

DECLARATION OF DAIXON JOSE RAMIREZ TESARA

I, Daixon Jose Ramirez Tesara, do hereby that the following is true and correct to the best of my knowledge:

1. I am a citizen of Venezuela. In 2023, I suffered extortion, torture, and death threats by the National Police of Venezuela. I was run over by a vehicle, and then the attackers attempted to shoot me while I remained unconscious. Because of this attack, had to have surgery on my left leg to place bars and screws into my leg and ankle. There is a rod in my bone on the back side of my left leg from about my knee to my ankle. There are screws at my knee and at my ankle. The bump that these screws make is visible through my skin. I also was arrested and detained in Venezuela on false pretenses after officials planted drugs on me as a political act. Fearing continued violence and torture at the hands of the government, I fled for the United States with my long-time partner Daimarys Jose Suniaga Martinez and her two older children. Although Daimarys and I are not legally married, I consider her to be my spouse and her children to be my children.
2. We entered the United States near El Paso, Texas on or around January 11, 2024 and was apprehended that same day by border patrol officers. Daimarys and the children were soon released from custody but I was detained. After being placed into expedited removal proceedings, I requested and passed a Credible Fear Interview and was issued a Notice to Appear. On February 7, 2024 I was released from detention on 212(d)(5)(A) parole.
3. As a condition of my parole, I attended two in-person appointments at ICE-ERO in Portland. After those two appointments, I had to join the ISAP check in program. At first, ICE-ERO in El Paso gave me a special phone to use and once I joined the ISAP check in program, that phone was taken away and I had to download an app on my personal

1 phone. The program included frequent video calls, text messages, and photo check ins.

2 The photo check-ins were once a week on Wednesdays. The other types of check-ins,

3 including the video calls, occurred at the scheduling of ISAP, so I had to maintain

4 constant surveillance of the ISAP app. I checked the app every single day and, because I

5 was often busy working to support the family, my partner Daimarys would also check the

6 app every single day.

7 4. I knew that the ISAP conditions were serious and I wanted to follow the rules, so I

8 always made sure to comply. This meant that sometimes I had to miss work, especially on

9 days where I needed to be on a video call, because I would make sure to be connected to

10 the internet. But I wanted to do everything that I could to stay with my family.

11 5. In addition to the ISAP program, I followed Immigration Court requirements for my case.

12 Because my case was originally venued in El Paso, where I had been detained, I had to

13 update the court with my Oregon address and change the venue to Portland, Oregon,

14 which I successfully accomplished *pro se*. I timely filed my I-589 Application for Asylum

15 and Withholding of Removal with the Portland Immigration Court on October 4, 2024. I

16 had my next hearing scheduled for July 19, 2027, and we continually checked my

17 immigration court case online to see if the date had changed. I applied for employment

18 authorization, obtained a work permit card, Social Security card, and worked to support

19 myself and my family. We established a life for ourselves in Oregon, including friends,

20 churchmates, and, most happily, our now-8 month old baby born here in the United

21 States.

22 6. On August 11, 2025, I was at home connected to the internet, ready for an ISAP video

23 call. The video call had been prescheduled and so I made sure to be connected to the

1 internet to not risk not having signal or not having money on my phone. I did not go to
2 work because I had to be ready. I had the phone with the ISAP app open sitting on my
3 leg. I recall sending two messages stating that I was ready and waiting for a call but
4 nothing arrived. My partner was at home with me, both of us monitoring my phone, but
5 no video call arrived.

6 7. On August 14, 2025, at 2:48 PM I received a message via the ISAP app instructing me to
7 report in person to the ISAP office at 2 PM that day. I was not anticipating a message and
8 also received the message after 2 PM, so I immediately messaged and requested that the
9 appointment be changed. I soon after received a message to present myself at the ISAP
10 office the next day, on August 15th around 10:00 AM.

11 8. Our family friend Natalie Lerner drove my partner, our baby, and me to this appointment.
12 The ISAP officer called me back into the office while the other three waited right outside
13 the door. At this appointment, I tried to explain to the ISAP officer that I had been waiting
14 for the August 11, 2025 videocall all day at home connected to the internet and never
15 received a call, but the ISAP officer said they had called and that if I hadn't received the
16 call, that was not their responsibility. The ISAP officer yelled at me, so loudly that I asked
17 her to please not make a scene, because my baby was waiting just outside the door and
18 could be disturbed. The ISAP officer instructed me not to miss an appointment in the
19 future and then told me that I could return home. On the drive home, I received a phone
20 call from the ISAP officer instructing me to report at the ICE ERO office in person on
21 August 18th at 9:00 AM.

22 9. My partner, our baby, and I arrived at the ICE ERO office in Portland around 8:30 am on
23 August 18th. I signed a form G-28 agreeing to representation at this ICE appointment by

1 attorney Josephine Moberg. When I entered for my August 18th check-in, I was taken by
2 ICE officers and detained. Despite my signed G-28 agreement, I was never allowed to
3 speak with my attorney Josephine Moberg while being held at the ICE ERO office.

4 10. When ICE ERO officers arrested me, they immobilized me with hand and ankle
5 restraints. The ankle restraints were bound too tightly. I repeatedly asked officers to
6 loosen them because of my previous leg and ankle injuries, but they refused. I repeatedly
7 urged that I had had a major surgery on that leg because of being run over by a car but the
8 officers did not care about my physical pain. The scar from the surgery and the implanted
9 screws are visible, so the officers should have known that this was a medically sensitive
10 part of my body. Since this I have suffered extreme pain in my left leg.

11 11. The officers also told me that I had to sign papers but I refused because they were in
12 English and I don't read English. If I asked for anything in Spanish, including when I was
13 trying to tell them not to put the restraints on so tightly, the only talked to me in English.

14 12. After several hours I was transferred to the Tacoma Detention Center, where I was not
15 permitted to call any family or loved ones until the next day, the morning of August 19th.

16 13. Since then, I have suffered physical and mental pain in detention. The restraints on my
17 ankle have caused a persistent problem in the bar and screws in my leg and ankle and I
18 am in constant pain. Although I also suffered when I was detained for almost one month
19 when I entered the U.S., the physical pain that I am suffering here far surpasses the
20 misery of my initial detention. It has made every day almost unbearable. I am unable to
21 sleep because of the pain and my mental state is deteriorating because I cannot sleep. It
22 hurts to put pressure on my left leg, so I walk with a limp. The pain is the worst in the
23 morning. In the mornings, sometimes I cannot get out of bed for breakfast because I am

1 in so much pain. Sometimes the pain is sharp and sometimes it is as if my leg is
2 cramping.

3 14. At first when I came to the detention center, I estimate that I asked for medical help every
4 day or every 1.5 days. I estimate that I have gone to the medical office 10 times but the
5 medical staff does not seem to take my pain seriously. They administered an xray on, I
6 believe, August 24th, and I still have not heard the results of that exam. They provide me
7 ibuprofen but no other medication for the pain.

8 15. In addition to the physical pain, I have emotionally suffered because of the separation
9 from my family. I love them and it is especially hard to be away from my 8-month old
10 baby when she is growing so much every week. I was proud to use my work permit to
11 support our family through construction and gardening jobs and I found value in doing a
12 good job for my clients. It hurts me to hear how my partner now has to turn to charities in
13 order to clothe our children, because she doesn't have the money to give them what I
14 need while I am detained. We even built a small community of friends and now I am
15 removed from everyone.

16 16. I have also had trouble communicating with my attorney based in Oregon while I am
17 detained. She communicates to me that she has repeatedly followed the detention center
18 procedure to attempt to schedule a confidential video appointment but that the message
19 center does not reply, even after she messaged my ERO Deportation Officer Javier
20 Delgado to coordinate a call.

21 I declare under penalty of perjury under the laws of the United States that the foregoing is true
22 and correct.

SIGNATURE FOR DECLARATION

I hereby certify that the above declaration is true and correct to the best of my knowledge and that the above has been read to me in my best language, Spanish / *por la presente certifico que lo anterior es verdadero y correcto según mi conocimiento y que lo anterior me ha sido leído en mi mejor idioma, español.*



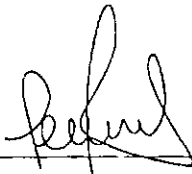
09/05/2025

Daixon Jose Ramirez Tesara
1623 East J. St, Ste 5
Tacoma, WA 98421

Date

CERTIFICATE OF INTERPRETATION

I, Jacqueline Johnson, attest to my ability to communicate all pertinent information in this declaration to the Daixon Ramirez Tesara in his best language, Spanish. I hereby certify that this is a correct English interpretation of all pertinent information from the Spanish oral declaration.



09/05/2025

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Date