

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

Gerald Akari Angye, *et al.*,

Plaintiffs,

v.

U.S. Immigration and Customs Enforcement,
et al.,

Defendants.

Civil Action No.: 3:26-cv-1515-LS

**DECLARATION OF RITA LOMIO
IN SUPPORT OF PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

I, Rita Lomio, hereby declare:

1. I am an attorney licensed to practice before the courts of the State of California and am admitted to this Court *pro hac vice*. I am Senior Counsel at the ACLU and am an attorney of record for the plaintiffs in this litigation. I have personal knowledge of the facts stated in this declaration, and, if called to testify as a witness, could and would testify competently to those facts.

Communications Regarding Conditions at Camp East Montana

2. On December 8, 2025, the ACLU, ACLU of New Mexico, ACLU of Texas, Estrella del Paso, Human Rights Watch, Las Americas Immigrant Advocacy Center, New Mexico Immigrant Law Center, and the Texas Civil Rights Project sent a letter to government officials, including with the U.S. Immigration and Customs Enforcement, entitled, “Coercive Third Country Deportations and Abusive Conditions of Confinement in Immigration Detention at Fort Bliss, TX (Camp East Montana).”

3. The email transmitting the letter included a link to supporting declarations at <https://www.aclu.org/documents/fort-bliss-declarations-december-2025>.

4. True and correct copies of the letter sent on December 8, 2025, and the declarations that appear at <https://www.aclu.org/documents/fort-bliss-declarations-december-2025>, are attached hereto as **Exhibits 1** and **2**, respectively.

5. On October 12, 2026, I visited the website of KVIA.com and viewed the article at <https://kvia.com/news/border/2025/12/08/aclu-alleges-beatings-sexual-abuses-happened-at-camp-east-montana-on-fort-bliss/>, entitled, “ACLU alleges beatings, sexual abuses happened at Camp East Montana on Fort Bliss,” and dated December 11, 2025.

6. A true and correct copy of that article is attached hereto as **Exhibit 3**.

7. The article includes a statement from the U.S. Department of Homeland Security, which was cut off in the PDF. As a result, I include a screenshot from the article as it appears on the KVIA.com website below.

Update: DHS has released the following statement in response to the ACLU's letter and allegations:

"This is fearmongering clickbait. As our brave ICE law enforcement is facing a more than 1150% increase in assaults against them, the ACLU is choosing to smear them with anonymous allegations. Here are the facts: any claim that there are "inhumane" conditions at ICE detention centers are categorically false. No detainees are being beaten or abused. All detainees are provided with proper meals, medical treatment, access to showers, and have opportunities to communicate with lawyers and their family members. It is a longstanding practice to provide comprehensive medical care from the moment an alien enters ICE custody. This is the best healthcare that many aliens have received in their entire lives. Meals are certified by dietitians. No lawbreakers in the history of human civilization have been treated better than illegal aliens in the United States. Get a grip.

These third country agreements, which ensure due process under the U.S. Constitution, are essential to the safety of our homeland and the American people. If you break our laws and come to our country illegally, you could end up in any number of third countries. President Trump and Secretary Noem are using every tool available to get criminal illegal aliens out of American communities and out of our country. Our message is clear: Criminals are not welcome in the United States. These third country agreements, which ensure due process under the U.S. Constitution, are essential to the safety of our homeland and the American people."

Assistant Secretary Tricia McLaughlin

8. On May 22, 2026, counsel for Plaintiffs in this case sent a letter to government officials entitled, "Continued Concerns About Conditions of Confinement at Camp East Montana."

9. A true and correct copy of that letter is attached hereto as **Exhibit 4**.

10. Megan Echtenkamp, Acting Assistant Director, Office of Partnership and Engagement, U.S. Immigration and Customs Enforcement, responded to the May 22, 2026 letter in a letter dated June 30, 2026.

11. A true and correct copy of Ms. Echtenkamp's letter is attached hereto as **Exhibit 5**.

Reporting by the Washington Post

12. On October 12, 2026, I visited the website of the Washington Post and downloaded the article that appears at <https://www.washingtonpost.com/business/2025/09/16/ice-detention-center-immigration-violations/>, entitled, “60 violations in 50 days: Inside ICE’s giant tent facility at Ft. Bliss,” and dated September 16, 2025.

13. A true and correct copy of that article is attached hereto as **Exhibit 6**.

14. On October 12, 2026, I visited the website of the U.S. Department of Homeland Security and downloaded the press release at <https://www.dhs.gov/news/2025/09/17/dhs-debunks-washington-posts-false-reporting-about-camp-east-montana-fort-bliss>, entitled, “DHS Debunks Washington Post’s False Reporting about Camp East Montana at Fort Bliss,” and dated September 17, 2025.

15. A true and correct copy of that press release is attached hereto as **Exhibit 7**.

Government Oversight Reports, Inspections, and Audits

16. On October 12, 2026, I visited the website of the U.S. Government Accountability Office (“GAO”) and downloaded the report that appears at <https://www.gao.gov/assets/gao-26-108886.pdf>, entitled, “Immigration Detention: Waste and Performance Issues at Camp East Montana Provide Valuable Lessons for Future Facilities,” and dated June 2026.

17. A true and correct copy of that report is attached hereto as **Exhibit 8**.

18. On October 12, 2026, I visited the website of U.S. Immigration and Customs Enforcement and downloaded the report that appears at https://www.ice.gov/doclib/foia/odo-compliance-inspections/eroElPasoCampEastMontana_ElPasoTX_Feb10-12_2026.pdf, entitled, “ERO El Paso Camp East Montana Inspection 2026-001-098,” and dated February 10-12, 2026.

19. A true and correct copy of that report is attached hereto as **Exhibit 9**.

20. On October 12, 2026, I visited the website of U.S. Immigration and Customs Enforcement and downloaded the report that appears at https://www.ice.gov/doclib/foia/odo-compliance-inspections/2026_EROElPasoCampEastMontana_ElPasoTX_May12-142026.pdf,

entitled, “ERO El Paso Camp East Montana Inspection 2026-004-128,” and dated May 12-14, 2026.

21. A true and correct copy of that report is attached hereto as **Exhibit 10**.

22. On October 12, 2026, I visited the website of the Department of War, Office of Inspector General, and downloaded the report that appears at [https://media.defense.gov/2026/Jun/11/2003947152/-1/-1/1/AUDIT%20OF%20DOW%20SUPPORT%20FOR%20THE%20CARE%20AND%20SAFETY%20OF%20DETAINEES%20IN%20RESPONSE%20TO%20THE%20NATIONAL%20EMERGENCY%20AT%20THE%20SOUTHERN%20BORDER%20\(REPORT%20NO.%20DOWI%20G-2026-088\).PDF](https://media.defense.gov/2026/Jun/11/2003947152/-1/-1/1/AUDIT%20OF%20DOW%20SUPPORT%20FOR%20THE%20CARE%20AND%20SAFETY%20OF%20DETAINEES%20IN%20RESPONSE%20TO%20THE%20NATIONAL%20EMERGENCY%20AT%20THE%20SOUTHERN%20BORDER%20(REPORT%20NO.%20DOWI%20G-2026-088).PDF), entitled, “Audit of DoW Support for the Care and Safety of Detainees in Response to the National Emergency at the Southern Border,” and dated June 9, 2026.

23. A true and correct copy of that report is attached hereto as **Exhibit 11**.

Congressional Oversight

24. On October 12, 2026, I visited the website of U.S. Representative Veronica Escobar and downloaded the letter addressed to the Secretary of the U.S. Department of Homeland Security and the Acting Director of U.S. Immigration and Customs Enforcement that appears at https://escobar.house.gov/uploadedfiles/9.26.25_letter_to_ice_on_urgent_concerns_regarding_camp_east_montana.pdf, dated September 26, 2025.

25. A true and correct copy of that letter is attached hereto as **Exhibit 12**.

26. On October 12, 2026, I visited the website of U.S. Representative Escobar and downloaded the letter addressed to the Secretary of the U.S. Department of Homeland Security and the Acting Director of U.S. Immigration and Customs Enforcement that appears at https://escobar.house.gov/uploadedfiles/10.27.25follow_up_letter_to_dhs_on_camp_east_montana.pdf, dated November 7, 2025.

27. A true and correct copy of that letter is attached hereto as **Exhibit 13**.

28. On October 12, 2026, I visited the website of U.S. Representative Escobar and downloaded the letter addressed to the Secretary of the U.S. Department of Homeland Security

and the Acting Director of U.S. Immigration and Customs Enforcement that appears at https://escobar.house.gov/uploadedfiles/shut_down_camp_east_montana_final.pdf, dated February 26, 2026.

29. A true and correct copy of that letter is attached hereto as **Exhibit 14**.

30. On October 12, 2026, I visited the website of U.S. Representative Kelly Morrison and downloaded the statement that appears at <https://morrison.house.gov/media/press-releases/us-rep-kelly-morrison-conducts-oversight-nations-largest-detention-facility>, entitled, “U.S. Rep. Kelly Morrison Conducts Oversight Of Nation’s Largest Detention Facility In Texas Where Minnesotans Are Being Held,” and dated March 25, 2026.

31. A true and correct copy of that statement is attached hereto as **Exhibit 15**.

32. On October 12, 2026, I visited the website of U.S. Representative Gabe Vasquez and downloaded the press release that appears at <https://vasquez.house.gov/media/press-releases/rep-gabe-vasquez-conducts-congressional-oversight-visit-camp-east-montana>, entitled, “REP. GABE VASQUEZ CONDUCTS CONGRESSIONAL OVERSIGHT VISIT AT CAMP EAST MONTANA,” and dated April 6, 2026.

33. A true and correct copy of that press release is attached hereto as **Exhibit 16**.

Government Statements

34. On October 12, 2026, I visited the website of the White House and viewed the Release that appears at <https://www.whitehouse.gov/releases/2026/02/president-trump-is-securing-our-homeland-ending-the-invasion-deporting-criminals-and-protecting-our-communities/>, entitled, “President Trump Is Securing Our Homeland: Ending the Invasion, Deporting Criminals, and Protecting Our Communities,” and dated February 24, 2026.

35. A true and correct copy of that Release is attached hereto as **Exhibit 17**.

36. The Release states, among other things: “The Trump Administration doubled ICE’s workforce, expanded detention capacity — including the largest migrant facility in U.S. history,” and includes a link for “largest migrant facility.” I clicked on the link and was taken to <https://www.migrationpolicy.org/journal/policy-beat/us-immigrant-detention-grows-record->

heights-under-trump-

administration#:~:text=The%20Lone%20Star,their%20final%20destination, where highlighted text stated: “The Lone Star Lockup, located at Fort Bliss, is the largest immigrant detention center in U.S. history, according to DHS,” as seen in the screenshot below.

States, Military Facilities, and Foreign Countries

Immigrant detention is not limited to facilities directly run by ICE. State-run facilities such as the newly built Alligator Alcatraz and the Deportation Depot (formally the Baker Correctional Institution) in Florida serve as detention centers for noncitizens, though it is not always clear whether individuals are held under federal or state authority. People detained in these state facilities are not counted in ICE’s official tally (see more on states’ roles below).

The Lone Star Lockup, located at Fort Bliss, is the largest immigrant detention center in U.S. history, according to DHS. Individuals identified for removal are also detained outside the United States, at military facilities such as the naval base at Guantanamo Bay, Cuba, and the Trump administration has asserted in court that it can legally hold immigrant detainees at any U.S. military facility worldwide. Some noncitizens are also held by foreign governments that have agreed to accept third-country nationals (such as El Salvador and Eswatini), either as a step in their removal elsewhere or for their final destination.

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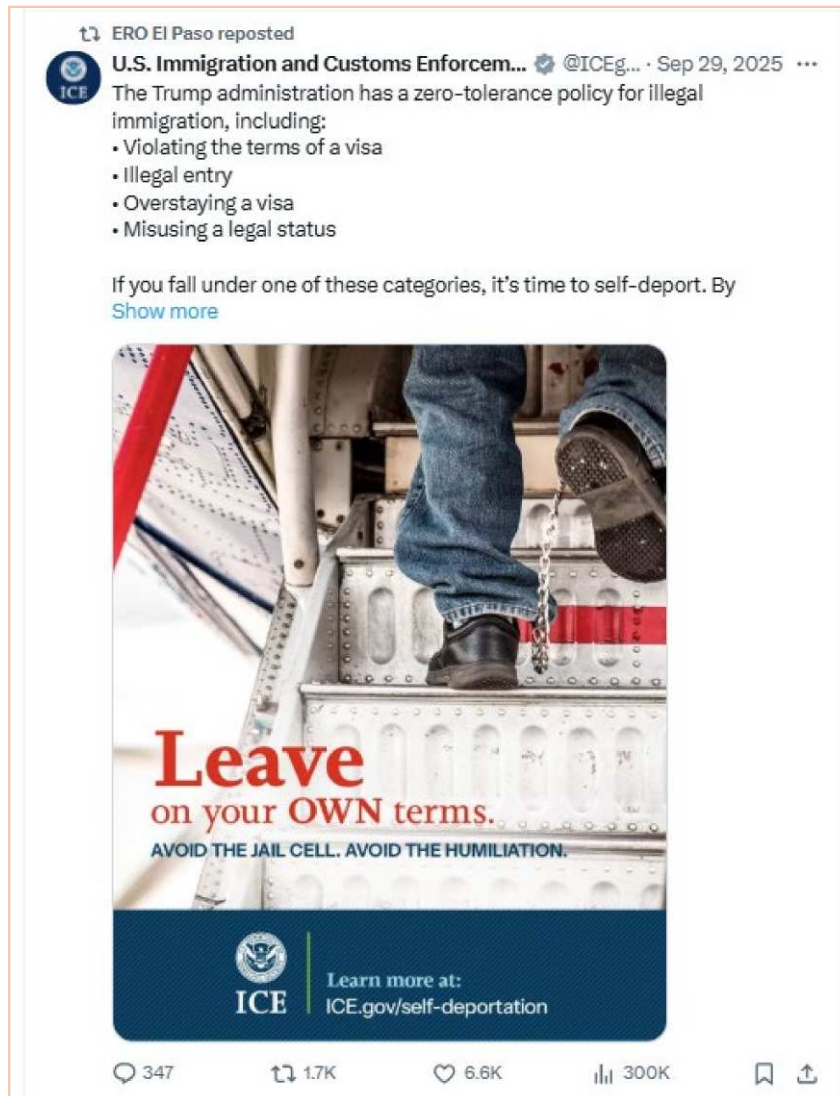
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37. In or around April 2026, I visited the x.com (formerly known as “Twitter”) page of @EROEIPaso and took a screenshot of the following:



38. On October 12, 2026, I visited the x.com page of @ICEgov. A true and correct copy of the page is attached hereto as **Exhibit 18**.

39. On October 12, 2026, I visited the website of the U.S. Department of Homeland Security entitled, “ARRESTED: WORST OF THE WORST,” that appears at <https://www.dhs.gov/wow>. I filtered by State by selecting “Texas” from the drop-down menu and clicked “Search.”

40. A true and correct copy of the page that appeared after I clicked “Search” is attached hereto as **Exhibit 19**.

41. On October 12, 2026, I visited the webpage of the U.S. Department of Homeland Security that listed press releases with the keyword “Worst of the Worst” at <https://www.dhs.gov/keywords/worst-worst>.

42. A true and correct copy of that webpage is attached hereto as **Exhibit 20**.

Detention Management

43. On October 12, 2026, I visited the “Detention Management” webpage of U.S. Immigration and Customs Enforcement at <https://www.ice.gov/detain/detention-management>.

44. A true and correct copy of that webpage is attached hereto as **Exhibit 21**.

45. On October 12, 2026, I clicked on the link at <https://www.ice.gov/detain/detention-management> entitled, “Detention FY 2026 YTD, Alternatives to Detention FY 2026 YTD and Facilities FY 2026 YTD, Footnotes (221 KB).” That took me to a spreadsheet with multiple sheets. I clicked on the sheet entitled, “Facilities FY26.” That sheet includes the following information:

Name	FY26 ADP: Criminality			
	Male Crim	Male Non-Crim	Female Crim	Female Non-Crim
ERO EL PASO CAMP EAST MONTANA	365	1,447	18	195

46. A true and correct copy of the “Facilities FY26” sheet is attached hereto as **Exhibit 22**.

Public Health

47. On October 12, 2026, I visited the website for the City of El Paso, Texas, and downloaded the news release that appears at https://www.elpasotexas.gov/assets/Press-Releases/2026.02.26-NEWS-RELEASE_Health-Officials-Advise-of-Potential-Measles-Exposures.pdf, entitled, “Public Health Officials Confirm Measles Cases in El Paso,” and dated February 26, 2026.

48. A true and correct copy of that news release is attached hereto as **Exhibit 23**.

49. On October 12, 2026, I visited the website for the City of El Paso, Texas, and downloaded the news release that appears at https://www.elpasotexas.gov/assets/Press-Releases/CoEP/2026/03/2026.03.05-NEWS-RELEASE_Public-Health-Officials-Confirm-Additional-Measles-Cases-in-El-Paso.pdf, entitled, “Public Health Officials Confirm Additional Measles Cases,” and dated March 5, 2026.

50. A true and correct copy of that news release is attached hereto as **Exhibit 24**.

51. On October 12, 2026, I visited the website of El Paso Matters and downloaded the article that appears at <https://elpasomatters.org/2026/06/03/measles-quarantine-ice-detention-camp-east-montana-el-paso-texas-fort-bliss/>, entitled, “Nearly 180 ICE detainees quarantined at Camp East Montana for possible measles exposure,” and dated June 3, 2026.

52. A true and correct copy of that article is attached hereto as **Exhibit 25**.

53. On October 12, 2026, I visited the website of El Paso Matters and downloaded the article that appears at <https://elpasomatters.org/2026/06/12/slow-ice-reporting-on-infectious-illnesses-threatens-el-paso-outbreak-response-health-authority-says/>, entitled, “Slow ICE reporting on infectious illnesses threatens El Paso outbreak response, health authority says,” and dated June 12, 2026.

54. A true and correct copy of that article is attached hereto as **Exhibit 26**.

55. On October 12, 2026, I visited the website of the U.S. Centers for Disease Control and Prevention. I downloaded the page that appears at <https://www.cdc.gov/tb/php/guidance/correctional-and-detention-settings.html>, entitled, “TB Prevention and Control in Correctional Facilities,” and dated December 10, 2024.

56. A true and correct copy of that page is attached hereto as **Exhibit 27**.

57. On October 12, 2026, I visited the website of the U.S. Centers for Disease Control and Prevention. I downloaded the page that appears at <https://www.cdc.gov/measles/about/index.html>, entitled, “About Measles,” and dated April 29, 2026.

58. A true and correct copy of that page is attached hereto as **Exhibit 28**.

Communications with Defendants Regarding Medical Records

59. On June 2, 2026, Plaintiffs’ counsel filed a motion for limited expedited discovery for medical records from Camp East Montana for 25 patients. ECF No. 13. Since that time, the parties have attempted to resolve the motion, and Defendants have produced some medical records for 25 patients.

60. I repeatedly have informed counsel for Defendants that the medical records produced for those 25 patients are incomplete and missing important documents.

61. For example, on August 17, 2026, and August 19, 2026, I requested information on the status of medical records. On August 21, 2026, Shane Young, counsel for Defendants, sent me a response “from ICE” that stated, among other things: “The contractor has attested to/verified the completeness of the medical records. . . . At this point, ICE is relying on the contractor’s confirmation/verification regarding records within its custody and control.”

62. Mr. Young attached to his email a PDF of an email I had sent him on August 11, 2026, providing information on missing medical records. Mr. Young said that he had sent ICE “the specific information relayed in your e-mail” and quoted “ICE’s subsequent response to that e-mail”: “To the extents [sic] the plaintiffs continue to contend that the records are incomplete, we ask that they provide a consolidated specific list of any records they believe remain outstanding. That will allow us to conduct a targeted follow-up with IHSC and the contractor and determine whether any additional records exist and, if so, whether they are within ICE’s custody or control.”

63. A true and correct copy of emails between me and Mr. Young between August 14, 2026, and August 21, 2026, including his email dated August 21, 2026 (with attachment), are attached hereto as **Exhibit 29**.

64. Since filing the motion for limited expedited discovery, Plaintiffs’ counsel has continued to request medical records through the process directed by Defendant Garite on May 6, 2026—*i.e.*, by sending an email to EIPaso.Outreach@ice.dhs.gov. See ECF No. 13-4 ¶ 41. In particular, Plaintiffs’ counsel has sent requests on June 11, 2026; June 15, 2026; July 2, 2026; August 7, 2026; August 21, 2026; September 9, 2026; September 14, 2026; October 1, 2026; and

October 3, 2026. Because the requests sent on June 15, July 2, August 7, and August 21 were inadvertently sent to ElPasoOutreach@ice.dhs.gov instead of ElPaso.Outreach@ice.dhs.gov, I re-sent those emails to the correct address on September 4, 2026, copying Mr. Young.

65. We have not received any records from ICE or Camp East Montana in response to those requests or the requests detailed in my colleague Charlotte Weiss's declaration filed at ECF No. 13-4. The only medical records Defendants have produced to us are in response to our motion for limited expedited discovery.

66. Plaintiffs' counsel also has repeatedly attempted to get clarification on the proper process to request medical records from Camp East Montana and the timeline for production. On August 3, 2026, Mr. Young sent me an email with ICE's response, stating, among other things: "Because requests for medical records are handled pursuant to established procedures, ICE will not be able to provide a specific production date," and "ICE is not taking the position that our clients [sic] communications were incorrect. Rather, ICE's understanding is that Plaintiffs [sic] interpreted those communications as establishing the applicable process for requesting detainee medical records."

67. A true and correct copy of Mr. Young's email dated August 3, 2026, and my response dated August 10, 2026, is attached hereto as **Exhibit 30**.

68. On August 25, 2026, I sent Mr. Young a letter regarding unresolved issues related to medical records. I requested "a signed acknowledgement by whomever conducted the search for medical records that what has been produced to Plaintiffs' counsel represents the complete medical record," among other things. I also explained that "we repeatedly have requested an explanation for why our requests for medical records sent in writing to ElPaso.Outreach@ice.dhs.gov, as directed by Defendant Garite on May 6, 2026, have been ignored. We have asked for information about that during our meet and confer on July 13, 2026, and by emails dated June 17, July 20, July 27, and August 10." I requested "[t]he date by which you will provide complete medical records for all people we have submitted written requests and

signed releases for,” and “ICE’s expectation for how quickly facility staff produce medical records to patients or their representatives after receiving a written request.”

69. A true and correct copy of my letter dated August 25, 2026, is attached hereto as **Exhibit 31**.

70. On September 2, 2026, and September 9, 2026, I sent counsel for Defendants detailed lists of medical records that appeared to be missing from the 25 patient charts that had been produced.

71. A true and correct copy of my emails dated September 2, 2026, and September 9, 2026, without attachments, is attached hereto as **Exhibit 32**.

72. On September 21, 2026, Defendants produced records for the 25 patients they already had produced records for. Counsel for Defendants told me during a meet and confer that those records had been withheld from Plaintiffs since early August 2026, pending entry of a protective order.

73. On September 29, 2026, I informed counsel for Defendants that the medical record production dated September 21, 2026, “largely is duplicative of previously produced records and many medical records are still missing.” I asked counsel for Defendants to “explain how and by whom the records in the 9/21/26 production were compiled, and how that differs from how and by whom the previously produced records were compiled[.]” I also requested “an update on (1) locating the missing records we identified on September 2 and 9, (2) identifying the custodian(s) of the medical records, (3) identifying who can certify that all available medical records have been produced (Item #2 in my 8/25/26 letter), (4) the status of our pending requests to the facility for medical records (Item #4 in my 8/25/26 letter), and (5) ICE’s expectations regarding how quickly Camp East Montana should produce medical records to a patient or their representative after receiving a written request (Item #5 of my 8/25/26 letter)[.]” I offered to meet and confer that week.

74. On September 30, 2026, Mr. Young responded that he had forwarded my request to ICE and would let me “know when we get a response back.”

75. A true and correct copy of my email dated September 29, 2026, and Mr. Young's response dated September 30, 2026, is attached hereto as **Exhibit 33**.

76. To date, I have not received substantive answers to the requests for information in my August 25, 2026 letter or September 29, 2026 email.

Miscellaneous

77. On October 11, 2026, I accessed public court filings in *United States v. New Mexico*, No. 26-cv-1471 (D.N.M.). I downloaded the Declaration of Jose P. Ortez, Assistant Field Office Director, Enforcement and Removal Operations, U.S. Immigration and Customs Enforcement, U.S. Department of Homeland Security, dated May 7, 2026, that was filed as ECF No. 2-2.

78. A true and correct copy of ECF No. 2-2 from *United States v. New Mexico*, No. 26-cv-1471 (D.N.M.) is attached hereto as **Exhibit 34**.

79. My colleague requested a copy of the Autopsy Report for Geraldo Lunas Campos from the County of El Paso Office of the Medical Examiner.

80. A true and correct copy of the autopsy report we received is attached hereto as **Exhibit 35**.

81. I visited Camp East Montana in May 2026. A person detained there gave me a copy of the Camp East Montana handbook.

82. A true and correct copy of the handbook I was given is attached hereto as **Exhibit 36**.

I declare under penalty of perjury that the foregoing is true and correct.
Executed this 15th day of October 2026 in San Francisco, California.

/s/ Rita Lomio

Rita Lomio

CERTIFICATE OF SERVICE

I hereby certify that on October 15, 2026, a true and correct copy of the foregoing document was electronically filed via the Court's CM/ECF system, which sends notice of electronic filing to all counsel of record.

/s/ Cynthia Castillo

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