

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

Ángel Alejandro Heredia Mons et al.)
)
Plaintiffs,)
v.)
Kevin K. McALEENAN et al.)
)
Defendants/Respondents.)

Civ. No.: 1:19-cv-01593

DECLARATION OF M.B.

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

Biographical Information

1. My initials are M.B. and I was born in Guinea.
2. I am a native French-speaker. I also speak Portuguese. I understand little English. In order to understand anything written or spoken in English, I require translated materials or an interpreter.
3. I am an asylum-seeker and have been in immigration detention for about six months. I had to flee my country of Guinea after I was persecuted for years and beaten unconscious due to my sexual orientation. Being gay is illegal in Guinea, the police for help or otherwise I could be imprisoned. From Guinea, I went to Brazil seeking asylum, but after two years, I realized there was no path to asylum for me there. I also survived multiple armed robberies and received regular threats to my life, and my partner was stabbed to death in the favela in which we lived. I had no choice but to flee in search of safety.

4. I traveled to Central America where I continued to face harassment and assault due to my sexual orientation. In Honduras I was raped. When I was able to present myself and ask for asylum at the Hidalgo, Texas port of entry in November 2019, I was grateful to have survived the long and difficult journey from South America.
5. Upon presenting myself to immigration officials, I was immediately detained and was then transferred to a facility in Texas for about eight days, and shortly after I was moved to Tallahatchie County Correctional Facility (Tallahatchie) in Tutwiler, Mississippi. About a month later, I was transferred to River Correctional Center (River) in Ferriday, Louisiana. Around January 2020, I was transferred to LaSalle ICE Processing Center (LaSalle) in Jena, Louisiana, which is where I remain detained.

Impediments to Parole Access

6. While I was detained at Tallahatchie, I was provided a credible fear interview (CFI). After about two weeks, I received a positive finding of my CFI. I was given a packet of documents in English containing my CFI results, but I could not understand the documents. At this point, I did not know anything about my right to parole. I never saw or received a notice explaining to me my right to apply for parole.
- 7.

12. On or around February 25, 2020, I was able to speak to an ICE officer at LaSalle, but he did not identify himself as my DO. He told me that there is no parole here. He told me that there is a 99 percent denial rate. He told me to forget about parole. Because I am not eligible for bond since I am classified as _____ I pray that what this ICE agent told me is false because I need to get out of detention to properly pursue

might not get a response for up to a month about my parole decision. About ten days after the interview, I received a parole denial letter from ICE.

16. The parole denial letter I received had several boxes checked, denoting the reasons for my denial. Once again, I relied on the assistance of bunkmates who understand more English. The first reason is that ICE said I had not established my identity to their satisfaction. The letter also states that I am a flight risk and that imposition of a bond or other conditions e at required immigration

17. The denial letter also states that I failed to establish substantial ties to the community and that I did not provide a valid U.S. address at which I will reside, but that is not true. I had included bills of my U.S. Citizen sponsor, as well as an affidavit from him stating his address and offering to provide housing as well as financial and emotional support. The final reason given for my denial is that I was previously denied parole and had not submitted any new evidence in support of my parole request. This last reason seems especially unfair because I had not had any time to submit documents to ICE before receiving my first parole denial.

18. This letter was only provided to me in English, and no ICE officer ever explained the

20. On March 20, 2020, I presented myself before the Immigration Judge for my asylum hearing alone because I was not able to find an attorney from this isolated detention center. After asking me about five questions, the judge denied me asylum. I was never provided time to explain my case thoroughly, and I was crushed.
21. I am so grateful because with the help of some local advocates, I was able to secure an attorney for my appeal and for a parole redetermination request. My attorney resubmitted my parole request with additional documents on April 21, 2020.

Fear of Continued Detention and Plans if Released on Parole

22. I am eager to get a response to my parole request because things have been very tough here since the COVID-19 virus began spreading in the area. Sometimes we go days without access to soap here, and we are not provided gloves.
23. We have not been provided information about coronavirus and how to protect ourselves, and there is no way to practice social distancing here. Three people in my dorm have

