

DECLARATION OF XAVIER JOSE CHIRINOS TOYO

I, Xavier Jose Chirinos Toyo, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct.

1. 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.
2. I came to the United States from Colombia on November 15, 2023. I came to the United States because I could not support my family in Venezuela, my country of origin. One time I worked for a week and my payment was four packs of flour. This is not enough to support my family. I was not politically aligned with the government Venezuela therefore I could not cover costs. For example, now that I am back in Venezuela, I have work for a week and will only earn \$30.
3. I first moved to Columbia in 2017. From Colombia I moved to the United States November 15, 2023. I couldn't make a proper living – enough to buy food and the basics. This was not sufficient to make a proper life such as buying a home or a car for my family. This is why I came to America. I was seeking a better quality of life for my family and I.
4. I was detained at Guantanamo in Unit 6 – Bravo – cell 109 from March 20, 2025 to April 11, 2025. I arrived at Guantanamo on March 20, 2025 around 11 AM. I arrived to the island around 9:30 AM. It took about an hour and half from the time we landed to get to the base. When we got the base an ICE official told the group, in a mocking manner, “Welcome to Guantanamo, Cuba.”
5. There were 21 people with me on the flight. The windows of the plane were closed so that we could not see outside. One of my friends tried to open the window to see where we were going. I saw ICE officials hit him and they sent him to the back. I know it was ICE officials because their shirts had an “ICE ERO” on it. I did not know the names of the officials because their names were not visible on their shirts. I asked for their names and I was told they could not give it to me for security reasons.
6. The flight from Texas took off before sunrise. I arrived at Guantanamo around 9 or 10 am. I think it was that time, but I honestly do not know. Throughout the flight I was shackled from my hands and feet throughout the entire time. The handcuffs on my arms and legs were tight. I learned that I moved around, the cuffs would tighten. If I voiced that they were tight, the ICE officials did nothing to help.
7. I think the total time of the flight was 4 – 5 hours. I honestly do not know because I fell asleep and it was hard to gauge the time.
8. During the flight, myself and others were not allowed to use the restroom. We would ask and they did not allow this. We were told to wait until we arrived. I did ask to use

- the restroom once. But I saw that others asked the same question and were routinely denied. I gave up at one point. I saw other people urinate or defecate on themselves.
9. I asked where I was being taken to. I was told “I do not know.” Almost towards the end of the flight, an ICE officer told us we were headed to Miami.
 10. Prior to my detention at Guantanamo, I was held at GEO Denver Contract Detention Facility. I was there for about 4 months and 2 or 3 days. From there I was moved to El Paso Processing Center in Texas. I was there for a month and 15 days. From there, I was boarded on a plane and told I’d be transferred to Mexico. It was not until the plane started to descend that an ICE officer told us we were headed to Miami. However, when we landed, I did not see a house or residence. Myself and others deduced that we were at Guantanamo.
 11. I have never been part of any gang. I have tattoos – the names of my 3 children, my father, and wife, and a flower. None of my tattoos are associated with gang membership.
 12. When I was detained at Guantanamo, we were guarded by military officers, contracted staff, and ICE officials. I know they were contracted staff because the uniforms they wore read “Officer Security.” A friend who had previously been at Krome Detention Center pointed out that those were the same uniforms used by officers at Krome Detention Center.
 13. At Camp 6 each unit had 21 cells.
 14. Being detained at Guantanamo was difficult. At Guantanamo, we were locked up. All calls were once per week for five minutes. All the calls were on speaker voice so no personal details could be shared. The food was very limited. When I received the food, since it was limited, I would try to save the apple or pear or orange for later when I was hungry. But I had to give back the orange peel or apple or pear core. If I didn’t, I’d get in trouble.
 15. There were no change of bed sheets or towels the entire time I was there. I only received one change of clothes. I was not permitted to keep hygiene materials in my cell. Once I used them, I had to return them. If I did not return them, I ran the risk of getting in trouble. I had to ask permission to brush my teeth or shower.
 16. I did not have access to commissary. I did not have access to a library. I did not have access to see or hear the news.
 17. In the common room, there was a television. If officers saw that we were watching the news on the television, they’d come turn it off and put us back in our cell. I was allowed in the common room in the mornings from 8-10AM. Then we were locked up again for count. I was allowed out to the common room again from 3-8PM or 9pm.

- Very infrequently were we allowed to be in the common room until 10pm. The kinder officers would let us be out in the common room until 10pm.
18. The outdoor rec was covered by another wired fence. It was like being in a bird cage. There was barely any light that entered that area. I was allowed in this area every other day, sometimes for two or four hours. I could not exercise or do something to stimulate my mind. There was no basketball or soccer ball to play.
 19. This is different than previous detention centers where I and other detainees could play, have access to commissary, tablets, and be able to call my family. I did not have these rights at Guantanamo. I was told that these are privileges and not to complain because if I did, the officers would take it away.
 20. One time, I asked if I could borrow playing cards that the officers were playing with so I could play with the other people in my unit. The military officers told me no, that this was only for them.
 21. While I was at Guantanamo, I began to experience headaches and depression. One night, around 3 or 4 AM, my nose began to bleed. A staff asked me if I had gotten in a fight. I told her how could this be possible if there was a camera in my cell and they could see if I had been in a fight.
 22. I told them I needed pills because I couldn't sleep. I struggled falling asleep at Guantanamo. I could sleep maybe 30 minutes. The longest uninterrupted sleep I got was 2 hours. I kept thinking, "How did I get here?" I never received pills or medication to help me sleep.
 23. There was a camera in my cell. I could not relieve myself in privacy. One time I was staring at myself in the mirror for 5 minutes. All of a sudden, a group of military officers showed up and asked me if I was going to hurt myself because I was staring at the mirror. I was under constant surveillance.
 24. When I was detained at Guantanamo, I faced many challenges communicating with lawyers. Other detainees also faced similar problems. After arriving at Guantanamo, I was never told that I had a right to speak to an attorney. At one point, I received a paper that had the ABA hotline number. That I know of, only myself and one friend were able to make this legal call. Everyone else was denied. One of the last times I made a legal call, the officer left the door ajar in order to hear my conversation. I think they knew I was talking about conditions. When I made the legal was the most privacy I received.
 25. I was given the choice of either calling my family or a legal call. One time, I made a legal call and after five minutes an officer came to shut it down. My attorney spoke with the officer and that is the only reason that that call lasted about 55 minutes. I

know of other people at Guantanamo who asked to make a legal call and they were denied this request.

26. At Guantanamo, I was only allowed to speak to my family 3 times. Each call lasted about 5 minutes. I could only make calls to the United States. I was not allowed to speak about the conditions of Guantanamo or speak poorly about Guantanamo. If I did, the call would be cut off. We were threatened to lose future calls if we did so. I felt impotent. I felt awful. I would begin to cry in silence. I did not want to stress my family. My mother and father experienced health problems when they found out I was held in Guantanamo.
27. On April 11, 2025, I was put on a plane that left Guantanamo, and arrived to Puerto Rico to refuel. From there, the plane took off to Venezuela.
28. Because I am currently in Venezuela without a stable internet connection, I could not sign this declaration, but have given consent to Marisol Dominguez-Ruiz to sign on my behalf.

Executed on 19 of April, 2025

/s/ Marisol Dominguez-Ruiz

Marisol Dominguez-Ruiz

ATTESTATION AND CERTIFICATE OF TRANSLATION

I, Marisol Dominguez-Ruiz, certify that I am fluent in both English and Spanish. On April 19, 2025, I personally spoke with Xavier Jose Chirinos Toyo and read the foregoing declaration to him, translated into Spanish faithfully and accurately, over the phone. Xavier Jose Chirinos Toyo affirmed that he understood my translation and that the information in the above declaration is true and accurate.

Due to Xavier Jose Chirinos Toyo's location, it was not possible to obtain a written signature on the declaration. In addition to confirming the information on the above declaration is true, Xavier Jose Chirinos Toyo also gave me verbal consent to sign on his behalf.

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

/s/Marisol Dominguez-Ruiz

Marisol Dominguez-Ruiz

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