

DECLARATION OF MAXIMO RAFAEL VALERA BARRETO

I, Maximo Rafael Valera Barreto, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct.

1. My name is Maximo Rafael Valera Barreto, and I am 40 years old. I am originally from Venezuela.
2. On or around January 19, 2023, I entered the United States at the border of Nuevo Laredo, Texas, using the CBPI program.
3. Prior to being detained by ICE, I was financially supporting my wife, child, sister, and father. I came to this country to work and for better opportunities. When I first arrived to the United States, I worked remodeling homes. Afterwards, I started working at St. Mary Hospital in Madison, Wisconsin, and then was transferred to a rehabilitation hospital in the same city where I worked in the kitchen and nutritional services. I have been living in the United States for three years. My wife and I volunteered by giving meals to the elderly in our community where we lived in Madison, Wisconsin.

Intake

4. On or around June 11, 2026, ICE agents detained me in Milwaukee, which is where our immigration residency interview office was. I got detained right after my residency interview with my wife. After they interviewed me, the immigration officers asked me to come with them and then they arrested me. They took me to an ICE detention center about an hour from Milwaukee, where I was for about three days. Afterwards I was sent to Chicago on or around June 13, 2026. I was then sent to another detention center that I can't remember the name of for about four hours on or around June 15, 2026, and then I was brought to Camp East Montana on or around the June 15, 2026, around 11 PM or midnight. The June 16, 2026 is the four-year anniversary of having met my wife so I remember that day well.
5. I felt pressured to sign a voluntary departure to a third country because the conditions at Camp East Montana were really difficult to endure. I just want to get out of here because I feel like I am being tortured.
6. I have never been previously incarcerated and I wear a blue uniform at Camp East Montana, which I think means that I am low custody.

7. I was in the intake room when I was first brought to Camp East Montana for a few hours. There were about 15 people in the room with me. After being held in the intake room I was taken to do a medical exam.
8. The medical providers told me that I had a TB test already from Milwaukee so they didn't do another one, but they did a medical check to see my weight, height, temperature, a Covid test, and asked me if I was allergic to any medications.
9. I did not disclose any medical issues since I was healthy when I arrived to the medical center.

Conditions In Unit

10. I was transferred to unit Bravo-5 where I was for about three weeks, and then I was moved to the segregation unit on or around July 10, 2026, where I was until August 4, 2026, I was then taken out of segregation on August 4, 2026, and taken to Echo -9 for one day until August 5, 2026. Then they tried to deport me to Mexico August 5, 2026, unsuccessfully and when I came back I was placed in unit Bravo-2 on the same day.
11. In Bravo-5 conditions were so bad that people in my housing unit would go on hunger strikes or peacefully protest.
12. Conditions at the facility are so bad that we felt the need to speak up because we felt desperate and frustrated that nothing was improving. We are treated like animals in the facility. The facility is dirty, food is terrible, we do not see the sunlight, there are no meaningful activities for us to do, medical care is bad, and guards mistreat us.
13. On or around July 1, 2026, was the first protest that I remember in my unit. We started making a lot of noise and wouldn't lay down when asked during count so that they would clean our unit and fix the bathrooms which would overflow with sewage. The unit was also covered in dust and covered everything, making it dirty. This smelled terrible and I started getting sick from the dust, the people in my room and I were getting desperate to have a cleaner room.
14. It is really hard to be detained here for an unknown period of time with little to no information about the status of our immigration cases. We are also told incorrect information by the guards, and I do not trust ICE officials or staff. I feel that no one cares about us or our conditions. We are given very little information by the guards, and so other detainees spread rumors about what is going on, but we have no idea. This all makes me feel more anxious.

15. On or around July 3, 2026, we had our second protest and hunger strike with our lunch where we didn't lay in our beds during count like we were being asked to do. We asked to at least leave the TV on during count since count can take several hours. If we are going to be forced to lay in our beds like children we would rather not have to lay down in silence. We wanted the staff to tell us why they were forcing us to be in bed for two hours without talking or moving while we did count right after lunch.
16. On or around July 6 or 7, 2026, we had the third protest where we did a hunger strike for one meal because we were being kept in detention for such a prolonged time and because the conditions were still terrible. Some people have been detained for several months awaiting their deportation. We shouted "liberty liberty" over and over again. We were desperate to leave but were kept there for so many months even though we had final deportation orders. ICE officials weren't giving us the information on outbound flights or dates for when we would be deported. I saw others in my pod get their deportation flights delayed because they won't let you leave your unit before you finished your medical treatment or antibiotics. During this time, the ICE officials would lie to us to get us to calm down. They would tell us that we were going to be deported soon but then we wouldn't get deported. They also told us that if we had our own passport we could buy a commercial flight to go back home but we knew that wasn't true because they would have to send an ICE official with us to the commercial flight which we knew wouldn't happen. So, we felt that we had no other choice but to protest peacefully because conditions were not improving and we were being kept there for months on end without any information about when we might be deported.
17. In Bravo-5 we would often try to clean our unit ourselves because of how dirty things were. The sand and dust got in everywhere through the tarps and air ducts which made everything very dirty. When we asked to get cleaning materials, staff would only bring a cart with water but no soap or detergent or other cleaning products. We cleaned anyways as best we could with just water because we couldn't live in the filth. We requested the cleaning materials every 5 days or so. When the tarp (what the structure of our tent was made of) would move from the wind the dust would come in and get dirty all over again.
18. Dust gets into our units every day. In less than 2-3 weeks after coming, even if you came in here as a healthy individual, you will get very sick. The dust affected during my time in Camp East Montana. I am regularly congested, have irritation in my throat, and difficulty breathing. I was given a nasal spray to help with the symptoms. I had to use it everyday to help with my symptoms. The staff on August 7, 2026, asked me if I wanted to have a refill on my nasal spray and Tylenol for the pain in my foot but I am afraid to receive them because I think it would continue to delay my deportation to Mexico.

19. They treat us as if we were in a high security prison with very rigid schedules. The first count happens at 5:30 AM, and at 6 AM we get food. At noon we get food and then they do count at 1 PM until around 3 PM. We get dinner at 5 PM, at 7 PM they do count again until around 9 PM. Then we roam around the room and play cards until 10 PM where they do count again when we lay down. This is very frustrating because we spend so much of our time during the count period and have very limited freedom to speak or walk during that time. We just have to stay on our beds and couldn't use our tablets or talk to other people. It feels demeaning and intentionally punitive.
20. I think I have lost weight while at Camp East Montana since I can't eat all the food. The food damages my stomach and irritates my hemorrhoids. The food is very processed, pre-frozen, and spicy. The milk we get sometimes is spoiled and looks like cottage cheese. It's not that I didn't want to eat, the food just irritates my stomach and is very bad. In my opinion even a dog wouldn't eat the food we get.
21. I felt like the terrible conditions at Camp East Montana are a psychological test to test how far they could take us until we signed the voluntary departure and need to leave. The conditions are terrible because the facility is dirty, smells of backed up sewage, food is horrible and minimal, we are always hungry, we do not get to see sunlight (even we go out to yard we do not always see the sunlight), we receive bad and delayed medical care, we are not informed about the status of our immigration cases and deportation, we are forced to breath in dust and sand, we cannot sleep well, it's loud in here, and the guards mistreat us. I signed a voluntary departure so I could get out of here as soon as possible and know I would get to see my family by Christmas.

Medical Care

22. On or around June 28, 2026, I fractured my foot in the yard playing soccer. I know it was fractured because the doctor told me that it was fractured. I was not able to walk or move around very well, I was still forced to walk until I went to the hospital. I was not given a wheelchair or crutches so it was very painful to walk and to move around the unit without the help of the wheelchair or crutches. I immediately submitted a sick call request on this day, but it took about four days after I submitted my medical request to take me to medical. It wasn't until on or around July 2, 2026, that I went to the ICE medical center to check on my foot.
23. It was very hard to get around during the time that I wasn't taken to medical after the injury had happened because I was on the top bunk. Two days after I got injured a spot opened up on the bottom bunk and I moved myself to it to facilitate getting into bed.

There were no grab bars in the restrooms or showers, which made it very difficult to get around the room with my broken foot. Also, it was very difficult to get dressed in the showers as well since I had nothing to grab onto. I had to grab myself on the beds to walk around the room since I wasn't given a wheelchair or crutches until my medical appointment. The pain was almost intolerable and any little movement or bump on my foot caused excruciating pain.

24. I was also forced to walk on my foot which was very painful instead of having access to a wheelchair. Prior to going to the doctor, the officers would put me in the front of the line when walking to the yard since I wasn't allowed to fall behind when walking with the group to go to recreation. This was intentional so everyone had to go my speed and I never fell behind the group, but the officers never offered me crutches or wheelchair.
25. I was taken to the hospital on or around July 5, 2026, around 3 PM. I was at the hospital until around 10 PM. There I got my x-rays on my foot and was seen by a doctor. The doctor told me that I had a fracture on my foot. He then wrote a prescription for a medical boot to wear and crutches. I was told that I had to take 800 milligrams of ibuprofen for the pain. I was given the new medications upon return at Camp East Montana.
26. I was taking an allergy medication once a day in the morning since I got to Camp East Montana. After the hospital visit they added 800 milligrams or 4 tablets of ibuprofen once in the morning and once in the evening. They also added an inflammation medication that I can't remember the name of once in the morning and the evening to my daily medications. The medications were causing stomach irritation and acidity, so I started getting another pill to reduce the acidity in my stomach.
27. Due to the stomach acidity from my medications I started having blood in my stool from my hemorrhoids. This caused me a lot of pain so I went to the doctor and I got a suppository and a muscle relaxer, as well as a medication to help with going to the restroom.
28. Since I saw little to no improvement, I then requested the doctor to stop all medications due to the side effects and signed a paper at the doctor to stop the distribution of the medications.

Guard Abuse

29. On or around July 9, 2026, in the evening around 11 PM, a man in Bravo-5 got called out by a staff member for having a towel on his bed, which he wasn't allowed to have. He told me that had the towels on this bed so that he could cover his face to sleep since the

lights bothered him and since there is a main light that stays on all night in the unit. He told me that he was epileptic so he needed the towel to sleep from light sensitivity.

30. The officers took the towel from his bed and didn't give it back to him. I overheard my roommate ask the officers for the towel again because he wanted to have it to shower and said that he would put it away.
31. The officers didn't respond to him. I saw the man then get out of bed and walk over to the officers, to ask for his towel back. I then saw the officers surround him, put their hands on him, and lift him from the ground and carry him out of the room. They started hitting him over and over again in the hallway. I saw this happen personally when they took me out to the hallway too.
32. I got up to see what was happening along with several others in my room since we could hear this man in the hallway screaming from the beatings. The person in front of me told the officers that it wasn't okay to treat that our roommate that way. The guards started coming towards the person who had spoken out and then out of instinct to protect him, I tried to grab him to pull him back towards me so that the officers wouldn't get him and carry him out too. Then the guards got upset at me and pushed me against the wall and circled me. I asked them to please explain why they were treating the other people they carried out of the room like that.
33. I was scared when the officers pushed me and started to surround me. I was worried they would further injure my foot, which I knew was broken since the doctor told me it was. I tried to place my crutches in front of my foot so they couldn't step on my foot. (At the time, I didn't have my medical boot on because when this incident began, I was putting on cream and a bandage.) The officers apparently thought me moving my crutches was a threat but I was not threatening them in any way. They didn't issue any orders or directions to me but instead grabbed me and carried me out of the room with my feet, back, and arms. They carried me out of the unit to the hallway. If they would've just asked me to go the hallway I would've done so, even in crutches. They did not give me any warning or anything. The guards just acted immediately with force.
34. I believe that the guards saw me as a threat by the way they mistreated me, but I was not acting in an aggressive manner. I felt that I was punished by the guards with physical force and being treated differently just because of my crutches. Even though I was not resisting, the guards forcibly carried me out of the room by my feet and my back and arms. I was not resisting or threatening to hurt myself or others. But the guards, threw me on the floor and then put on my handcuffs. Even after they placed these handcuffs, I was not resisting at all. But, the guards grabbed my feet and legs and pressed them against my

back. This was incredibly painful as they twisted my broken foot and pressed it against my back, I asked them to please be careful during this and told them that my foot was fractured.

35. When they threw me on the ground face first, I hit my forehead, my chest and my ribs. My arms and wrists hurt from how tight the handcuffs were. Then several guards were on top of me. As best as I could tell, there was one guard who was pressuring his knee on my neck, there was another guard who was stepping harshly on my back and my foot, and there were two guards stepping on my legs and foot. I had the red lines and irritation on my wrists from the handcuffs and bruises from the impact of their behavior on my body for about fifteen days.
36. From around 11 PM until 2 AM, staff put me in a cell and I was asked questions about my medical and mental health needs. Someone I think may have been a doctor marked where I was hit by the guards at this time. Then the ICE officials came in to tell me not to do those things again and removed my handcuffs. Then they took me to solitary without a shirt because I was in bed getting ready to sleep and didn't have it on when they took me to the hallway. I also didn't have any of the medical supplies I needed like my crutches and my medical boot, saying that they were not allowed in the solitary cell.
37. I saw and heard them bring in an Asian man on or around July 21, 2026, and I could hear how the officers kept beating and beating him as he continued screaming. The man in the solitary cell in front of the Asian man's cell could see as the officers beat him severely as the rest of us yelled at the officers to stop as we heard the screams of the Asian man. I asked an official where they had taken the Asian man and he said that they had taken him to a psychiatric center. Witnessing this made me very sad for this man and made me scared because of the way the guards treated this person. A lot of people are signing voluntary deportation because they are scared of these abuses and the conditions that we face. At that time, however, I didn't yet want to sign my voluntary departure form to a third country because my wife didn't want me to. On August 16, 2026, I would have been in solitary for two months. Ultimately, I signed the voluntary departure order out of pressure. There is not enough medical care for people. Treating people with aggression never aids the situation and this left me very scared.

Solitary Confinement

38. On July 10, 2026, I was taken to my solitary cell. When I was brought in to solitary, the officers claimed that I tried to hit the guards with my crutches and that I tried to get in the way of the guards. But that was not true. They told me that I would be in solitary for 25 days. They also told me that if I behaved well, they would reduce the days that I was in

solitary. I didn't think that was fair. I didn't try to hit the guards with anything; I was trying to protect my injured foot.

39. Initially, when I first arrived to solitary, the officers wanted me to shower without shower shoes. The showers are flooded all day and without shower shoes, I was at risk of getting a serious fungal or bacterial infection if I didn't have protection on my feet. I asked to get the shower shoes that same day from the guards and was able to get them.
40. Additionally, they gave us 10 minutes to shower when we're in solitary. This was difficult for me since there were no grab bars or any accommodations other than a small chair in the corner, but the water didn't hit the chair so you couldn't sit in it to take a shower. There wasn't a shower hose or anything like that. I had to be extra careful to avoid slipping and refracturing my foot.
41. I requested to go to medical several times while in solitary to get my boot and crutches back but they refused to take me.
42. On or around July 26, 2026, I got another medical appointment to check on my foot and they told me that my foot was still fractured. I'm not sure why they finally saw me on that date. I had been forced to walk on it for so long when I was going to my legal calls which were a 10-minute walk one way and also using the shower. Even though I requested medical attention multiple times while in solitary, I was getting no medical attention or appointments. It wasn't until I had my call with someone at the ACLU, which is suing ICE over conditions at Camp East Montana, on July 23, 2026, and within about three days I was seen by the doctor and got back my medical boot and crutches. So maybe that's why they finally saw me. The doctor during this appointment told the staff that they absolutely had to give me back my medical boot and my crutches because I needed them to heal from the fracture. After that appointment, I was allowed to use my crutches when I was going outside of the room but was not allowed to have them inside of my solitary cell. I was also allowed to have my medical boot inside of my cell even after that doctors appointment even though when I was first taken to solitary, they told me that my medical boot was not allowed. Prior to this second doctor visit I went the whole time in solitary without my boot or crutches and was forced to walk on my foot and had no support. This was very painful and I think it could have affected my fractured foot from properly healing.
43. Additionally, ICE officers came into my room the day after I went to medical and told me that I was going to be transferred to a detention center in Texas that was ten minutes from Camp East Montana. When I asked them why, they responded and said that it was related to the outcome of my court case. This seemed odd, however, since my immigration case

hasn't changed in about a month so there is no new news for them to want to transfer me now. I think that this is also because of the meeting I had with the ACLU on July 23, 2026, but I am not sure. They tried to transfer me to the El Paso Processing Center on July 31, 2026, but once I was put in the room for transfer with others, they removed me and put me back in solitary. They didn't tell me why they my transfer was canceled.

44. On August 4, 2026, I was released from my solitary cell and moved me to Echo 9.
45. On August 5, 2026, in the morning at 9 AM they asked me to gather my things to deport me to Mexico. Afterwards I boarded a bus and they bussed me to the border of Texas and New Mexico. When I tried to get off to board the final bus that would take us to the Mexican border so they could deport me to Mexico, they turned me away and didn't let me board the final bus because I had a medical boot and my crutches.
46. I went on a hunger strike for a couple of days after they tried deporting me and failed, because conditions here are so bad. They deported other Venezuelan people a couple of days after they tried deporting me, August 7, 2026, but they didn't let me join them.
47. During a legal call with the ACLU on August 10, 2026, I felt as if our call's confidentiality was compromised so I ended the legal call prematurely. From my chair in the counsel visitation room, I saw that there were about five guards directly outside of my legal call room staring at me as I spoke. Some were sitting very close to the glass. Some of the guards were leaning in a way that appeared to me that they were attempting to hear what I was communicating to the ACLU. I could also overhear what the guards were saying because they were so close to the glass, which made me think that they could also hear everything I was sharing with the ACLU during our confidential legal call. This made me feel uncomfortable and I asked to end our meeting so I could try to maintain confidentiality with the legal staff from the ACLU.
48. I am wanting to submit this declaration to help others at Camp East Montana and hopefully prevent anyone in the future from going through what I have experienced while here.

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.

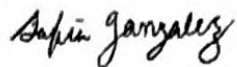
Executed on the 13 of 08, 2026, in El Paso, Texas.

Signature:  _____

ATTESTATION AND CERTIFICATE OF TRANSLATION

I, **Sofia Gonzalez**, certify that I am fluent in both English and Spanish. On August 13, 2026, I personally spoke with **Maximo Rafael Valera Barreto** and read the foregoing declaration to him, translated into Spanish faithfully and accurately. **Maximo Rafael Valera Barreto** 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.



Sofia Gonzalez, Paralegal
American Civil Liberties Union

Date: August 13, 2026