us to sign them and give them our ID and our names and with that they would give us a mask. Then various people here signed them. Some who don't even know Spanish well were given papers in Spanish and they signed it. But some of them opposed it. They didn't want to sign it because they said that they were depriving us of our right to health by giving us a paper so that we can put our signatures since for health reasons we shouldn't have to be putting our signatures.
6. The officers then told us that it was only a count to give to ICE of how many masks they were distributing and then several here refused to sign. The officers became angry telling them that if they did not sign they weren't going to give them the masks. And as if that were plenty, the people who they gave masks to haven't been given anything else. They haven't given us gloves, they don't give us enough soap to wash ourselves. It's the same soap in which we bathe ourselves with, is the same soap that we wash our hands with here. And well if we don't clean here in this area, they don't clean so we are the ones who do the cleaning in the morning and at night.
7. The pages that they wanted us to sign were in Spanish, those of us who read it saw that the paper had a part that said: I understand and agree that I can't make a single type of claim against Core-Civic over these masks. And there was another that said: "I am conscious that the masks can't protect in some aspects." So then several people here, were the ones that didn't sign and said to a translator that they were with that talks English and Spanish that what they were trying to do was to wash their hands with that. Because they were giving us a

mask, but apart from that they wanted us to put our signature on that slip of paper where it said that we understand that we can't make a single claim. That is what they told the translator that they were there with.

8. And well, a mess happened with the people who didn't want to sign because more officers came and started telling things at them in English and many here didn't understand them. And they don't care if we understand or not, they only speak to us in English and they're not interested in whether we understand. The same happens when they scold us here, they tell us to shut up and they're only talking to us in English and they tell us things like that and we don't understand and that was an incident that happened. That the translator that was around doesn't even translate what they [the officers] are saying. And an incident that happened was that everyone here had to sign and since they said no, they told them that if you're not going to sign, give me the slip of paper back, and then one of them said, then give me the facemask. And they said if you don't sign, I am not going to give you the facemask. Then they told them well I am not going to sign, and then they told them, then give me the slip of paper, they took it and left. They didn't want to give facemasks to the people who didn't sign the slip of paper. And they also said since we signed the part where it said that we understood, that we can't make any type of complaint to the detencion center here.
9. I signed since I didn't want problems. To those who didn't sign, they weren't given facemasks and they put their names in a notebook.
10. After this day, the abuse continued. On the 16th of April, I think, one of the officers dumped shampoo all over the floor where we were, and started throwing water on the floor at one in the morning when we were already asleep. Then he said the first to fall will be the one to clean it. And one of them got up and since he's the only person that can speak English and Spanish, he told them in English that if he was to fall he was going to sue him. And he didn't care. And started saying that we had to clean it up. Then we said no. Then the officer said that we had to clean it up one way or another. Then one of them got up and said he was not going to clean. Then he was taken from the pod we are in. And when he was out, he talked to another officer that also spoke Spanish and then he [the officer] entered the pod, and he told us to clean. And since he talked to us nicely, we cleaned, at one in the morning, with our rubber shoes, two of the people who are here fell, nothing worse happened but the floor was full of soap and water, and we were cleaning at one in the morning. And after that, the same officer who asked us to clean the first time, was treating us as if we were ignorant, asking if we wanted a revolution and stuff like that, all in all we were bothered by the way we were being treated.
11. Here we can shower from 7:30 until 9:30, 7 at night to 8 at night. If it's 3 in the afternoon and we are showering they would scold us, that happened with one person, the guard got really mad and moved everyone to where the tables are. Here whoever doesn't have commissary stores food to eat it later and not starve. The guard, as a punishment, started throwing everyone's food in a bag and he threw it to the garbage.
12. Lately these past two weeks we have been almost only eating potatoes, the portion of food that they give us is too small and well they almost force us into buying food from the commissary. We have to buy soups and stuff like that because the amount of food that they

give us is too little. And well there are several problems that have happened here in “Core-Civic.” They don’t give us adequate protection measures in this detention center. They haven’t given us gloves, they promised us they would give us gloves and facemasks and soap and well they only brought the facemask and that’s all they have given us.

13. About two weeks ago, some officers arrived and pasted papers on the wall in English and Spanish. They come with their facemasks and disinfect where they’re sitting. They only told us not to touch each other too much and stay at an arm’s length apart. They have not trained us, their training is coming in and pasting papers on the wall in English and Spanish. Yesterday they came and pasted a paper that says how to avoid coughing and cover ourselves. In the pod where I’m at there’s 4 people from China, one person from India, and one person from Africa. Those who are Chinese here don’t understand anything. The people from China are the most harmed. They don’t understand any English and any Spanish.
14. In my pod there’s 46 people in my pod. The beds are one on top of the other. But where we sat some guards told us that the people who sleep on the top bunk have to eat on the table. The ones that sleep on the bottom bunk eat on their beds. They only did that two days. Now none of that. The tables are for four and we end up being super close.
15. Here there are a couple people who have the flu. Another person had something on his leg. They took his temperature and since he had a fever he said it was because of what was on his leg and they sent him back to the pod. Yesterday he had his flight to Honduras but they told him that he had to wait one more week. They have only taken me once to the medic, they wanted to take me. They took my pressure and my temperature and they sent me back. Then, they put the pod in front of us in quarantine for 10 days. The rumor is that there were people with coronavirus. There’s always 40 or 45 people in each pod.
16. Here they don’t give a lot of priority to anything coronavirus related. It is not mandatory to use face masks. Now almost nobody has the facemasks. Not even the officers or guards use the face masks. I am still really scared to return to El Salvador and that is why I put up with everything. I am hopeful of getting out soon and being safe with my family.

[signature]

[REDACTED]



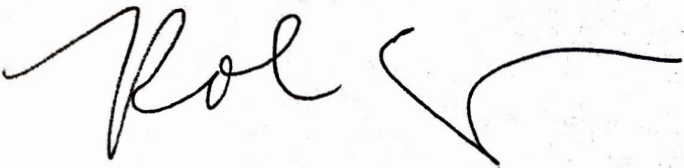
**Certificate of Translation**

Date: May 5, 2020

I, Robin Ragan, am competent to translate the attached documents:

Description: **'Declaration from** [REDACTED]

From Spanish to English. This translation is accurate and true to the best of my abilities.



Robin Ragan

[REDACTED]

[REDACTED]

[REDACTED]