

DECLARATION OF FRANCO MAIRENA NELSON

I, Franco Mairena Nelson, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct.

1. My name is Franco Mairena Nelson. I am from Nicaragua.
2. I was recently detained at Camp East Montana ICE Detention Center, located at Fort Bliss in El Paso, Texas. I first arrived at Camp East Montana on or around September 19, 2025, and was held there until on or around March 21, 2026. At that time, I was transferred to the El Paso Processing Center, where I am currently held. In total, I was detained at Camp East Montana for about 7 months.
3. Before I was detained by ICE, I lived in Miami, Florida.

Intake

4. I was detained on August 18, 2025. I was taken to El Paso by plane and then to Camp East Montana by bus.
5. I arrived at Camp East Montana around 1 pm. We were taken to intake where guards booked our belongings. There was also a very quick medical check. In high school, I was told by a doctor that I have anxiety, depression, chronic insomnia, hypertension, and asthma. I told all this to the person who did my medical screening. However, they did not give me any medication, and I was not told whether I would receive the medication I was already taking. Approximately 1 month passed before I received any medication. I did not receive food or water throughout almost the entire intake process. Around 3 am, I finally received a sandwich, some cookies, and a small glass of water. I was finally taken to my pod around 4 am.

Housing Unit

6. Throughout my time at Camp East Montana, I was housed in multiple units, including units Bravo and Charlie. Before I was transferred out of Camp East Montana, I was housed in the Bravo-12 unit. There are around 72 people in each pod.
7. During my first night at Camp East Montana, half of the housing unit flooded. Water from the restrooms was seeping into the room. It was dirty water. It smelled putrid. Water would seep into the pod every time people showered, so the water stayed in the pod for about 2 months. Me and other detainees would push the water away from the beds and common areas with a broom. It wasn't until we pushed the water to where the guards were standing that they finally called someone to clean the pod. Water would continue seeping into the sleeping area after that.
8. When I arrived at Camp East Montana I got a small bag of shampoo, the size of a quarter of the palm of my hand. I did not get a toothbrush, deodorant, soap, or toothpaste. Whenever I got more shampoo, I would save it because I knew we might not get it later.

One day, a guard said I couldn't have it. I tried to explain why I kept it but he took it all away.

9. During approximately 1 month, the water fountains were damaged 5 times. One time we had no water for an entire day. The guards did not offer us any water to drink.
10. On or around September 2025, I also spent 14 days wearing the same clothes. I asked guards for new clothes but they never gave them to me. Around that same time, we were only given a small bag of shampoo for the entire week. Detainees in my pod started yelling and making noise until a security guard came to hear our concerns. After that, I finally got 2 shirts, 2 socks, and 2 pairs of underwear.
11. The air quality at Camp East Montana is also horrible. There is always too much dust in the pods. I slept on a top bunk at Camp East Montana and every day I would wake up with dust and dirt in my face and hair. When I arrived there in September, I started coughing a lot and getting nosebleeds. I have asthma but had never felt like I needed an inhaler until being detained at Camp East Montana.

Food

12. The food quality at Camp East Montana is horrendous. It is frozen and seems to be saturated with salt, condiments, and preservatives. The quantity of food that we get is also minimal. I have high blood pressure and cannot eat much salt, sugar, or fat. The plates are also mostly made of carbs, like sweet potatoes and carrots. On many occasions, I did not eat anything because I was afraid the food would make me sick.
13. The food portions are very small. The rations are about half of the palm of my hand. I am 1.75 meters tall and weigh about 175 pounds. That amount of food is not enough for me. I was often left feeling hungry. Some people tried to save food for later like milk or cookies, but the guards threw it out if they saw it. They said we could not keep food after two hours.
14. On many occasions, I received spoiled food. For example, we often got served pasta with broccoli and many times the sauce tasted very bitter and sour in a way that seemed spoiled. Sometimes the milk also tasted sour. At the beginning of March, I received a plate with egg whites. The eggs were undercooked and watery at the bottom, I was afraid of eating them and getting sick. I still felt that I had to eat them because I would otherwise not get anything to eat. The food in general was really bad.

Absence of ICE Officers and Use of Pepper Spray

15. In or around November 2025, detainees in my pod wanted ICE to come to Camp East Montana. We interacted with the security guards every day but never saw ICE agents. We asked the guards what we had to do to see ICE, and they said they did not know. The pods adjacent to ours were also calling out to speak to ICE. We wanted information about our case. Many people had been there for months and did not know what was happening with their cases or when they would be deported. ICE agents normally wear civilian clothes and a badge. I only saw them in my pod two times, but they only came to try to get people to

agree to voluntary departure and only answered questions with respect to that, not about our cases.

16. Around 9 am, a captain came into our pod and told us there were no ICE officers, and he did not know when one could come. People in my pod were upset and asked how it was possible that the security company contracted with ICE and there was not a single ICE officer in the facility.
17. People were yelling at the guards and kept asking to see ICE. People placed tables near the entrance. Then, around 1 pm, about 12 or 15 guards from the DCT team came into my pod. They were all dressed in black. They opened the door, took the tables out of the room, and started spraying everyone with pepper spray. They yelled at us to go to our bed. I was also sprayed. I ran to the water fountain to wash my face with water. One guard was walking around the pod pushing people forcefully and telling them to go to their beds. I was washing my face with water when he pushed me and told me to go to my bed. I did.
18. There was total chaos in the room and in the adjacent pods. I saw a Dominican man lying on the floor. He was having trouble breathing. Three guards picked him up from the floor and when they did, he passed out. The guards dragged him out of the room from his hands and feet. I also saw people who were pepper sprayed while they were in their beds and guards were telling them to get down. We were very confused about what we were supposed to do or where we were supposed to go. I saw men whose eyes were closed shut from the pepper spray get shackled and thrown on the ground face down. I saw four guards drag a Colombian man through the ground. He slept in one of the bottom beds. He was very short, must have been about 5 feet tall. Before the guards grabbed him, the man was laying in his bed. He wasn't doing anything, but the guards came, sprayed him in the face and dragged him away. He was bleeding above his eye. I never saw that man again. Most of the people that the guards took out of the room never came back to the pod. All the people that were visibly hurt or bleeding never came back. The guards took approximately 14 people out of the room.
19. The DCT team left around 1:45 pm. The whole occurrence lasted approximately 40 minutes. Once the DCT team left the room, the staff did not treat anyone for the pepper spray exposure or let us out of the pod. I told people to wash their faces with milk or water. There are no windows in the pods, and there is no ventilation. The guards did not open the door either, so the pepper spray lingered in the air for hours and until the next day. I suffer from asthma and was worried I would have an asthma attack or get otherwise sick. My skin also felt itchy and irritated. That day, we did not get any lunch and guards brought dinner until around 9 pm. My throat was itchy and I could still taste the pepper spray when I was eating. We didn't get the tables back in the pod for about 5 or 6 days, so people had to eat in their beds. When guards brought the tables back, they screwed them onto the floor.

Recreation

20. When I first arrived at Camp East Montana, we were not taken outside for an entire month. I was in the Bravo-12 unit at that time, and there were approximately 72 other detainees. There are no windows in the pod, so I could not even tell if it was day or night. I could only tell the time by asking the guards. Around 10 pm the guards would turn the lights off. That's how I would know it was nighttime.
21. We complained to the guards about this, and they finally started taking us out twice or three times a week for about an hour. But the yard is like a dog pound. It is surrounded by a chain-link fence and doesn't get any direct sunlight. There were days when the weather was very cold and windy and I did not want to go out because I have asthma and did not want to get sick. I told the guards this, but they told me yard time was mandatory and if I didn't go, they would send me to the "hole." I understand the "hole" to be solitary confinement. I did see guards take some people there for refusing to go to the yard.
22. In the yard, the guards gave us a few basketballs, but none of them had air. There was also no basketball court or hoop. The space is just an empty room with a turf. There was nothing else there. Some of my podmates played soccer with the deflated basketball. Some people took their shirts off and tried to get some sun, but the guards told us we couldn't do that. I am from the Caribbean. I grew up with the ocean and the sun. I would get sun daily. I would never see the sun at Camp East Montana. I felt sick. I missed the sun.
23. There was a space in Camp East Montana that served as the barbershop and library. I believe they also held mass there once. I went to the library about 4 or 5 times in the seven months I was there. There were some books in the library, most in English. There were religious books, some nonfiction, encyclopedias, and no legal books. There were also 6 computers, but they were all blocked. We could only access a blank page to type and a USCIS webpage.
24. During February and March, the guards posted a schedule that said our pod was allowed to go to the library on Thursdays. If we wanted to go, we had to put our name down on a list the day before. However, Thursday often came around, and we were not taken to the library. Sometimes people had to print things urgently for their immigration hearings, and the guards would not let them go to the library. Before the guards posted that schedule, they would take us to the library maybe once or twice a month.

Medical Care

25. Receiving medical care and medication was an issue throughout all my time at Camp East Montana. It is nearly impossible to receive substantive treatment for medical issues, most of the time we were only given Tylenol or Ibuprofen. During the first months at Camp East Montana, if we needed medical attention, we would have to write our name down on a sick call list that the pod supervisor kept. Sometime in January, this process changed, and we would have to fill out a form to request to see a medical provider.
26. Since I arrived at Camp East Montana, I have gotten sick twice with symptoms consistent with COVID. I recognized the symptoms from other occasions when I was diagnosed with

COVID before being detained. My symptoms were loss of taste and smell, fever, body aches, and coughing. The first time I got sick at Camp East Montana was on or around September 25, 2025, approximately a week after I arrived there. The day after I started feeling symptoms, I wrote my name down on the sick call list. I wrote my name down 24 times before I was taken to see a doctor. I numbered each of the requests. While I was waiting to see a doctor, I did not get any medication or help to alleviate my symptoms. When I asked, the guards told me they didn't know why it was taking so long to see the doctor, and that they could not help me. I was finally taken to the clinic approximately a month and a half after I first requested to see a doctor.

27. During that visit, I told the medical provider my symptoms, but I was pretty much without symptoms by then. They performed a nasal swab for a Covid test, but it came out negative. The provider gave me two pills of Ibuprofen and sent me back to my pod.
28. Some time after that, a detainee in my pod tested positive for Covid. The guards took that man out of the pod and he never come back. I was housed at the Bravo-6 unit during that time. The guards told me he had tested positive for Covid and they were isolating him and putting us all under quarantine. The quarantine lasted for 20 days, almost 3 full weeks. During that time, we were not taken to the yard and people were not taken to their immigration hearings. I spoke to a lot of people that had been waiting for months for their hearing date and missed it. Throughout the entire quarantine, no one provided us with face masks, checked our temperatures, or administered any tests. We also didn't have access to disinfectants, so we were not able to clean surfaces.
29. After the quarantine was lifted, people were afraid of missing another court date and staying at Camp East Montana longer. So, if a detainee had a fever or felt sick, they often didn't say anything. I worked as a paramedic in Nicaragua, so when people in my pod were sick, I would try to help them. Sometimes I would even share some of the Tylenol or Ibuprofen I had left over from my sick visits. People in my pod knew they could come to me.
30. On or around October 2025, I submitted a sick call request because I realized my prescriptions for Buspiron, Mirtazapine, and Losartan were running out. I took the facility about a month to get refills for my hypertension and anxiety medication. I went approximately 18 days without taking my medication.
31. Sometime in November 2025, I started feeling sick again. Again, my symptoms were fever, chills, body aches, and loss of taste and smell. I did not write my name down to see a doctor. I was afraid the guards would put us on quarantine again. We already had such a hard time being able to do or go anywhere other than our pod, and being in quarantine just made it so much worse for us. I also didn't want to cause people to miss their court date. So, I didn't say anything. I started feeling better about a week after. A similar thing happened in January, when I felt sick, but I did not feel like I could ask to see the doctor out of fear that they would place us on quarantine.

32. In early March 2026, we learned that the facility was closed down to outside visits because of a disease outbreak. The guards told us the shutdown was due to tuberculosis, but I also heard from the guards there were people with measles. On or around March 6, 2026, a guard came to my pod and woke me up around 1 am. He told me to get up because I had to go to get X-rays to test me for tuberculosis. I had not requested any X-rays or been told I needed them. I told the guard I didn't want to go. He told me if I didn't go, I would be put in isolation for 30 days. So, I agreed to go. The guard took me to the clinic where a nurse took X-rays of my thorax. I saw on the X-ray screen that the test was negative. The guard then took me back to my pod. Other podmates told me that staff had given them shots to test for tuberculosis.

Medical Diet

33. Sometime in December 2025, I wanted to see the doctor to ask for a medical diet. Every time I ate the food at Camp East Montana, I felt hot in my hands, feet, and face. I would have blurry eyesight and heart palpitations. I am a trained paramedic, and I knew these symptoms were due to my blood pressure spiking from all the salt in the food.
34. The guards told me to add my name to a sick call list. Approximately three days went by and I was not taken to see a doctor. I submitted 5 more requests, one daily. After 5 days, I had still not been taken to see a doctor. I then started numbering the requests, starting all the way from 1 again. I continued to submit one request per day. I reached 17 requests before I was seen by medical staff.
35. While I was waiting to see a doctor, I would try to exchange my food with people that had a medical diet. Sometimes I would find someone willing to trade with me and I would give them an extra cookie in exchange. If I couldn't find someone to trade with, I would eat the food I was given. But I would always feel sick after.
36. Sometime in late December 2025, a guard called my name and took me and another group of men to the end of the hallway, about 30 meters from our pod. There was a folding chair and a folding table out in the hallway. There was a man sitting there with a computer. The guards lined us up to speak to that man. When it was my turn, the man asked what was wrong with me. I told him about my high blood pressure issues and the salt in the food. He asked me what medication I was taking and if I had any other medical conditions. While I was explaining my symptoms and medical history, there was a line of four other detainees behind me. They could hear everything. There were also guards and other people walking through the hallway.
37. I do not know whether this man was a medical professional at all. I assume he was not because when I told him the medical terms of my diagnosis, he asked what that was. The man did not identify himself, and he did not perform any tests on me, check my blood pressure, or vitals. I didn't even see a stethoscope or any medical tools. All that was on top of his table was a laptop and some papers. The man didn't ask me anything else. The whole interaction lasted about 7 minutes. He took longer typing than asking me questions or

examining me. The man then gave me two copies of a document approving my medical diet.

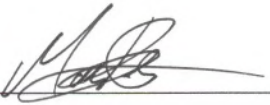
38. I cannot say that the food was “medical,” the heavy salt was replaced with a lot of fat and oil. There were 5 or 6 times when I was not provided with my medical meal. I had to ask the guard to bring me a medical plate. Sometimes they didn’t and I had to eat the regular meals.

Conclusion

39. I feel traumatized by what I experienced at Camp East Montana. My time there was very hard. We were treated horribly. I do not want this to happen to others detained there.
40. I make this declaration based on my own personal knowledge and if called to testify I could and would do so competently and truthfully to these matters.

Everything in this declaration is true and correct to the best of my knowledge and recollection.
This declaration was read back to me in Spanish, a language in which I am fluent.

Executed on the 21 th of 05, 2026 in El Paso, Texas.

Signature: 

ATTESTATION AND CERTIFICATE OF TRANSLATION

I, **Perla F Alvelais**, certify that I am fluent in both English and Spanish. On **May 21, 2026**, I personally spoke with Franco Mairena Nelson and read the foregoing declaration to him, translated into Spanish faithfully and accurately. Franco Mairena Nelso affirmed that he understood my translation and that the information in the above declaration is true and accurate.

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct.

Signed:  _____
NAME: **Perla F Alvelais**

Date: May 26, 2026