



U.S. Immigration and
Customs Enforcement

Office of the Chief Counsel - Arizona
U.S. Department of Homeland Security
2035 N. Central Avenue
Phoenix, AZ 85004

DECLARATION OF ROBERT CORDERO

I, Robert Cordero, am a Deportation Officer for the Department of Homeland Security (Department), in Eloy, Arizona. I have been so employed for six months. I have been an officer with the Department and the former Immigration and Naturalization Service for a total of approximately ten years. As part of my present responsibilities, I am assigned to certain dockets, which require the obtaining of conviction documents, verification of status, and running immigration checks on respondents who are in the Department's custody.

I declare under penalty of perjury that the foregoing is true and correct:

Mr. Richard Riess (A88-664-582) arrived at the Eloy Detention Center in Eloy, Arizona, on September 27, 2007. The Form I-213 in Mr. Riess's A-file indicated that he was born in Sudbury, Ontario, Canada. However, after speaking to Mr. Riess on the day he arrived in Eloy, he stated to me that he was born in Ontario, California, thus claiming to be a United States citizen. I asked him if he had a birth certificate or any family member or friend that would be able to provide this document to validate his claim. He said he would have a friend overnight his birth certificate. He told me that while he was in the custody of Maricopa County Sheriff's Office, he was advised that he had an immigration detainer placed on him in July 2007. I asked him why he was not able to produce a birth certificate or some sort of proof of United States citizenship up to this point. He did not respond. Based on Mr. Riess's statements, I began investigating whether or not Mr. Riess had a valid claim to United States citizenship.

As part of this investigation, I contacted the Integrated Border Enforcement Team (IBET) Supervisor, Dante Moreno, in Lynden, Washington, for assistance in obtaining further information from the Canadian authorities regarding citizenship/identity documents. I was advised by Supervisory Border Patrol Agent (SBPA) Moreno that Canada Border Services Agency (CBSA) confirmed that a current Canadian passport is issued in the name of Richard Riess, indicating birth in Ontario, Canada, on November 24, 1973. SBPA Moreno is currently requesting written confirmation and will forward that to my attention as soon as it is received. I spoke with SBPA Moreno on February 5, 2008, requesting an update on this information. SBPA Moreno stated that he is still awaiting written confirmation from the Canadian government.

Furthermore, on September 28, 2007, I followed up to see if Mr. Riess's birth certificate arrived, which it had not. I began to gather biographical information from him in order to forward the information to San Bernardino Vital Records to see if a birth certificate existed. Mr. Riess provided me with his name and birth date, which was consistent with that listed on the I-213. I asked him what hospital he was born in and he

replied, "I am not going to do your job for you. You find out." In addition to requesting information regarding Mr. Riess's possible United States birth certificate, I contacted the Canadian Consulate to try and obtain a Canadian birth record. I spoke with Myra Pasty-Lutul, who informed me that Mr. Riess would need to fill out an Ontario Birth Record Request. On October 4, 2007, I gave Mr. Riess the application for birth certificate for both San Bernardino County, California and Ontario, Canada. He refused to fill out the Canadian application. He filled out the application for California, but I noticed that he used a different "mother's" name than that on the I-213. He also insisted that his birth certificate was in the mail and should be arriving any day. He would not provide me with any contact information to help with this process.

Up to this point, all documentation in Mr. Riess's file indicated that he was a Canadian citizen, which included the National Crime Information Center (NCIC) printout, a Treasury Enforcement and Customs System (TECS) record indicating he was refused admission during a preflight inspection by United States Inspectors at Vancouver, British Columbia, Canada, on January 31, 1996, and a Canadian Police Information Centre (CPIC) printout indicating a prior arrest and outstanding warrant in Toronto, Canada on November 22, 1992, for Extortion.

The TECS record from January 1996, when Mr. Riess was refused admission to the United States, indicates that Mr. Riess had sold his CDN business, given up his apartment in Canada and shipped his belongings to California. Mr. Riess then bought a one-way ticket to California. Mr. Riess told the Inspectors that he was only going to work in the United States for one month. Mr. Riess had apparently been in California the week prior to this incident where he rented an apartment, bought apartment furnishings, and bought a phone and a pager. When questioned about this, Mr. Riess stated that he wanted a three week vacation and it was cheaper to do it that way. Based on this information, the Inspector refused Mr. Riess admission into the United States.

I continued to follow up with Mr. Riess on the arrival of his birth certificate. He stated it arrived at the Eloy Detention Facility on October 23, 2007, but that Corrections Corporation of America (CCA) returned it to sender and are now trying "to cover it up." I checked the CCA mailroom and was told that a package arrived on that date but did not contain a birth certificate but, in fact, contained tobacco, which is a prohibited item and was returned.

Because it was apparent to me from my dealings with Mr. Riess that he had no intention of providing a birth certificate to Immigration and Customs Enforcement (ICE), I forwarded Mr. Riess's application for a birth certificate to San Bernardino County, California, on November 8, 2007. On that same date, I received a five page letter from Mr. Riess indicating that a birth record under the name of "Richard Steven Riess" would not be found. Despite having previously verified his true and correct name to me, he now claimed that "Richard Steven Riess" was not his birth name. In this letter, he admitted that he was misleading us to intentionally avoid any release from ICE custody. He also indicated that it was his intention to manipulate me just as he was doing to the ICE attorneys, the Immigration Judge, and as he has done in the past to the Maricopa County Sheriff's Office. Despite having given those names to the officer who interviewed him, he now indicated that the parents' names provided on the I-213 were invalid.

Through further research I have been able to locate a driver license number and address in Vancouver, British Columbia, Canada for Mr. Riess; an outstanding warrant for Mr. Riess in Toronto, Ontario, Canada; and, as previously noted, I am currently waiting on a vital statistics record from Ontario, Canada.

Throughout his detention in Eloy, Mr. Riess has been a behavioral problem with not only Immigration and Customs Enforcement, but CCA and Public Health Services staff, as well. He has had disciplinary actions which have landed him in the Special Housing Unit (SHU), and has been very uncooperative and defiant towards myself, other Deportation Officers and Supervisory Deportation and Detention Officers. He has also submitted countless Detainee Request Forms using derogatory language.

Executed on:

2/5/08
Date



Robert Cordero
Detention and Removal Officer
Department of Homeland Security
Immigration and Customs Enforcement