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**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

Al Otro Lado, Inc., *et al.*,  
  
Plaintiffs,

v.

Elaine C. Duke, *et al.*,  
  
Defendants.

No. 2:17-cv-5111-JFW (JPRx)  
Hon. John F. Walter

**DECLARATION OF FARAZ R.  
MOHAMMADI IN SUPPORT OF  
PLAINTIFFS' MOTION FOR  
CLASS CERTIFICATION**

Hearing Date: December 11, 2017  
Hearing Time: 1:30 p.m.

Pre-Trial Conf.: July 20, 2018  
Trial: July 31, 2018

**DECLARATION OF FARAZ R. MOHAMMADI**

I, Faraz R. Mohammadi, declare as follows:

1. I am an associate of the law firm of Latham & Watkins LLP, and am admitted to practice before this Court. I am counsel of record for Plaintiffs Al Otro Lado, Inc., Abigail Doe, Beatrice Doe, Carolina Doe, Dinora Doe, Ingrid Doe and Jose Doe (collectively, "Plaintiffs"). I also supervise certain of the attorneys who regularly work on this matter. This declaration is based on my own personal knowledge, and if called as a witness, I could and would testify competently to the information set forth herein.

2. Attached as Exhibits A through V are the declarations of 22 noncitizens who, between August 2016 and July 2017, (i) presented themselves at a port of entry along the U.S.-Mexico border, (ii) asserted an intention to seek asylum or expressed a fear of persecution in their home countries, and (iii) were denied access to the U.S. asylum process by U.S. Customs and Border Protection officers.

3. Attorneys from Latham & Watkins LLP and the American Immigration Council and staff members of the Dilley Pro Bono Project interviewed the declarants (some through a translator), compiled their testimony into written declarations, and then reviewed and confirmed the contents with each of the declarants before the declarants executed their declarations under the penalty of perjury.

4. At the declarants' request, their names and signatures have been redacted because they fear that, as a result of their participation in this litigation, they will suffer retaliation from the federal government, including the Department of Homeland Security, U.S. Customs and Border Protection, and Immigration and Customs Enforcement. Specifically, the declarants fear that government officials may use the fact that they participated in this litigation adversely to influence their pending asylum or immigration cases, and/or that federal enforcement agencies

1 may target the declarants or members of their families. The redactions are  
2 intended to protect the declarants from any such possible retaliation.

3 5. Plaintiffs and Defendants are in the process of negotiating a  
4 comprehensive protective order, which, once finalized, the parties contemplate  
5 submitting to the Court for approval. To date, however, Defendants have not  
6 agreed to use certain identifying information solely for the purpose of this  
7 litigation – making the redaction of the attached declarations necessary. Once a  
8 comprehensive protective order containing appropriate protections is agreed upon  
9 or otherwise ordered by the Court, and assuming that the Court certifies a class in  
10 this case, Plaintiffs’ counsel will meet and confer with Defendants’ counsel  
11 concerning disclosure of the declarants’ names.

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

14 Executed this 13th day of November 2017 at Los Angeles, California.

15  
16 /s/ Faraz R. Mohammadi  
17 Faraz R. Mohammadi  
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# Exhibit A



**Declaration of** [REDACTED]

I swear under penalty of perjury under the laws of the United States of America that the following is true and correct.

1. My name is [REDACTED]. I was born on [REDACTED] in Honduras. I am currently detained in the South Texas Family Residential Center with my 7-year-old son and my 6-year-old daughter.
2. I left Honduras because I was fleeing domestic violence from my husband. I did not have money to pay to cross the river and I was afraid that it was dangerous for my children so I decided to seek asylum at a port of entry. On April 15, 2017 around noon, I arrived at the Laredo Port of Entry with my two children. I paid the coins to cross the bridge and waited in the line.
3. When it was my turn, I approached the two U.S. immigration officers. They asked for my documents. I explained that I did not have documents but that I was scared to return to Honduras. The agents said they could not do anything for me. They said the only thing I could do was go to the American consulate in Mexico and ask for permission to enter the United States, but I was scared that I could get deported if I did that.
4. The agents told me I had to leave. They had dogs that I was afraid of so I walked away. I waited off to the side for a little while to see if they would change their mind and help me but they yelled at me "Get out of here! We can't do anything for you."
5. I stayed in Laredo for 3 months until my family could send me enough money for us to cross the river. Living there was dangerous because there were many members of the Zeta gang.
6. When we finally crossed the river, I was afraid for my children. The night that we crossed the river, a 5-year-old boy had drowned. 12 of us crossed together on an inflatable raft. We were terrified but felt that we had no other choice.

Dated: July 21, 2017

I, [REDACTED] swear under the penalties of perjury that the attached declaration is true and correct to the best of my abilities. This declaration was provided in Spanish, a language in which I am fluent, and was read back to me in Spanish.

[REDACTED]  
Signature

7/21/17  
Date

**CERTIFICATION OF TRANSLATION**

I, Katy Murdza, certify that I am proficient in the English and Spanish languages and that the foregoing was read to

[REDACTED]

Katy Murdza  
Signature

7/21/17  
Date

# Exhibit B

**Declaration of** [REDACTED]

I swear under penalty of perjury under the laws of the United States of America that the following is true and correct.

1. My name is [REDACTED]. I was born on [REDACTED] in Guatemala. I am currently detained in the South Texas Family Residential Center with my 7-year-old daughter and 5-year-old son.
2. I left Guatemala because I was afraid for myself and my two children after gang members who had killed my uncle threatened me. I decided to seek asylum in the United States, but was turned away at three different ports of entry.
3. First, about three months ago, we arrived at the Tijuana port of entry around noon one day. I was told that the port of entry that we went to was called "El Nuevo" bridge.
4. We walked through a tunnel, past Mexican immigration agents, and arrived at the U.S. Port of Entry. I waited in the line until a U.S. immigration officer called me. He asked for my papers. I said that I didn't have papers but I had problems in my country and therefore did not want to return there. The agent acted angry and said I could not enter but that they would call the Guatemalan consulate for me. They told me to wait off to the side and not get in anyone's way while we waited for the consulate.
5. I waited there for hours. My son had to use the bathroom, but the agents would not let us go to the bathroom because it was inside the port of entry. We were also very cold. I asked several times how long it would be until the consulate arrived. I was told in one hour, then in a few minutes, but they did not arrive.
6. The agents changed shifts; when I asked the new people when the Guatemalan consular officials would come, they responded angrily, asking what I was doing there if I did not have papers. The person who makes sure the lines are organized and that people do not drop trash told us three times to go back to Mexico if we did not have papers. Eventually, around 5 p.m., I gave up because I did not believe anyone would ever come. I took my children back into Mexico. The officials did not say anything to us as we left.
7. That night, we slept in a hotel in Tijuana. The next day, we traveled 12 hours to [REDACTED], Mexico, and slept in the bus station. The day after that, we went to the Lukeville, AZ port of entry. Once again, I explained that I could not go back to my country, but the U.S. immigration agents would not let me enter. I met a woman who let my children and me stay in her house that night.
8. The next day, we traveled to Ciudad Juarez and arrived at the port of entry around noon. I explained again that I was afraid to return to Guatemala but the agents said only that they did not accept people like us and that we had to leave, because that area was only for people who were going to cross with papers.

9. I had to wait several months in Tijuana for my family to send money to cross the river. A family allowed us to stay with them, but we had to sleep on the floor with ants and cockroaches.
10. When we finally had money to cross the river, it was a terrifying experience. It had rained the night before, and the current was very fast. The water was dirty with a lot of things floating in it. The man who helped us crossed was drunk. My son was scared of the river and of the drunk man. He tried to stay away from the man. When we arrived on the U.S. side of the river, we were afraid to get off the raft. The men told us to hurry up. The drunk man pushed my son towards the bank, and he fell in the water and almost drowned. Fortunately, I was able to pull him out while I also held my daughter.

Dated: July 21, 2017

I, [REDACTED] swear under the penalties of perjury that the attached declaration is true and correct to the best of my abilities. This declaration was provided in Spanish, a language in which I am fluent, and was read back to me in Spanish.

[REDACTED]  
Signature

7/21/17  
Date

**CERTIFICATION OF TRANSLATION**

I, Katy Murdza, certify that I am proficient in the English and Spanish languages and that the foregoing was read to [REDACTED].

KAR Murdza  
Signature

7/21/17  
Date

# Exhibit C

**Declaration of [REDACTED]**

I swear under penalty of perjury under the laws of the United States of America that the following is true and correct.

1. My name is [REDACTED]. I was born on [REDACTED] in Honduras. I am currently detained in the South Texas Family Residential Center with my 3-year-old and 12-year-old daughters. I left Honduras with my daughters because I was receiving threats from a gang member.
2. On July 22, I arrived at the Laredo Port of Entry. I paid the toll in coins and crossed the bridge. I waited in the line. When it was my turn, I approached two male U.S. immigration officers wearing black suits. They asked for my documents. I said I did not have any so they said they were going to send me back to Mexico.
3. I started to cry and explained that I was afraid to go back to Honduras. I told the whole story of why we had come, explaining that a gang member had threatened me and tried to force me to live with him and that I was afraid for my daughters. The agents said that I was lying, and that we all came with the same story. They both walked with me out of the port of entry to ensure that I left.
4. Because I was rejected at the port of entry, I had to cross the river the next day with my two daughters. I was afraid that I would be deported to Honduras if I stayed in Mexico. Crossing the river was dangerous because there was a strong current and we had to cross at night. Our clothes were wet for three days afterwards.

Dated: July 25, 2017



I, [REDACTED], swear under the penalties of perjury that the attached declaration is true and correct to the best of my abilities. This declaration was provided in Spanish, a language in which I am fluent, and was read back to me in Spanish.

[REDACTED]  
Signature

7/25/17  
Date

**CERTIFICATION OF TRANSLATION**

I, Katherine Murdza, certify that I am proficient in the English and Spanish languages and that the foregoing was read to

[REDACTED]

KRM Murdza  
Signature

7/25/17  
Date

# Exhibit D

**Declaration of [REDACTED] ([REDACTED])**

I swear under penalty of perjury of the laws of the United States of America that the following is true and correct.

1. My name is [REDACTED]. I was born in Mexico. I am currently detained at South Texas Family Residential Center with my five daughters.
2. One May 22, 2017 I arrived at the San Ysidrio Port of Entry with all five of my daughters. I stood in line and asked the officer for asylum. He was very serious, with white skin and black hair, and spoke Spanish well. I explained that I had problems with my husband, and that he hit me and abused my daughters. The officer said that my case didn't qualify for asylum because it was only domestic violence. I said that I hadn't finished telling my story and that I had something else important to tell him, but he interrupted me and said he had already told me I didn't qualify. What I wanted to add to my story was that my husband had said that if I took his daughters he would kill me, but I was not allowed to finish explaining.
3. The officer brought me inside and I was kept there overnight. The officers said they were going to deport me. In the morning, I was taken to an Asian officer who asked me questions. He said that if I signed voluntary departure, they wouldn't deport me. I was very scared that they would deport me and I didn't know understand the immigration system. I explained that I was scared to go back to Mexico and that I didn't know what else to do. He said that asylum doesn't apply to Mexicans, and sent me back into Mexico.
4. I didn't know where to stay because I knew I couldn't return to my hometown, so I called my cousin who was going to receive me in the United States. She contacted a woman she knew in Tijuana, who let me stay with her. After a few weeks, the neighbors said people in an armed truck had asked for me, so my host said it was too dangerous for her family for me to keep living there.
5. On June 26, I returned to the same port of entry. I spoke with an officer, who said that I had already been there and that they had already told me that my case didn't qualify for asylum and that the U.S. government couldn't do anything for me. He told me to stop making things up.
6. Since the last time I had attempted to enter the United States, I had researched asylum online. I knew that I did qualify, so I insisted. The officer told me that I was just going to waste time if I entered the country, because they would just send me to detention for a few weeks or months and then they would deport me.
7. I knew because of my research that I could ask for an interview. The officers told me that I couldn't. When I insisted, they finally agreed, but said that in the end it would be the same. The person who interviewed me was even worse than the others. He said people from other countries could seek asylum in the United States but not Mexicans, and that I

didn't qualify. He said that the Mexican government should help me, but I knew that my government would not do that.

8. This officer asked me a lot of questions. Sometimes he would smile after my answers like he was laughing at me. He asked who was going to receive me. I said that my cousin was. He asked how she was going to support me with so many kids if I wasn't allowed to work. He asked "Is she rich or what?" in a way that seemed like he was laughing at me. He asked me if I would prefer to be deported to Canada. I said the only thing I knew was that I couldn't go back to Mexico but I said I didn't know anyone in Canada. He said it was the same then, because I didn't know anyone in the United States. He smiled and said "Everyone is scared." as if he were making fun of me and didn't believe me. I said I wouldn't have risked my daughters on the journey if I wasn't scared.
9. My children and I slept at the port of entry for two nights. I didn't know what was going to happen to us, and the officers told me not to ask questions about where I was going. They did not let me talk to anyone.
10. They took me to a shelter with very cold rooms near San Diego. I think I spent two nights there too but I was losing track of time. After that, they took me to a place that was like a hotel of the government. The building was green. There were a lot of officers with green uniforms. They gave us back our normal clothes there, which they had confiscated earlier. My five-year old daughter gets motion sickness and said that her stomach hurt. I told an officer, but he said that he couldn't do anything. He said that if she really felt that sick, they could send us back to Mexico. While we were staying in this hotel, we would spend days in a place with cells and would be taken back to the hotel at night.
11. After two nights, the officers gave me to a man and a woman who gave us food and clothing. These people took us to the airport and traveled with us on the airplane. I asked where I was going. They said they did not have permission to tell me. I only discovered that I was going to Texas because of the screen on the plane that shows the flight trajectory. I started crying and I asked the woman if it was to deport me, she said it was a center for families. The man and woman took us to an immigration center in San Antonio, where they turned us into detention center officials.

Dated: July 4, 2017

I, [REDACTED], swear under the penalties of perjury that the attached declaration is true and correct to the best of my abilities. This declaration was provided in Spanish, a language in which I am fluent, and was read back to me in Spanish.

[REDACTED]  
Signature

7/4/17  
Date

**CERTIFICATION OF TRANSLATION**

I, Katherine Murdza, certify that I am proficient in the English and Spanish languages and that the foregoing was read to

[REDACTED]

KAR Murdza  
Signature

7/4/17  
Date

# Exhibit E

**Declaration of [REDACTED] ([REDACTED])**

I swear under penalty of perjury of the laws of the United States of America that the following is true and correct.

1. My name is [REDACTED]. I was born on [REDACTED] in El Salvador. I am currently detained in South Texas Family Residential Center with my 15-year old daughter and my 12-year old son.
2. I left El Salvador with my children because I was fleeing threats from gang members. On Sunday July 16<sup>th</sup> 2017 at about two in the afternoon, we arrived at the port of entry at Eagle Pass, Texas.
3. I deposited coins in order to cross the bridge. My husband had told me that everyone had the right to seek asylum there so I waited in the line. When we reached the front of the line, an officer asked for our documents. I explained that we only had our Salvadoran documents but that we wanted to turn ourselves in to immigration. The officer said we had to leave because we didn't have documents. He told us to turn ourselves into the Mexican police to be deported to El Salvador. I said that I couldn't go back to my country because I had problems with the gangs and was scared to take my children there, but he still said we couldn't pass without a visa and passport.
4. A female officer assisted him in escorting us out of the port of entry. Once we were outside, I fainted from the anxiety because I have high blood pressure but the officials didn't help me.
5. After I recovered, my children and I went to the other side of the bridge where people return to Mexico from the United States. We told an overweight agent there that we were scared to go back to El Salvador and that I didn't want to risk my children's lives by crossing the river. He told us that things weren't were like that anymore, that the government wasn't letting people in, and that we couldn't be there.
6. We continued to walk around near the port of entry deciding what to do. A guard in a blue shirt with a beard who was supervising people paying the coins to cross the bridge told us to go away, and that we shouldn't be in that area.
7. I knew that I had to find a way to enter the United States, and it was clear that we wouldn't be able to seek asylum at the port of entry, so we crossed the river the next day. Many of the women I have met here at South Texas Family Residential Center have similar stories of being rejected at ports of entry.

Date: July 19<sup>th</sup>, 2017

I, [REDACTED], swear under the penalties of perjury that the attached declaration is true and correct to the best of my abilities. This declaration was provided in Spanish, a language in which I am fluent, and was read back to me in Spanish.

[REDACTED]  
Signature

7/19/17  
Date

**CERTIFICATION OF TRANSLATION**

I, Katy Mordza, certify that I am proficient in the English and Spanish languages and that the foregoing was read to [REDACTED].

Katy Mordza  
Signature

7/19/17  
Date



# Exhibit F

**DECLARATION OF** [REDACTED]

I, [REDACTED], hereby declare as follows:

1. I make this declaration based on my personal knowledge except where I have indicated otherwise. If called as a witness, I could and would testify competently and truthfully to these matters.

2. I am a male Belizean national and fled my country after gang members threatened my life. I worked for an organization in Belize City that runs a youth apprentice program to deter teenagers and young adults from joining gangs. Gang members targeted me because my work interfered with their gang recruitment. Gang violence is common in Belize, and I have friends and family who have been victims of gang violence. Individuals in the apprentice program have been killed, and I personally have been shot at by a gang member.

3. Based on these death threats, I decided to flee my country on October 27, 2016. I took a bus with other family members to Mexico City, and took another bus from Mexico City to Tijuana. We received a tourist visa before we entered Mexico.

4. When we arrived in Tijuana on October 30, 2016, we immediately took a taxi to the San Ysidro port of entry. We arrived at the port of entry very late at night. We walked down a long bridge and a spiral ramp to the port of entry building. At the entrance, I saw two immigration officers in dark blue uniforms and a third man wearing a dark green uniform. The dark blue uniforms had American flags on the chest above the pocket and a "CBP" logo.

5. The U.S. immigration officers stopped us and asked for our immigration papers. I told the immigration officers that we were seeking asylum. The immigration officers would not allow us to enter the building and told us that in order to seek asylum, we needed to go through a process with Grupos Beta. When we told them that we had spent most of our money to get to the border, and

1 could not afford to stay in Mexico for long, the agents told us that they could not  
2 help us, because all asylum seekers had to go through the process with Grupos  
3 Beta.

4 6. After the U.S. immigration officers turned us away at the port of  
5 entry, we left the border station and walked to the Grupos Beta office. When we  
6 showed them our passports with the Mexican visas, they told us that we would not  
7 be able to seek asylum in the US until those visas expired, which was in six  
8 months. By then it was late in the day, and we were tired because of the long bus  
9 rides. We decided that it would be best to try to go to the US border again early in  
10 the morning. Because we had very little money and planned to wake up early, we  
11 slept in the bus station instead of getting a hotel room.

12 7. The next day, October 31, 2016, we went back to the San Ysidro port  
13 of entry at around 4:30 in the morning. We waited to speak to Mexican  
14 immigration at a small building at the beginning of the ramp at the port of entry.  
15 There was already a large crowd of people waiting. Around 8:00 a.m. officers in  
16 dark blue uniforms and black jackets started questioning people in the line. We  
17 waited until approximately 9:00 a.m. when we finally were able to speak to  
18 Mexican immigration. When we explained our situation and told them we were  
19 seeking asylum, the officers told us we would have to wait until the 180 days on  
20 our visas ran out until INM would give us a date for our interview with US  
21 immigration officials.

22 8. It didn't make sense to us that we would have to wait for our visas to  
23 expire to be able to seek asylum in the US. We went back to the San Ysidro border  
24 station around 10:00 am to try to talk to immigration officials, but when we got to  
25 the border we were met by three officers in dark blue uniforms with the CBP logo  
26 and American flag on their shirts. One of them had been there in the morning when  
27 we were turned away, but this time it was the other officer who told us that we had  
28 to go through the Grupos Beta procedure to get a number before we could seek



1 asylum. After that we went back to the main plaza near the San Ysidro border  
2 crossing at about 11:00 am and decided to try again the next day.

3 9. The next morning, November 1, 2016, at around 9:00 I went to the  
4 San Ysidro border station with a woman who was in our group, while my cousins  
5 waited in the plaza. They waited back because we had not had any success the  
6 previous two days, and it is a long walk from the plaza to the border station. Three  
7 male officers met us near the border. They were wearing the dark blue uniforms  
8 that had the CBP logo and an American flag on the shirt. One of the officers was  
9 noticeably older than the other two. We told the officers we were seeking asylum.  
10 At first, they seemed to be willing to help us and were listening to our story. While  
11 we were talking though, the older officer made a call on his radio. When the call  
12 ended, he interrupted our conversation with the other two officers and told us that  
13 we had to go to Grupos Beta to get a number, because that was the procedure for  
14 accepting asylum.

15 10. At that time, security officers from the Mexican side of the border  
16 came to tell us we could not stay where we were because we had been turned away  
17 at the border. They did not use force, but made it clear we would have to leave.  
18 The American officers did not say or do anything so we walked back to the plaza  
19 and met with the rest of the group. By that point we had heard that there was  
20 another border station nearby called Otay Mesa that we might have better luck at,  
21 so we decided to go there. We took a taxi which charged us \$15 per person.

22 11. When we arrived at the Otay Mesa border station, we walked up to an  
23 Asian officer in a dark blue uniform that had the CBP logo and an American flag.  
24 We told him we were seeking asylum because we were afraid to go back to our  
25 country. As we were telling him that, two more officers in the same dark blue  
26 uniforms joined the conversation. These officers asked the one we were talking to  
27 what we were doing there, and when he told them, they said that we had to go  
28 through the Grupos Beta process in order to seek asylum. After that, the new



1 officers grabbed our bags and took us back outside the station. They told us that  
2 they could not do anything for us, and that we would have to go to Mexican  
3 immigration. Once we were outside, they locked the station's doors behind us.

4 12. We then decided to try going to the US consulate office because we  
5 thought they might be able to tell us how we could get asylum. When we got there,  
6 we approached a female officer who was stationed outside. We told her we were  
7 trying to seek asylum but had been turned away at the border, and were trying to  
8 find out how we could get help. She went inside to talk to a supervisor, and after a  
9 short wait a male officer wearing the same uniform as the woman came out of the  
10 building with a different woman wearing casual clothes. We did not know who she  
11 was, but after we told her our story she told us that there were over 5,000 refugees  
12 in Tijuana, and that because there were so many we had to go through the Grupos  
13 Beta process. She told us that because the US could only handle 75 asylum seekers  
14 per day, it would take a long time for us to be able to get into the US. She told us  
15 to try to find shelter in Mexico while we followed the Grupos Beta process. When  
16 we told her that the Mexican immigration officials had told us that we would have  
17 to wait for our visas to expire to get immigration papers to seek asylum, she said  
18 that was out of her control, and that she had to follow the procedure which was to  
19 get a number from Grupos Beta. She did give us some information forms with  
20 instructions to go to Mexican immigration and Grupos Beta, in order to get a  
21 number that would put us on a list for getting asylum.

22 13. After that conversation we took a taxi back to the San Ysidro border  
23 plaza.

24 14. The next day, November 2, 2016, we returned to the San Ysidro  
25 border station between 9 and 10:00 am. We met with officers in the same dark blue  
26 uniforms as the others we had spoken to on the previous days. We told them we  
27 had been back and forth between the San Ysidro station, the Otay Mesa station,  
28 and Mexican immigration, and that nobody had helped us. The officers told us that

1 they wanted to help, but that there was a process and that it was out of their  
2 control. They said we had to get a number from Grupos Beta to be able to seek  
3 asylum.

4 15. We went back to the Mexican side of the border and waited in line to  
5 speak to a Mexican authority. When we did talk to one, he told us that if we did not  
6 want to wait for a number from Grupos Beta, which would take about six months,  
7 we could try to go to another border port of entry, which he said was about twelve  
8 hours away by bus.

9 16. We went back to the US border two more times that day. On the  
10 second trip we were told that we had to go to Grupos Beta to get a number. On our  
11 third trip we were approached by private security before we could get to the  
12 border. They were wearing white shirts with red and black logos on the pocket, and  
13 black pants. They had noticed that we had been to the border multiple times that  
14 day, and told us that we could not go back anymore because we had been rejected  
15 already. After that we went back to the Mexican side of the border area.

16 17. For the rest of the day we waited on the Mexican side, and every time  
17 the private security that had stopped us changed shifts, one member of our group  
18 would try to get through to the border station. We tried several times, but even  
19 when one of us did get to the border, the officers would tell us that they could not  
20 help because we had to go to Grupos Beta to get a number in order to seek asylum.  
21 Eventually we went back to the shelter where we were staying.

22 18. Over the next two months, I tried several more times to enter the US  
23 by seeking asylum. Sometimes I was stopped by private security, either the same  
24 ones who had already stopped us, wearing white shirts with the red and black logos  
25 and black pants, and other times it was by officers in dark grey shirts and khaki  
26 pants. Each time I got to the border station I was told by US officers in dark blue  
27 uniforms that I had to get a number at Grupos Beta because that is the procedure.

28 19. Finally, on December 11, 2016, I went to the border with an attorney



1 Nicole Ramos. When we arrived near the station, Mexican private security wearing  
2 grey shirts and khaki pants tried to tell us to stop. Ms. Ramos took me past the  
3 long line at the border station to the checkpoint, where we were met by three  
4 officers in dark blue uniforms with the CBP logo and American flag. One of those  
5 officers recognized me because I had spoken with him many times in the past  
6 when trying to seek asylum. That officer told Ms. Ramos that I had to get a  
7 number from Grupos Beta because that is the procedure for seeking asylum, but  
8 Ms. Ramos told him she was an attorney and asked to see his supervisor. When  
9 the supervisor arrived, he was wearing a light blue uniform. Ms. Ramos gave him  
10 her business card and explained that I was seeking asylum, and gave him the  
11 paperwork I had filled out the day before. The supervisor looked at everything,  
12 and then told the officers to let me in.

13 20. Over the next few days, I was moved between several different  
14 facilities. I was never told where I was going or what was going to happen to me.  
15 The officers at the border station had taken my bags from me to put in storage, so I  
16 did not have any of my things. After several days I was moved to the Otay Mesa  
17 detention facility in a van with no windows. I was put in a light blue jumpsuit that  
18 said 'detainee' on the back.

19 21. I had my first interview with an asylum officer several weeks after  
20 arriving at the Otay Mesa detention facility. I did not get a warning before the  
21 hearing, so I did not have attorney representation present for the interview. I told  
22 the asylum officer why I had left my country and was afraid to go back. After that  
23 interview I waited about three weeks until I heard that I had passed the credible  
24 fear test.

25 22. I remained in detention at Otay Mesa until I finally had a bond  
26 hearing on June 13, 2017. My two aunts who live in the US and had given me  
27 money while I was in Tijuana were at the hearing. After the judge talked to them  
28 and learned about their jobs and income, the judge decided to waive the minimum

1 bond of \$1,500, but gave me an electronic ankle monitor. He then ordered me  
2 released on parole.

3  
4 I declare under penalty of perjury under the laws of the United States of  
5 America that the foregoing is true and correct.

6 Executed on November 1, 2017 at Los Angeles, California.

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# Exhibit G

DECLARATION OF [REDACTED]

I, [REDACTED] declare as follows:

1. I make this declaration based on my personal knowledge except where I have indicated otherwise. If called as a witness, I could and would testify competently and truthfully to these matters.

2. I am a female El Salvador national and was born in Cabana, El Salvador. I have two children, ages 15 and 18. Until recently, I lived in Cabana, El Salvador

3. On November 1, 2016, I left El Salvador because I was afraid for my life. In 2012, the MS gang killed my oldest son. I knew and could identify the gang members that killed my son. I was then threatened by the MS gang who told me not to disclose the name of the gang members who killed my oldest son. In the beginning of 2016, my other son was approached by the same gang to join. My son told them that he didn't want to be a part of it and instead wanted to go to school. They then attempted to kill my son, but he was able to get away. The next day I sent him to live in the capital with my sister. A gang member then tried to abuse and molest my daughter. I then reported him to the police and they caught him two weeks later. Thereafter, I received a call from a member of the gang who told me to rescind all the charges against the man I had reported, if I valued my life. Eight days later, I got subpoenaed to give a declaration in front of the judge. A day before I planned to testify, I received a piece of paper outlining what my daughter and I were supposed to say in court. The gang wanted me to say that my daughter was lying about everything and wanted my daughter to admit the same. If we did not comply they were going to kill us.

4. I showed up to the courtroom and testified. The judge imposed a \$2000 fine, payable to the State, and let the man I reported be released. That night eight gang members showed up to my house and told me I had twenty-four hours to leave the house or else they were going to kill me and my daughter. I then went

1 to the capital with my daughter and lived with my sister for about three months.  
2 We saved money and journeyed to Tapachula, Mexico through Guatemala and  
3 stayed there for four months. Finally, in February, 2017 we went to Tijuana,  
4 Mexico with the intention of crossing to the United States to ask for asylum.

5 5. I attempted to cross at three different ports of entries with my  
6 children.

7 6. First, in February, I arrived at the Otay Mesa Port of Entry. I told the  
8 CBP official that I was scared to return to El Salvador and was seeking asylum and  
9 that I had documents proving my claim. But she told me to move aside to let other  
10 people cross. We waited for a long time and tried to go back but the CBP official  
11 told me that she could not help me at that port of entry and to again move aside.  
12 We waited there until a Mexican official called us over and told us to go to the San  
13 Ysidro Port of Entry.

14 7. That same day we arrived at the San Ysidro Port of Entry. We went  
15 through the line until we got to the CBP officials who asked us for our  
16 documentation. We then told the CBP officials that we were scared to return to El  
17 Salvador and were seeking asylum. But they made a mocking gesture and told us  
18 to move aside. The CBP official then called Mexican officers who escorted us to a  
19 Mexican guard post. At the guard post, they told us that a Mexican organization  
20 could help us get papers to stay in Mexico. We told them that we did not want  
21 Mexican papers but wanted to seek asylum in the United States. The Mexican  
22 official said that, if we did not leave, he would call someone to have us deported  
23 back to El Salvador. We then left and found a shelter in Tijuana, Mexico where  
24 we lived for three months until we met a lawyer that assisted us in our third  
25 attempt to cross.

26 8. On our third attempt, we were finally processed.  
27  
28



1 I declare under penalty of perjury under the laws of the United States of  
2 America that the foregoing is true and correct.

3 Executed on October 27, 2017 at Bakersfield, California

4 [REDACTED]  
5 [REDACTED]  
6 [REDACTED]  
7 [REDACTED]  
8 [REDACTED]

9 **CERTIFICATION**

10  
11 I, Joseph De Leon, declare that I am fluent in the English and Spanish  
12 languages. On October 27, 2017, I read the foregoing declaration and orally  
13 translated it faithfully and accurately into Spanish in the presence of the declarant.  
14 After I completed translating the declaration, the declarant verified that the  
15 contents of the foregoing declaration are true and accurate.

16 I declare under penalty of perjury under the laws of the United States of  
17 America that the foregoing is true and correct.

18 Executed on October 27, 2017 at Bakersfield, California

19 [Signature]  
20 [Signature]  
21 Joseph De Leon  
22 [Signature]  
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# Exhibit H

**DECLARATION OF** [REDACTED]

I, [REDACTED], declare as follows:

1. I make this declaration based on my personal knowledge except where I have indicated otherwise. If called as a witness, I could and would testify competently and truthfully to these matters.

2. I am a male El Salvadorian national and was born in Cabanas, El Salvador. Until recently, I lived in Cabana, El Salvador.

3. On November 1, 2016, I left El Salvador because I was afraid for my life. In 2012, the MS gang killed my older brother. In May 2016, the MS gang began recruiting me but I managed to get away. The next day my mom sent me to live in the capital with my aunt.

4. My mom, her boyfriend, and my sister met me in the capital immediately after gang members had come to their house and threatened to kill them if they did not leave. Thereafter, we lived with my aunt for about three months. We saved money and journeyed to Tapachula, Mexico through Guatemala and stayed there for four months. Finally, in February, 2017 we went to Tijuana with the intention of crossing to the United States to ask for asylum.

5. We attempted to cross at three different ports of entries.

6. First, in February, we arrived at the Otay Mesa Port of Entry. We told the CBP official that we were seeking asylum but she told us to move aside to let other people cross. We waited for a long time and tried to go back but the CBP official told us that she could not help us at the port of entry and to again move aside. We waited there until a Mexican official called us over and told us to go to the San Ysidro Port of Entry.

7. That same day we arrived at the San Ysidro Port of Entry. We went through the line until we got to the CBP officials. We told them that we were seeking asylum and one of them said, "go back, talk to the Mexican official." The CBP official then called Mexican officers who escorted us to a Mexican guard




1 post. At the guard post, they told us that Grupos Beta could help us but that they  
2 would not help us. The Mexican official said that, if we did not leave, he would  
3 call someone to have us deported back to El Salvador. We then left and found a  
4 shelter in Tijuana, Mexico where we lived for three months until we met a lawyer  
5 that assisted us in our third attempt to cross.

6 8. On our third attempt, we were finally processed.

7  
8 I declare under penalty of perjury under the laws of the United States of  
9 America that the foregoing is true and correct.

10 Executed on October 31, 2017 at Otay Mesa, California

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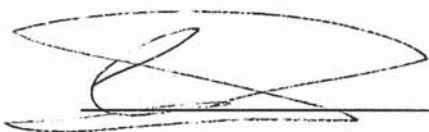
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16 **CERTIFICATION**

17  
18 I, Joseph De Leon, declare that I am fluent in the English and Spanish  
19 languages. On October 31, 2017, I read the foregoing declaration and orally  
20 translated it faithfully and accurately into Spanish in the presence of the declarant.  
21 After I completed translating the declaration, the declarant verified that the  
22 contents of the foregoing declaration are true and accurate.

23 I declare under penalty of perjury under the laws of the United States of  
24 America that the foregoing is true and correct.

25 Executed on October 31, 2017 at Otay Mesa, California

26 

27 \_\_\_\_\_  
28 Joseph De Leon

# Exhibit I



**DECLARATION OF** [REDACTED]

I, [REDACTED] declare as follows:

1. I make this declaration based on my personal knowledge except where I have indicated otherwise. If called as a witness, I could and would testify competently and truthfully to these matters.

2. I am a male El Salvadorian national and was born in Cabanas, El Salvador. Until recently, I lived in Cabana, El Salvador.

3. On November 1, 2016, I left El Salvador because I was afraid for my life. In 2012, the MS gang killed my girlfriend's oldest son. On or around November, 2015, the MS gang followed me but I managed to get away. In May 2016, the MS gang began recruiting my girlfriend's other son but he also managed to get away. The next day my girlfriend sent him to live in the capital with her sister. In July, 2016, a gang member then tried to abuse and molest my girlfriend's daughter. My girlfriend then reported him to the police and they caught him. Thereafter, my girlfriend received a call from a member of the gang who told her to rescind all the charges against the gang member she had reported, if she valued her life. Eight days later, she got subpoenaed to give a declaration in front of the judge. A day before she planned to testify, she received a paper outlining what her daughter was supposed to say in court. The gang wanted her to say that her daughter was lying about everything and wanted her daughter to admit the same. If my girlfriend and her daughter did not comply they were going to kill us.

4. My girlfriend showed up to the courtroom and testified. The judge imposed a fine, payable to the State, and let the man she reported be released. That night gang members showed up to our house and told us that we had to leave immediately or else they were going to dismember my girlfriend's daughter in front of me and my girlfriend, and then kill us. We immediately left to the capital and lived with my girlfriend's sister for about three months. We saved money and journeyed to Tapachula, Mexico through Guatemala and stayed there for four

1 months. Finally, in February, 2017 we went to Tijuana, Mexico with the intention  
2 of crossing to the United States to ask for asylum with my girlfriend and her  
3 daughter and son.

4 5. We attempted to cross at three different ports of entries.

5 6. First, in February, we arrived at the Otay Mesa Port of Entry. I told  
6 the CBP official that we were seeking asylum but she told us to move aside to let  
7 other people cross. We waited for a long time and tried to go back but the CBP  
8 official told us that she could not help us at the port of entry and to again move  
9 aside. We waited there until a Mexican official called us over and told us to go to  
10 the San Ysidro Port of Entry.

11 7. That same day we arrived at the San Ysidro Port of Entry. We went  
12 through the line until we got to the CBP officials. I told them that we were seeking  
13 asylum and one of them said, "go back, talk to the Mexican official." The CBP  
14 official then called Mexican officers who escorted us to a Mexican guard post. At  
15 the guard post, they told us that Grupos Beta could help us but that they would not  
16 help us. The Mexican official said that, if we did not leave, he would call someone  
17 to have us deported back to El Salvador. We then left and found a shelter in  
18 Tijuana, Mexico where we lived for three months until we met a lawyer that  
19 assisted us in our third attempt to cross.

20 8. On our third attempt, we were finally processed.  
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1 I declare under penalty of perjury under the laws of the United States of  
2 America that the foregoing is true and correct.

3 Executed on October 31, 2017 at Otay Mesa, California

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9 **CERTIFICATION**

10  
11 I, Joseph De Leon, declare that I am fluent in the English and Spanish  
12 languages. On October 31, 2017, I read the foregoing declaration and orally  
13 translated it faithfully and accurately into Spanish in the presence of the declarant.  
14 After I completed translating the declaration, the declarant verified that the  
15 contents of the foregoing declaration are true and accurate.

16 I declare under penalty of perjury under the laws of the United States of  
17 America that the foregoing is true and correct.

18 Executed on October 31, 2017 at Otay Mesa, California

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21 Joseph De Leon  
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# Exhibit J

**DECLARATION OF** [REDACTED]

I, [REDACTED] hereby declare under the penalty of perjury pursuant to 28 U.S.C. § 1746:

1. I make this declaration based on my personal knowledge except where I have indicated otherwise. If called as a witness, I could and would testify competently and truthfully to these matters. Because I am scared for my safety, I am submitting this declaration using a pseudonym so I do not reveal my true identity.

2. I am a native and citizen of El Salvador. I am 20 years old. I am currently in detention in the Otay Mesa Detention

3. In late 2015, I think it was October or November, I fled Santa Ana, El Salvador because members of the gang MS-13 were actively trying to kill me. I say actively because there had been rumors they wanted me dead on and off for years before, but things had gotten worse. The gang members were beating me and taking my money increasingly often, and they had found out that I had seen my sister kidnapped by MS-13 in 2010 (her body was found a week later). MS-13 does not leave witnesses, and they knew at that point that I was a witness.

4. I fled to Mexico and was granted some form of refugee status from COMAR and I thought I would stay. However, it is dangerous to be a migrant in Mexico. I was kidnapped (along with my uncle and young cousin) by armed men and held in a dark room full of other migrants for a month. I was beaten almost every day, sometimes with baseball bats. They wanted our families to send money, but they were not well organized and, when their leader was killed, they let us go.

5. As background, both of my parents are pastors and extremely religious. My sister and I had always planned to follow in their footsteps. We grew up in an area completely controlled by gangs. Many young people we knew, including even some friends and cousins, became involved with MS-13. (It is hard



1 not too – the gang tells you they will protect you, and your family, and your  
2 community. And if that doesn't work they begin to beat you and extort you for  
3 money and threaten your family. As you get older, they tell you that you are either  
4 with them or against them.)

5 6. In 2010 my sister was about eighteen years old and I was twelve.  
6 Members of the MS-13 gang had been pushing us to join, and we always refused,  
7 stating that we would follow in our parents' footsteps. The MS-13 especially  
8 wanted us for two reasons. First, my father and uncle were in law enforcement and  
9 the MS-13 thought that meant that my sister and I would be well connected or have  
10 fighting skills. Also, MS-13 is against the Church because it provides another  
11 community that is not the gang and the MS-13 members say they worship the  
12 devil, not God. One day that year we had a particularly ugly exchange with some  
13 gang members. My sister was very outspoken and said there was no good reason  
14 for us to join a gang, and it was against what our parents had taught us. One gang  
15 member told my sister "the only reason I don't hit you is because we are in the  
16 street and you are a woman. But you are going to see."

17 7. After that things escalated, there were gang members in front of our  
18 house all the time, and one day after church they lined us up against the wall and  
19 threatened us with guns until the pastor came out and called our parents. My sister  
20 and I were not really afraid because we had grown up with these kids. My parents  
21 said they were just trying to intimidate us because we were Christians.

22 8. The day my sister was kidnapped I had taken too long to get dressed  
23 to go to the market with her and my cousin and they were walking ahead of me,  
24 but I caught up and could see them. I saw a black truck pull up and take my sister,  
25 leaving my female cousin. (For many reasons, I think this cousin is part of MS-13,  
26 and that she got my sister killed and has informed them about my whereabouts  
27 throughout the year.) I ran and hid until my parents got home and when I told  
28 them what had happened they refused to file a police report and told me instead to



1 turn the other cheek. Even when my sister's body was found, my mother did not  
2 tell the detective that I was a witness.

3 9. I was tipped off that the gang members were going to kill me because  
4 I was a witness to my sister's kidnapping. I went to hide out in a nearby town.  
5 Eventually, my cousin came and told me that things had cooled off and I could  
6 come back home.

7 10. For two and a half years after, the MS-13 mostly left me alone (there  
8 are different groups, or *clickas* in the gang, and one of my cousins had risen in it  
9 and had enough power to tell the others to ignore me). One day my mom told me  
10 not to talk to anyone in a gang, even a cousin. My female cousin (the one who I  
11 think had my sister killed) was there when my mom said that. Right after the MS-  
12 13 started harassing me again. They beat me regularly, and told me it was time for  
13 me to start helping them control the neighborhood. I refused and just tried to stay  
14 out of their way and also hide all of this from my family.

15 11. In October 2015 a friend of mine told me that he overheard a  
16 conversation between gang members that they had found out I had seen my sister  
17 being kidnapped. They were debating what to do with me. I called the cousin who  
18 had protected me before, but he told me that there was nothing he could do  
19 because the orders had come from the top, from the MS-13 leaders in prison. He  
20 told me they were killing all the other witnesses to my sister's kidnapping (my  
21 female cousin is alive and well in our town). I wanted to stay and finish 9<sup>th</sup> grade  
22 but later that month, another witness to my sister's kidnapping was killed and I  
23 knew I had to get out of there.

24 12. I decided to leave and fled overnight to go stay with my grandmother  
25 in Chiapas, Mexico. My grandmother was supposed to meet me in Guatemala, but  
26 she could not make it. I arrived in Mexico and hitchhiked as far as Tapachula  
27 where I found a Catholic priest who helped me find a job selling ice. I earned  
28 about \$4 a day for 12 hours of work, but I was safe. The woman I worked for told



1 me about COMAR, where I could apply for refugee status. I was eventually  
2 approved, based on my story and evidence. I stayed there safely until April 2016.

3 13. In April 2016 I got a phone call from one of the gang members (I have  
4 no idea how he had my number) and he told me "you better turn yourself in to us  
5 or you will have it worse. We already know where you are... if you hide yourself  
6 under the face of the earth, I will drag you out personally." I felt like a hunted  
7 animal. Not long after three guys with a gun chased me down an alley in  
8 Tapachula, I had to duck into a stranger's house to escape them. Thankfully the  
9 stranger was a kind man, and he let me out the back.

10 14. The next day I went to work in other neighboring towns. A while  
11 after I got a call from my uncle saying my cousin had been threatened by MS-13  
12 and had to leave. My uncle and cousin joined me in Mexico and we went to Tutxla  
13 Gutierrez on our way to a small town where we knew some Salvadorans. We  
14 never made it. We were kidnapped by armed men from Cartel del Golfo and held  
15 in a dark room with about 30 other people (including two tiny girls and a man  
16 throwing up blood the whole time), all migrants, for about a month. We had to sit  
17 with our heads between our knees and there was almost no food or water. I was  
18 beaten almost daily, sometimes with a bat, and they took photos of our injuries.  
19 We all had to give a phone number and they called our families, I think to try and  
20 get money. They told me my father said to just kill me. I didn't believe he said  
21 that, but I believed the kidnappers would kill me. After a month, apparently the  
22 kidnappers' leader had been killed. Not knowing what to do, they decided that to  
23 kill us would cause them more problems and they dropped us off a few at a time at  
24 a hotel nearby with 500 pesos each and told us to get on the first long distance bus  
25 out of town.

26 15. I was released one day, and my uncle and cousin the next. We went  
27 to Mexico City and found our consulate. We worked with Mexican authorities for  
28 almost three months to try to help catch the kidnappers and they told us we could



1 get humanitarian visas and they would keep us safe. However, the place they kept  
2 us was in a gang zone very near the train "La Bestia" where gang members go to  
3 prey on migrants who ride the train. The Mexican authorities said they would  
4 protect us, but once we had helped them file a complaint, everyone had kind of  
5 disappeared and left us on our own.

6 16. I heard from friends at home that the gang knew we were in Mexico  
7 City (just before this, my mom had caught my gang-related female cousin  
8 searching through my mom's cell phone). We only had money for two of us to  
9 travel, so my uncle stayed, and I traveled with my younger cousin by bus to  
10 Tijuana. It took almost three days because we had to take cheap buses. We  
11 arrived at 4 a.m. in the middle of September 2016 (I think it was the 16<sup>th</sup> or 17<sup>th</sup>)  
12 and at the station, a man was yelling at us and calling us by someone else's name.  
13 He told us we owed him money to take us across the border. We finally convinced  
14 him we were meeting someone and then ran away while he was talking on the  
15 phone.

16 17. Various people told us not to ask for asylum, to just sneak across. But  
17 we wanted to do things the right way and to be safe and follow the law. We  
18 walked to the border, through the one that looks like a shell and waited for a few  
19 hours, until it was morning and the sun was up on a bridge. When we got to the  
20 port-of-entry, we walked passed one U.S. official and some Mexican police. No  
21 one said anything to us. We walked up to a machine where you would present  
22 your visa or papers. A U.S. official asked us something in English, we speak very  
23 little English, but the idea was "where are you from or where are you going or  
24 both."

25 18. We said we were from El Salvador and wanted asylum because they  
26 are trying to kill us in our country. He told us okay, go wait on the far side of the  
27 gate, and I will call you. I asked if he wanted our names to call us and he said no, I  
28 will just call you. We did as we were told and waited there for hours for someone

1 to come talk to us. After about three hours we tried to go ask how long the wait  
2 would be, but the officers would not let us past the first gate, they told us to stay  
3 there and wait. We were really scared, we had heard terrible stories about hostels  
4 in Tijuana and we were sure the either MS-13 or the El Golfo cartel (or someone  
5 else) would find us there. We sat with some guys from Acapulco who had been  
6 trying for days to ask for asylum.

7 19. Around 2 or 3 p.m. the guys from Acapulco approached a woman who  
8 was walking other people through the border. We hesitated. Eventually we also  
9 talked to this woman and explained our stories. She said I'm an attorney and I can  
10 help you with your case for free. She took us to Casa Inca. We were scared but  
11 felt like we had little choice because the Americans did not seem like they wanted  
12 to help us.

13 20. We stayed in Tijuana from September to January. During that time I  
14 spoke to my father and he told me that the gang hangs out by our house all the time  
15 and have asked for me at least three times. He always says I am working in the  
16 city of San Salvador, but they don't seem to believe him. I have heard from  
17 friends that the group, or *clicka*, that killed my sister and is hunting me has helped  
18 MS-13 regain some lost territory in my town and has become even more powerful  
19 than before. I cannot go home as I am wanted by the gang as a witness to my  
20 sister's kidnapping.

21 21. I also cannot live in Mexico. All migrants are targets, but I am  
22 actively participating in the government investigation against the El Golfo cartel  
23 kidnapping of migrants. As recently as when I was in Tijuana, I was helping  
24 identify the kidnappers, working with the team in Mexico City and I signed a  
25 declaration identifying participants in our kidnapping. The investigators are using  
26 my testimony to try to imprison people.

27 22. My uncle eventually joined us in Tijuana where we stayed until  
28 January. One day I went to the market and a woman was following me and taking



1 my picture. This was not a tourist area and she did not look like a tourist. I am  
2 afraid she was with the MS-13 or the El Golfo cartel, or maybe just another  
3 kidnapping group. I do not feel safe anywhere in Mexico.

4 23. After that I did not leave the Casa Inca until I crossed the border with  
5 my cousin, my uncle, my attorney, and another woman. My attorney spoke with  
6 immigration officials and they let us pass through. Once inside, we had to wait  
7 until midnight to show them our papers. I was separated from my cousin and uncle  
8 after about four hours. I spent two days sitting in an office chair. I couldn't sleep,  
9 and couldn't leave. Bit by bit they collected my information (fingerprints,  
10 birthdate and place, data like that). They kept asking me what I wanted and I  
11 would say "asylum, the gangs are trying to kill me." They yelled at me saying  
12 "you are all gangbangers in Salvador, you probably are too!"

13 24. One officer in particular told me if I was not a gang member I would  
14 not be in danger and I wouldn't be there. He was very aggressive and rude. He  
15 refused to listen when I told him my story and that I never was or wanted to be part  
16 of a gang. I said I wanted to talk to my lawyer. The man got extremely angry and  
17 said he "no quiero ayudarte" (I don't want to help you) and that he would not  
18 process me and I would have to wait. So I sat in a chair for hours until the shift  
19 changed. The officer asked me all the same questions. After that officials took my  
20 sweater and my long sleeve shirt, leaving me only in a t-shirt. I was locked in a  
21 bathroom with two other people. I begged them not to lock me in there because I  
22 have trouble with small spaces, ever since I was kidnapped and held in that terrible  
23 room. He said "don't worry it will just be a few hours" but it was all day, and it  
24 was cold and dark and smelled terrible like urine from the toilets.

25 25. After this I was taken to a big room that had about seventy people in  
26 it, which must have been double the capacity. I felt like I had been kidnapped  
27 again and I was held there for nine days. On about the seventh day, an official  
28 came in to interview me for asylum. He asked me if I paid to get into the United

1 States, and told me my lawyer would probably try to extort me and that they would  
2 investigate everything about me. I had brought a lot of documents in my suitcase.  
3 This man at least took the time to look at them and, although he rude, he did say to  
4 me after looking at them "tu tienes un caso" ("you have a case"). Two days later I  
5 was sent to Arizona. My lawyer requested I be sent back to California.

6 26. I have been in the Otay Mesa detention center since then. I have been  
7 in detention in the United States since January (for more than five months now).  
8 However, I will wait for my asylum proceedings and I want to stay in the United  
9 States because I fear for my life in El Salvador and in Mexico. I would like to try  
10 to cross again with my family and ask for asylum in the United States. I declare  
11 under penalty of perjury under the laws of the United States of America that the  
12 foregoing is true and correct.

13 Executed on October 30, 2017 at Otay Mesa, California.

14  
15  
16 CERTIFICATION

17 I, Joseph De Leon, declare that I am fluent in the English and Spanish  
18 languages. On October 30, 2017, I read the foregoing declaration and orally  
19 translated it faithfully and accurately into Spanish in the presence of the declarant.  
20 After I completed translating the declaration, the declarant verified that the  
21 contents of the foregoing declaration are true and accurate.

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

24 Executed on October 30, 2017 at Otay Mesa, California.

25  
26 

27 Joseph De Leon

28 10-30-2017

Date

# Exhibit K



**DECLARATION OF** [REDACTED]

I, [REDACTED], hereby declare under the penalty of perjury pursuant to 28 U.S.C. § 1746:

1. I make this declaration based on my personal knowledge except where I have indicated otherwise. If called as a witness, I could and would testify competently and truthfully to these matters. Because I am scared for my safety, I am submitting this declaration using a pseudonym so I do not reveal my true identity.

2. I am a native and citizen of Mexico. I am 27 years old. I am currently in detention in the Otay Mesa detention center.

3. In March 2017, I fled my hometown, Guadalajara, Mexico because my sister had received a letter from a drug cartel known as the Jalisco Nueva Generacion ("JNG"). In the letter, JNG said that they were going to kill all of my sister's children, and that the government was going to help JNG follow them. I had also received a tip off from some of my deceased family member's friends that JNG had put out orders to hurt me and my family. Thereafter, I took my family to Puerto Vallarta where we were tracked down by the JNG almost as soon as we arrived. I then took my family to Tijuana where we attempted to seek asylum on four separate occasions.

4. As background, in February 2017, a family member went missing for several weeks. We looked for him throughout the city, and throughout various nearby cities as well. We asked family, friends, and acquaintances to see if anyone had seen him and searched jails and morgues throughout our state and nearby states. Ultimately, we never found him.

5. In March 2017, on my way to work, members of the JNG whom I recognized from childhood, stopped me and told me that JNG had sent out orders to hurt me and my family because we had been "snooping around". They also had stopped one of my brothers and told him the same thing. They also told us not to

1 go to the police, because JNG and the police were connected. My sister (who,  
2 along with me, had been leading the charge looking for our missing family  
3 member) then received a letter from JNG threatening to kill all her children. The  
4 implication is, obviously, that JNG is responsible for the disappearance of my  
5 missing family member.

6 6. After receiving these threats, I took my family to Puerto Vallarta,  
7 Mexico. Right away, the JNG followed us to Puerto Vallarta. Out of fear, we left  
8 Puerto Vallarta and flew to Tijuana, Mexico hoping to seek asylum at the San  
9 Ysidro Port of Entry. When we arrived in Tijuana, we immediately went to the  
10 San Ysidro Port of Entry.

11 7. I arrived at the San Ysidro Port of Entry with my family, which  
12 included my wife, children, my siblings, my siblings' children, and my cousin who  
13 was a United States Citizen. We walked up to the port of entry and approached an  
14 American immigration officer with a blue uniform. I told him that we were  
15 escaping our country out of fear and were looking for help. He told me that the  
16 United States did not want me and that my family had to leave. My cousin tried to  
17 talk to him in English and he told her that she could enter if she wanted but that he  
18 was not going to let the rest of us in.

19 8. As my cousin was talking to the officer, a second officer approached  
20 her and asked her what the problem was in English. The second officer then told  
21 my cousin that we had to go to the "new" port of entry. As he said this to my  
22 cousin, I noticed the first officer get frustrated and look at the second officer  
23 wondering why he told my cousin to go to the "new" port of entry (in contradiction  
24 of what the first officer had said).

25 9. As a family, we walked for twenty minutes over to the "new" port of  
26 entry and approached an American immigration officer. I told the officer that we  
27 were running away from the JNG because they were persecuting my family. The  
28 officer told us that we had to go report our situation to the Mexican authorities. He



1 directed us to an organization called INAMI. He told us that INAMI would give  
2 us a number, and with that number we could come back tomorrow and he would  
3 let us in. He also told us that another family had just come in with the same story  
4 and that they had gone to INAMI. Because I believed that to get asylum I had to  
5 go to INAMI, I took my family to INAMI.

6 10. When we arrived at INAMI, we soon realized that INAMI is part of  
7 the Mexican government. Because of my fear that INAMI would notify JNG  
8 about my family's whereabouts, we decided to leave the office. We had heard that  
9 JNG had infiltrated the police and government, and the quickness with which they  
10 had found us in Puerto Vallarta made me believe that was true.

11 11. My whole family stayed in a hotel in Tijuana for almost two months.  
12 We almost didn't go outside at all, except for a few times to get food. When we  
13 left, we left in small groups, trying not to be seen or recognized.

14 12. At the end of April my family and I were getting desperate and we  
15 were increasingly afraid that JNG would find us in Tijuana. We took taxis for over  
16 an hour to try to apply for asylum for the third time at the Tecate Port of Entry (my  
17 sister and nephew had joined us from Chihuahua where they had originally fled  
18 and where JNG had found them). We all approached an American immigration  
19 officer and told him that we were fleeing Mexico because we were being  
20 persecuted by drug traffickers. The officer never let us explain ourselves. He told  
21 us that they did not have space at that port of entry and that we had to go to San  
22 Ysidro. As he said this, he ushered us out the door. We returned to Tijuana.

23 13. My U.S. citizen cousin started asking around to see if anyone could  
24 help us. On May 5, 2017 I met an immigration attorney who said she would help  
25 us cross in a large group. On May 7, 2017, my family and I tried for a fourth time  
26 to cross at San Ysidro with a large number of asylum seekers. We were  
27 surrounded with media and lawyers.

28 14. We were each approached by an American immigration officer. They

1 first stripped us down to t-shirts and pants and asked us various preliminary  
2 questions. After the officers registered everyone, we were taken to a big room  
3 where officers had tables and computers. I sat down with an officer and he began  
4 asking me questions. He asked me who I was traveling with and I told him I was  
5 with my family, which included my wife, my children, my siblings, and my  
6 sibling's children. He repeated the question aggressively, and slammed the table.  
7 I then repeated my answer and he yelled at me saying that my siblings and their  
8 children are not my family. He told me that my family only included my wife and  
9 my children.

10 15. The next day we were all interviewed in a small room with various  
11 cubicles. My interview was conducted through a web-based messaging platform  
12 by a female Spanish-speaker. She could see my face on her computer but I could  
13 not see her face on the computer that was in front of me.

14 16. She asked me if I was scared and I told her that I was. Without letting  
15 me tell her why, she suggested her own narrative, stating that I was scared because  
16 I was going to be killed. Without asking me to provide any more detail, she asked  
17 me to confirm that I was scared because I was going to be killed. I agreed and  
18 tried to provide more detail to the story but she responded that this was not an  
19 asylum interview and that I needed to be very brief. She finally asked me if I was  
20 asking for work or asylum. When I told her asylum she told me that her country  
21 was not going to help me. She finished the interview with saying that I should not  
22 be there and she did not want to help but that it was her job to ask me those  
23 questions and she had to do it.

24 17. I have been in the Otay Mesa detention center since being transferred  
25 from the place I was held at the border. I have been in detention in the United  
26 States since May. I am waiting for my asylum proceedings. I will wait for my  
27 asylum proceedings and I want to stay in the United States because I fear for my  
28 life in Mexico. JNG will kill my family if we go back to Mexico. The last I spoke



1 to my family in Guadalajara, they told me that JNG was actively looking for my  
2 family. I declare under penalty of perjury under the laws of the United States of  
3 America that the foregoing is true and correct.

4 Executed on October 30, 2017 at Otay Mesa, California.

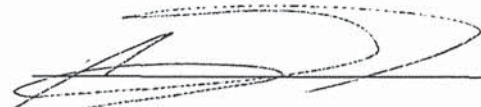
5 [REDACTED]  
6 [REDACTED]  
7 [REDACTED]

8 CERTIFICATION

9  
10 I, Joseph De Leon, declare that I am fluent in the English and Spanish  
11 languages. On October 30, 2017, I read the foregoing declaration and orally  
12 translated it faithfully and accurately into Spanish in the presence of the declarant.  
13 After I completed translating the declaration, the declarant verified that the  
14 contents of the foregoing declaration are true and accurate.

15 I declare under penalty of perjury under the laws of the United States of  
16 America that the foregoing is true and correct.

17 Executed on October 30, 2017 at Otay Mesa, California.

18  
19   
20 Joseph De Leon

10-31-17.  
Date



# Exhibit L

1                   **DECLARATION OF** [REDACTED]

2   I, [REDACTED], hereby declare under the penalty of perjury  
3   pursuant to 28 U.S.C. § 1746:

4           1.     I make this declaration based on my personal knowledge except where  
5   I have indicated otherwise. If called as a witness, I could and would testify  
6   competently and truthfully to these matters. Because I am scared for my safety, I  
7   am submitting this declaration using a pseudonym so I do not reveal my true  
8   identity.

9           2.     I am a native and citizen of Guatemala. I am 20 years old. I am  
10   currently in detention in the Otay Mesa detention center.

11          3.     In February, 2017, I fled Guatemala City because my mother had  
12   received a letter from a drug cartel called "Los Zetas." About 4 years before  
13   receiving the letter, my mother had been part of a sting operation with the  
14   Specialized Criminal Investigation Division known as the "DEIC," where one  
15   member of Los Zetas was ultimately captured and sentenced to 10 years in prison.  
16   Los Zetas also killed my father and drove us out of our home town. The letter said  
17   that they were going to find our family and kill us.

18          4.     As background, before receiving threats from Los Zetas, my family  
19   and I lived in Escuintla, Guatemala. My father had two convenience stores that he  
20   managed. On December 23, 2012, my father was managing one of the  
21   convenience stores when a customer pulled out a gun and killed him.

22          5.     Six months after my father's death, my mother received a call from  
23   stranger, who identified himself as a member of Los Zetas. My brother and I could  
24   hear the stranger yelling and swearing at my mother on the other line. He had  
25   asked my mother for 150,000 Quetzales. If she did not meet this demand, he had  
26   threatened to kill my two other siblings – whom he had identified with specific  
27   details – and leave me alive to "use" me. He also told my mother not to call the  
28   police because they were with Los Zetas. My family and I immediately left

1 Escuintla and went to live with my aunt in Guatemala City.

2 6. My mother cooperated with DEIC to help arrest the members of Los  
3 Zetas that had extorted our family. She was coached on how to execute the sting  
4 operation. Ultimately, she did a fake drop of the 150,000 Quetzales and DEIC was  
5 able to arrest and convict one of the members involved in the extortion.

6 7. After living with my aunt in Guatemala City for seven months, I  
7 received a call from a member of Los Zetas that said they knew where we lived  
8 and where we were hiding. In addition, around the same time, my sister had been  
9 followed by a motorcycle on her way home. Because of the fear that we were  
10 being followed by Los Zetas, my mother decided to move us to another  
11 neighborhood within Guatemala City. We eventually moved two more times  
12 within the city out of fear that we were being tracked down by Los Zetas.

13 8. In June 2013, my mother went back home to Escuintla and found a  
14 letter from Los Zetas in one of the convenience stores that my father had managed.  
15 The letter stated that wherever we were, they were going to find us and kill us for  
16 putting their friend in prison and that they didn't even want money anymore, they  
17 just wanted us dead.

18 9. Thereafter, my mother looked for help from the DEIC but they said  
19 that the case was closed and they could not be of service. My mother then went to  
20 various human rights organizations throughout Guatemala City but none of them  
21 could help us. My mother even wrote a letter to the President of Guatemala and  
22 his wife asking for help but received no response.

23 10. Out of options in Guatemala, in February 2017, I fled to Mexico with  
24 my brother, sister, grandmother, and mother. We obtained Mexican visas and a  
25 church group we were affiliated with helped us pay for plane tickets to Tijuana.  
26 We arrived in Tijuana on February 6, 2017. On February 10, 2017, the nephew of  
27 the pastor we had been staying with dropped us off at the San Ysidro Port of Entry  
28 He said he would wait to see if we made it through.



1           11.     We passed a Mexican officer, a group of American officers, and two  
2 doors. We were not stopped or spoken to until we got in line to show the  
3 American immigration officers our documents. When we arrived at the counter,  
4 the first thing my mother said to the male American officer was that we were  
5 requesting asylum. The male officer called a female American immigration officer  
6 out of her office and she came over to speak to us. The female officer looked  
7 towards us and told us to come towards her. The female officer then appeared to  
8 be yelling in English at the initial male officer who called her over. As the female  
9 officer was yelling, she physically pushed my mother out towards the exit saying  
10 that this wasn't the place for requesting asylum. The female officer pushed my  
11 mother, and we followed, towards a group U.S. officers at the doorway to the  
12 building.

13           12.     The U.S. officers said "oh, you have to go talk to the Mexican officers  
14 for asylum" and they directed us back to the male Mexican officer outside (who we  
15 had passed on our way in). He told us that he did not know anything and that we  
16 would have to go back to the beginning of the bridge to ask for help. We followed  
17 the Mexican officer's instructions and went to the beginning of the bridge where  
18 there was a little office. We went inside and asked for help. They told us that they  
19 were not sure why we had been sent there and they just gave us information on the  
20 organization Grupo Beta.

21           13.     After being turned away at the San Ysidro Port of Entry, we returned  
22 to the pastor's nephew who was waiting for us. He took us to the Salvation Army  
23 in Tijuana. We told them our story and they allowed us to stay there for up to three  
24 months. In addition, they also recommended a lawyer that we could ask for help.  
25 We contacted the lawyer and she recommended that we cross again with a large  
26 group of asylum seekers.

27           14.     On May 6, 2017, at around 5:00 p.m. we went to the San Ysidro Port  
28 of Entry for the second time, alongside about 70 other asylum seekers.

1           15. Unlike our first attempt of crossing, after our first interaction with an  
2 American immigration officer, they directed us to a large office where officers at  
3 small desks in an open room asked us basic questions processed our documents  
4 and took our fingerprints. I was then taken to a smaller office where I was given a  
5 small mat and a thin metallic blanket. At this point, I was separated from everyone  
6 in my family, except for my grandmother. At around midnight that same day, we  
7 were permitted to shower and brush our teeth.

8           16. On May 7, 2017, I had the opportunity to tell my story to the  
9 American officer. Because the officer that had been assigned to question me only  
10 spoke English, I spoke to someone on the phone in Spanish who then translated it  
11 into English to the officer. As I told my story, the officer in front of me began  
12 laughing as if everything I was telling him was fabricated. As he laughed, I started  
13 crying. He then wanted me to sign a document. I told him that my lawyer told me  
14 not to sign anything and he responded stating that I didn't have the right to a  
15 lawyer. Ultimately, I signed the papers.

16           17. Because the interviews were done in cubicles, I could overhear the  
17 officer interviewing my grandmother. This officer was similarly making fun of her  
18 as she told the officer why she was seeking asylum.

19           18. I have been in the Otay Mesa detention center since then. I have been  
20 in detention in the United States since May. I am waiting for my asylum  
21 proceedings. I will wait for my asylum proceedings and I want to stay in the  
22 United States because I fear for my life in Guatemala. Los Zetas will kill my  
23 family if we go back to Guatemala. I declare under penalty of perjury under the  
24 laws of the United States of America that the foregoing is true and correct.

25           Executed on October 30, 2017 at Otay Mesa, California.

26   
27   
28




CERTIFICATION

I, Joseph De Leon, declare that I am fluent in the English and Spanish languages. On October 30, 2017, I read the foregoing declaration and orally translated it faithfully and accurately into Spanish in the presence of the declarant. After I completed translating the declaration, the declarant verified that the contents of the foregoing declaration are true and accurate.

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

Executed on October 30, 2017 at Otay Mesa, California.

  
\_\_\_\_\_  
Joseph De Leon

\_\_\_\_\_  
10-30-2017  
Date

# Exhibit M

**DECLARATION OF** [REDACTED]

I, [REDACTED] declare as follows:

1. I make this declaration based on my personal knowledge except where I have indicated otherwise. If called as a witness, I could and would testify competently and truthfully to these matters.

2. I am a female Guatemalan national and was born in Guatemala. Until recently, I lived in Escuintla, Guatemala.

3. I left Guatemala because my family had received a letter from a drug cartel called "Los Zetas." About 4 years before receiving the letter, my family had been part of a sting operation with the Specialized Criminal Investigation Division known as the "DEIC," where one member of Los Zetas was ultimately captured and sentenced to 10 years in prison. Los Zetas also killed one of our family members and drove us out of our home town. The letter said that they were going to find our family and kill us. Because we feared for our lives, we decided to seek asylum in the United States.

4. In February 2017, we fled to Mexico. We obtained Mexican visas and a church group we were affiliated with helped us pay for plane tickets to Tijuana. We arrived in Tijuana on February 6, 2017.

5. On February 6, 2017, we arrived at the San Ysidro Port of Entry.

6. We passed a Mexican officer, a group of American officers, and two doors. We were not stopped or spoken to until we got in line to show the American immigration officers our documents. When we arrived at the counter, the first thing we told the male American officer was that we were requesting asylum. The male officer called a female American immigration officer out of her office and she came over to speak to us. She physically pushed one of my family members out towards the exit saying that this wasn't the place for requesting asylum. The female officer pushed my family member, and we followed, towards a group of U.S. officers at the doorway to the building.



1           7.     The U.S. officers said “oh, you have to talk to the Mexican officers  
2 for asylum” and they directed us back to the male Mexican officer outside (who we  
3 had passed on our way in). He told us that he did not know anything and that we  
4 would have to go back to the beginning of the bridge to ask for help. We followed  
5 the Mexican officer’s instructions and went to the beginning of the bridge where  
6 there was a little office. We went inside and asked for help. They told us that they  
7 were not sure why we had been sent there and they just gave us information on the  
8 organization Grupos Beta.

9           8.     After being turned away at the San Ysidro Port of Entry, we went to  
10 the Salvation Army in Tijuana. We told them our story and they allowed us to stay  
11 there for up to three months. In addition, they also recommended a lawyer that we  
12 could ask for help. We contacted the lawyer and she recommended that we cross  
13 again with a large group of asylum seekers.

14           9.     On May 6, 2017, we went to the San Ysidro Port of Entry for the  
15 second time, alongside about 70 other asylum seekers. On May 7, 2017, we were  
16 finally processed.

17           10.    I have been in the Otay Mesa detention center since then. I am  
18 waiting for my asylum proceedings and I want to stay in the United States because  
19 I fear for my life in Guatemala. Los Zetas will kill my family if we go back to  
20 Guatemala.

1 I declare under penalty of perjury under the laws of the United States of  
2 America that the foregoing is true and correct.

3 Executed on October 31, 2017 at Otay Mesa, California

4 [REDACTED]  
5 [REDACTED]  
6 [REDACTED]  
7 [REDACTED]  
8 [REDACTED]

9 **CERTIFICATION**

10  
11 I, Joseph De Leon, declare that I am fluent in the English and Spanish  
12 languages. On October 31, 2017, I read the foregoing declaration and orally  
13 translated it faithfully and accurately into Spanish in the presence of the declarant.  
14 After I completed translating the declaration, the declarant verified that the  
15 contents of the foregoing declaration are true and accurate.

16 I declare under penalty of perjury under the laws of the United States of  
17 America that the foregoing is true and correct.

18 Executed on October 31, 2017 at Otay Mesa, California

19 [REDACTED]  
20 [REDACTED]  
21 Joseph De Leon  
22 [REDACTED]  
23 [REDACTED]  
24 [REDACTED]  
25 [REDACTED]  
26 [REDACTED]  
27 [REDACTED]  
28 [REDACTED]

# Exhibit N



**DECLARATION OF** [REDACTED]

I, [REDACTED], declare as follows:

1. I make this declaration based on my personal knowledge except where I have indicated otherwise. If called as a witness, I could and would testify competently and truthfully to these matters.

2. I am a male Guatemalan national and was born in San Benito, Peten, Guatemala. Until recently, I lived in San Benito, Peten, Guatemala.

3. In 2016, I left Guatemala after I was the victim of several murder attempts.

4. I arrived in Tijuana, Mexico on November 12, 2016. I asked an attorney at the Migrant Shelter there for advice on how to request asylum in the United States. The attorney told me that I could request asylum from U.S. officials. The attorney said the U.S. officials would interview me and allow me to explain why I fled from Guatemala.

5. On or around November 20, 2016, I went to the San Ysidro port of entry with the intention of crossing to the United States to ask for asylum. I told the guards at the entrance into the United States that I wanted to request asylum in the United States. I thought the guards at the gate were U.S. immigration officials. The guards told me that in order to seek asylum, I had to first go through Grupos Beta.

6. The next day I went and found Grupos Beta. They told me that there were a lot of Haitians and that I would have to come back to Grupos Beta on January 20, 2017 to find out which date, if at all, I would get my interview with U.S. immigration officials. I reiterated the fact that I was fleeing murder attempts, but they told me that there were too many Haitians for them to help me. They told me they could only help the people that had obtained an exit visa from Mexico in Chiapas. They told me that I would have better luck if I turned myself in at the port of entry in San Luis Rio Colorado, Mexico.

1           7.     On or around November 25, 2016, I returned to the San Ysidro port of  
2 entry to seek asylum once again. I had learned that the guards I had spoken to last  
3 time were only private security, and not U.S. immigration officials. I told them  
4 again that I wanted to request asylum. The guards told me that I had to talk to  
5 Grupos Beta. I told them that I wanted to talk with U.S. immigration officials.  
6 The private security guard called a U.S. immigration official over. The U.S.  
7 immigration official also told us that we had to talk to Grupos Beta before seeking  
8 asylum into the United States.

9           8.     On or around November 30, 2016, I approached a Mexican  
10 immigration officer at the Chaparral port of entry in Tijuana, Mexico. The  
11 Mexican immigration official told me that I had to have an extra visa to be able to  
12 get an interview with U.S. immigration officials and ask for asylum. There was  
13 also a Honduran family present and the Mexican immigration official told them  
14 that if they wanted to obtain an exit visa they needed to go to Chiapas to get it.

15           9.     I have gone to the port of entry three more times since then to request  
16 asylum in the United States, and every time I have been denied entrance, turned  
17 away, and told that I have to get assistance from Grupos Beta to be able to speak  
18 with U.S. immigration officials and request asylum.

1 I declare under penalty of perjury under the laws of the United States of  
2 America that the foregoing is true and correct.

3 Executed on October 30, 2017 at Otay Mesa, California

4 [REDACTED]  
5 [REDACTED]  
6 [REDACTED]  
7 [REDACTED]

8  
9 **CERTIFICATION**

10  
11 I, Joseph De Leon, declare that I am fluent in the English and Spanish  
12 languages. On October 30, 2017, I read the foregoing declaration and orally  
13 translated it faithfully and accurately into Spanish in the presence of the declarant.  
14 After I completed translating the declaration, the declarant verified that the  
15 contents of the foregoing declaration are true and accurate.

16 I declare under penalty of perjury under the laws of the United States of  
17 America that the foregoing is true and correct.

18 Executed on October 30, 2017 at Otay Mesa, California

19 [REDACTED]  
20 [REDACTED]  
21 Joseph De Leon  
22  
23  
24  
25  
26  
27  
28



# Exhibit O

**DECLARATION OF** [REDACTED]

I, [REDACTED] hereby declare as follows:

1. I make this declaration based on my personal knowledge except where I have indicated otherwise. If called as a witness, I could and would testify competently and truthfully to these matters.
2. I am a male citizen of El Salvador. I am 27 years old.
3. I am currently in the United States seeking asylum because of persecution I suffered in my home country on account of my sexual identity and my status as an HIV+ person.
4. In El Salvador, I worked for an organization called "Jovenes Positivos de El Salvador," or "Positive Youth of El Salvador." Jovenes Positivos is a network of activists that works across Latin America to provide services and undertake advocacy for HIV+ youth.
5. In the two years that I worked at Jovenes Positivos de El Salvador, we worked to raise awareness of the plight of young people in El Salvador who were HIV+. When young people with HIV came to us or reached out for help, we would connect them to medical assistance and provide a safety net for them. Along with our direct service, we advocated for legal change to benefit people who are HIV+. Our clients were often young people who were afraid to talk to anyone else, and I took pride in the work we did.

1 6. In El Salvador, because of my sexual identity and my HIV+ status, I was  
2 threatened repeatedly. I finally decided to leave in 2016 after I was attacked  
3 by individuals in my neighborhood who had been threatening me with death  
4 because of who I was. They slashed me with knife and cut me badly in the  
5 nose. That was why I decided to flee. I left El Salvador and headed north,  
6 seeking a country where I could live without fear of persecution.  
7

8  
9 7. I eventually made my way to Tijuana, where I came into contact with a  
10 group called "Jardin de Mariposas", or Garden of Butterflies. They are a  
11 group that works with Lesbian, Gay, Bisexual, and Transgender (LGBT)  
12 individuals who are fleeing persecution and who need assistance. They  
13 helped me survive in Tijuana for the short period of time I was there.  
14

15  
16 8. On the night of January 2, 2017, I went to the port of entry at Otay Mesa  
17 with the intention of asking for asylum. I went along with four other people,  
18 three transgender women and another gay man, whom I had met on my trip  
19 through Mexico.  
20

21 9. Having read about the asylum process, I brought evidence of the  
22 persecution I suffered in El Salvador. This included photographs and  
23 documents that showed what had happened to me in El Salvador.  
24

25 10. We arrived at the Otay Mesa port of entry around 10:00 PM and got in line  
26 with other people waiting to enter the United States.  
27  
28



1 11. When we entered the border crossing area, I was in the front of my group. I  
2 saw a U.S. Customs and Border Protection official waiting behind a  
3 computer. He called me up and asked why I was coming to the United  
4 States. I told him that I wanted to apply for asylum.  
5

6 12. Immediately, when I told the official that I wanted to apply for asylum, I  
7 saw him look behind me and stare at the people I had come with. He asked  
8 how many people were with me. I told him there were five of us.  
9

10 13. The official didn't respond immediately, but then instructed all of us to  
11 come forward in a group. When we had gathered together, he then pointed  
12 to the door marked "Exit" and told us that we needed to walk that way.  
13

14 14. I asked the official why he wanted us to leave, and he told me that CBP  
15 officials no longer process asylum cases at Otay Mesa and that we had to go  
16 to the San Ysidro port of entry if we wanted to ask for asylum.  
17  
18 Unfortunately, I believed him.  
19

20 15. After we left the Otay Mesa port of entry, we made our way to San Ysidro  
21 port of entry and arrived there around 10:30-11:00PM. As we made our way  
22 across the bridge, I saw a number of people who looked like soldiers  
23 carrying guns, which made me somewhat nervous. However, we crossed  
24 quickly because there were very few people in line at that time of night.  
25  
26  
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1 16. Once our group made it to the front of the line, there were a number of U.S.  
2 immigration officials at computers. I was once again at the front of my  
3 group, and so I went ahead first and presented myself to a U.S. immigration  
4 official.  
5

6 17. This official asked me why I was coming to the United States. I told him  
7 that I had come with a group of individuals and we wanted to seek asylum.  
8

9 18. The official looked at me closely, shook his head, gave my documents back  
10 to me, and told me that they were not accepting asylum applications at San  
11 Ysidro, and that I needed to go to Otay Mesa where they were accepting  
12 asylum applications.  
13

14 19. At that point, I realized that the officials at both ports of entry had lied to  
15 me. The Otay Mesa official told me that I had to apply at San Ysidro and  
16 the San Ysidro official told me I had to apply at Otay Mesa. I knew that they  
17 were not going to allow me to cross and ask for asylum.  
18  
19

20 20. When the San Ysidro official ordered me to leave the port of entry, I  
21 refused. Feeling that I had no other choice if I wanted to escape persecution,  
22 I stepped forward and walked past the San Ysidro official at his computer.  
23

24 21. Immediately, a guard grabbed me, shoved me up against the wall, and  
25 placed his hand on my throat to hold me in place. This man was much bigger  
26  
27  
28

1 than me. I struggled in shock for a moment, and then the guard threw me to  
2 the floor.

3  
4 22. Multiple other officers, I don't know how many, came running over. In the  
5 moments that followed, the officers struck and kicked me as I lay on the  
6 floor. I was crushed against the floor. One officer even put his boot on my  
7 face and pushed my head against the ground.  
8

9 23. While this was happening, I saw that one of the transgender women I had  
10 come with had also crossed over the line past the computers. When I looked  
11 up, I saw that she had been thrown to the ground as well and a guard was  
12 physically dragging her back into Mexico by her legs. I do not know exactly  
13 what happened to her that night.  
14  
15

16 24. After a moment I felt my hands pulled behind my back. I felt an official  
17 shove his knee hard into my back and yank my arms upwards. He started to  
18 pull my body by my arms.  
19

20 25. At that moment another U.S. official, who appeared to be a supervisor,  
21 came running into the room. He shouted something in English at the people  
22 holding me. One of the officials who spoke Spanish told me that I was going  
23 to be arrested instead of just pulled out of the port of entry and sent back to  
24 Mexico. Someone then put handcuffs on me, pulled me to my feet, and took  
25 me inside the building where the port of entry was.  
26  
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28



1 26. Over the next few hours, I was fingerprinted and had my picture taken. The  
2 officials looked through my documentation and told me I had to go back to  
3 Mexico. Then, they found the HIV medication that I carried with me. When  
4 they questioned me about it, I disclosed that I am HIV+. When I disclosed  
5 this information, I noticed a change in the attitude and behavior of the  
6 official processing me.  
7

8  
9 27. I was then placed in a cell with a large sign above the door that read "HIV  
10 Positive & Transgender." As someone who has been persecuted because of  
11 his sexual identity, to have that very private information shared with  
12 everyone in the detention center made me very worried.  
13

14 28. In total, I was held at the San Ysidro port of entry for sixteen days. On the  
15 third day I was there, I was surprised to see the officials bring into my cell  
16 one of the transgender women who was with me at both the Otay Mesa and  
17 San Ysidro ports of entry.  
18

19  
20 29. I asked what had happened to her. She said that after I was arrested, the rest  
21 of our group was forced to leave the San Ysidro port of entry. None of them  
22 were allowed to apply for asylum. She waited until two days later, and then  
23 presented herself a second time at the port of entry. Like me, they did not  
24 allow her to apply for asylum, and like me she had to step over the line  
25 before they took her into custody. When she arrived, I noticed that she had a  
26  
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28

1 large bruise on her neck. When I asked her what had caused the bruise, she  
2 told me that it was caused by an immigration official's boot.

3  
4 30. After sixteen days, I was transferred to the Otay Mesa detention center. At  
5 Otay Mesa, I had a credible fear interview, and got a positive credible fear  
6 decision. After a number of months, I was released from detention. My  
7 asylum case is currently pending in Washington, DC.  
8

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16  
17 I declare under penalty of perjury under the laws of the United States of America  
18 that the foregoing is true and correct.  
19

20 Executed on November 6, 2017 at Washington, DC  
21  
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28

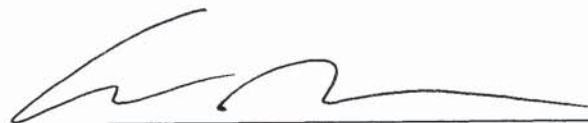
[Redacted Signature]

**CERTIFICATION**

I, Aaron Reichlin-Melnick, declare that I am fluent in the English and Spanish languages. On November 3, 2017, I read the foregoing declaration and orally translated it faithfully and accurately into Spanish in the presence of the declarant. After I completed translating the declaration, the declarant verified that the contents of the foregoing declaration are true and accurate.

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

Executed on November 6, 2017 at Washington, DC.

  
\_\_\_\_\_  
Aaron Reichlin-Melnick