

EXHIBIT

5

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

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

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

DECLARATION OF R.P.H.

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

1. My name initials are R.P.H. and I am a Cuban national detained at the South Louisiana Correctional Center (“South Louisiana”) in Basile, Louisiana. I am fifty (50) years old, and I am a breast cancer survivor.
2. I am a native Spanish speaker. I do not speak any other languages.

Relevant Medical History

3. When I was fifteen years old, doctors in Cuba discovered that I had benign nodules in my breasts. They removed the nodules and told me that I would not be able to have children for fifteen yearA my pregnancy, doctors found

through six cycles of

radiation. After my mastectomy, doctors conducted an operation to try to reconstruct my breasts using skin from my sto

playing. He insulted me, arrested me in front of my family, and took me to the police station where I was interrogated, intimidated, and threatened for two hours.

8. On or about May 10, 2018, I was denied entrance to my daughter's school because school officials said I was a "counter-revolutionary." The police arrived and pushed me around. They detained me, putting me in handcuffs in front of my daughter, who has a mental disability. She was terrified and humiliated. She didn't understand what was happening. Police again took me to the police station, where they threatened me and verbally abused me for six hours. That same day, they issued me a letter threatening to take me to jail if I said or did anything else viewed as "counter-revolutionary."
9. I knew from neighbors that had spent time in Cuban jails that people starve to death and **I M** die in those places. I knew of people who were "disappeared" by the government, and their **11.** families never heard from them again. I knew at this time that I had no choice but to leave the country.

Journey to the United States

10. I left Cuba on or about May 24, 2018. I took a plane from Cuba to Guyana, and from there, I crossed the jungles of Guyana and Brazil, to the border with Uruguay by bus and on foot. With my health problems, I was lucky to survive the journey.
11. I arrived in Uruguay on or around May 29, 2018. It was very dangerous in Uruguay, and I knew it was not safe for oonot **M**

times than I can keep track of in this facility. I first got sick around the end of August or beginning of September. My throat was very sore, my ear hurt, and I had a fever. I was administered a round of antibiotics. About fifteen days later, in September, I got a bad cold. This cycle of sickness continued.

16. When I get sick here, I have to fill out a request to be sent to the medical unit. However, officers refuse to take me to medical the day I make the request. Sometimes, if I am lucky, I get to go the following day. Other times, I am made to wait days before being seen. At times, I have had to cry and beg to be taken to medical, because we are not taken to medical unless they perceive a sickness to be life-threatening.

17. In or about October 2019, I was experiencing intense back, leg, and arm pain. I also began fainting. I lost consciousness various times. I was experiencing nausea, headaches, dizziness, and loss of vision. One day I passed out in the bathroom and was taken to the hospital. The doctor there told me he was very scared for me. He believed that I might have a tumor in my head. They conducted various tests, which came up negative for cancer. But the doctor revealed at this time that my spinal discs were compromising my nervous system, in particular, my sciatic nerve, which was leading to the pain in my spine, left leg, and right arm.

18. Through January 2020, the pain worsened significantly, and my left ankle has swollen. When the pain is particularly bad, I cannot get out of bed or walk around for several days at a time. Often, I cannot sit because I am in too much pain. The doctor told me that my pain has become chronic and that I really need physical therapy, but I am not provided with any physical therapy here. The doctor also recommended I take vitamins, but South Louisiana does not provide me with the vitamins I need. Taking vitamins was an important

part of my daily regimen in Cuba alongside a balanced diet, frequent exercise, and regular check-ups. I was also taking medication that helped me manage the symptoms from the surgeries and radiation. Despite having low immunity, I took good care of my health in Cuba, so I did not get sick very often. It was not until I came to South Louisiana that my health, since being in remission, took a deep dive.

19. Here, the diet is hardly balanced and rarely nutritious. Fresh fruit is rare, and so much of the food we are provided is made from flour and full of margarine. The food is also very spicy. The only water we have access to here is from the faucet, and it tastes like bleach

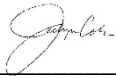
space between us now. We asked the officers for disinfectant, but they denied our request. The officers are not disinfecting the dorm and they are not using gloves. I have also witnessed officers working extra shifts because so many staff have quit.

26.

VERIFICATION

I, R [REDACTED] P [REDACTED] H [REDACTED], am the individual referred to as R.P.H. in the attached declaration. I declare under penalty of perjury that the foregoing is true and correct.

I have authorized my legal counsel in the *Heredia Mons* litigation to sign on my behalf given the difficulty of arranging visitation and travel in light of the current COVID-19 pandemic. I am also foregoing the option to sign documents sent by mail due to the urgency of the COVID-19 situation and due to reasonable fear of destruction of mail or retaliation by officials at this facility. If required to do so, I will provide a signature when I am able.



Jaclyn Cole
On behalf of witness Rosa Pino Hidalgo

Date: March 26, 2020

A handwritten signature in cursive script, appearing to read "John C. ...". The signature is written in black ink on a white background.