



February 6, 2019

The Honorable Kirstjen M. Nielsen  
Secretary, Department of Homeland Security  
3801 Nebraska Ave. NW  
Washington, D.C. 20016

Submitted via email: [DHSSecretary@hq.dhs.gov](mailto:DHSSecretary@hq.dhs.gov)

**RE: Substantial Evidence Demonstrating Catastrophic Harms That Will Befall Migrants in Mexico with Continued Implementation and Further Expansion of Migrant Protection Protocols**

Dear Secretary Nielsen:

The Department of Homeland Security (DHS) recently announced implementation of the “Migrant Protection Protocols” (MPP), a deeply troubling policy that prevents asylum seekers from entering the United States by forcing them to remain in Mexico pending their request for protection.<sup>1</sup> The Dilley Pro Bono Project (DPBP) submits this letter to express its grave concern over the impact the MPP will have on the due process rights and well-being of migrants.<sup>2</sup> The DPBP is well-positioned to understand this impact. Since Spring 2015, the DPBP has provided legal services to tens of thousands of asylum-seeking mothers and their children detained in the South Texas Family Residential Center (STFRC) in Dilley, Texas—many of whom recently crossed the U.S. border from Mexico seeking humanitarian relief.

<sup>1</sup> January 28, 2019 Policy Memorandum, Guidance for Implementing Section 235(b)(2)(C) of the Immigration and Nationality Act and the Migrant Protection Protocols, PM-602-0169.

<sup>2</sup> The Dilley Pro Bono Project (formerly the CARA Pro Bono Project) is an initiative of the American Immigration Lawyers Association (AILA), the American Immigration Council, Catholic Legal Immigration Network, Inc. (CLINIC), and other partners.

The MPP represents a unilateral decision by the U.S. government that threatens to jeopardize meaningful access to asylum and other humanitarian protections under our immigration laws. For example, applicants forced to remain in Mexico for months or longer will find it especially difficult—if not impossible—to have access to counsel familiar with U.S. immigration and asylum laws, to file necessary paperwork in a timely manner, and to secure evidence to demonstrate their claims for asylum or other relief.

Equally important, and of great concern to the DPBP, the MPP will exacerbate a humanitarian crisis on our southern border in a way that is entirely avoidable. DPBP details below the great risks that asylum seekers subject to the MPP will face.

Quite simply, Mexican border towns are not safe places for asylum seekers—much less vulnerable unaccompanied children and families—to wait for a U.S. immigration court hearing. U.S. law has adopted the international legal principle of *non-refoulement*, which requires that governments do not return individuals to a country where their life or freedom would be threatened.<sup>3</sup> Importantly, this mandate refers to *any* country where an individual's life or freedom may be at risk, not just a person's country of origin. For this reason, current conditions in Mexico are extremely relevant to any analysis of the appropriateness and legality of implementing the MPP.

The MPP could potentially affect thousands of people, including many vulnerable individuals and children. Enclosed, you will find the first-hand testimonies of ten families whose sworn declarations attest to the violence and harm—including rape, beatings, kidnappings, and ransom—they faced on the Mexican side of our southern border. The DPBP also presents the results of 500 surveys completed by recent border arrivals conducted since January 16. Alarming, we found that:

- 90.3% of respondents said that they did not feel safe in Mexico.
- 46% of respondents reported that they or their child experienced at least one type of harm while in Mexico.
- 38.1% of respondents stated that Mexican police mistreated them.

#### Increasing Levels of Violence and Instability in the Mexico Border Region

The violence and instability that migrants face on the Mexican side of the U.S.-Mexico border is well-documented. Some regions of the U.S.-Mexico border are considered by the State

<sup>3</sup> UNHCR, States Parties to the 1951 Convention relating to the Status of Refugees and the 1967 Protocol, <https://www.unhcr.org/protection/basic/3b73b0d63/states-parties-1951-convention-its-1967-protocol.html>

Department to be among the most dangerous locations in the world. For example, the border state of Tamaulipas, through which tens of thousands of asylum seekers travel each year on their way to the United States, has been designated a Level 4 “Do Not Travel” risk by the State Department.<sup>4</sup> As of January 2019, only 12 countries in the world are designated at Level 4, including Afghanistan, North Korea, Syria, and Yemen.<sup>5</sup>

The State Department has also documented numerous risks to Central American migrants in Mexico. In the 2017 Country Report on Human Rights Practices for Mexico, the State Department listed “violence against migrants by government officers and organized criminal groups” as one of the “most significant human rights issues” in Mexico.<sup>6</sup> The report also lists major threats to migrants from kidnappings and homicides. These threats come not just from Mexican criminal organizations and corrupt government officials, but also from the very organizations that many Central American migrants are fleeing. As the State Department observed, “Central American gang presence spread farther into the country [in 2017] and threatened migrants who had fled the same gangs in their home countries.”<sup>7</sup>

Tijuana—the Mexican city where the MPP has first been implemented—was the site of 2,518 murders last year, a record high and nearly seven times the total in 2012.<sup>8</sup> Last year, the State Department’s Overseas Security Advisory Council observed that “Tijuana is an important and lucrative location for Transnational Criminal Organizations, narco-traffickers, and human smuggling organizations,” and that in 2017, the state of Baja California saw an overall 84% increase in murders.<sup>9</sup> Not surprisingly, many asylum seekers have already suffered significant violence while being forced to wait in Tijuana; in December 2018, two Honduran children were murdered while forced to wait—due to the unlawful practice of metering—their turn to request asylum at the San Ysidro Port of Entry.<sup>10</sup>

<sup>4</sup> U.S. Dep’t of State, Bureau of Consular Affairs, *Mexico Travel Advisory*, TRAVEL.STATE.GOV, November 15, 2018, <https://travel.state.gov/content/travel/en/traveladvisories/traveladvisories/mexico-travel-advisory.html>.

<sup>5</sup> U.S. Dep’t of State, *Travel Advisories*, TRAVEL.STATE.GOV (last accessed Feb. 5, 2019), <https://travel.state.gov/content/travel/en/traveladvisories/traveladvisories.html/>.

<sup>6</sup> U.S. Dep’t of State, *Country Reports on Human Rights Practices for 2017: Mexico* (2018), available at <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2017&dliid=277345>.

<sup>7</sup> *Id.*

<sup>8</sup> Kate Linthicum, *Meth and murder: a new kind of drug war has made Tijuana one of the deadliest cities on Earth*, L.A. Times (January 30, 2019), available at: <https://www.latimes.com/world/mexico-americas/la-fg-mexico-tijuana-drug-violence-20190130-htmistory.html>.

<sup>9</sup> U.S. Dep’t of State, Bureau of Diplomatic Security, *Mexico 2018 Crime and Safety Report: Tijuana, United States*, OSAC.gov, <https://www.osac.gov/pages/ContentReportDetails.aspx?cid=23376> (last accessed Feb. 4, 2019).

<sup>10</sup> Wendy Fry, *Two migrant caravan teens killed in Tijuana*, The San Diego Union-Tribune (Dec. 18, 2018), available at <https://www.sandiegouniontribune.com/news/border-baja-california/sd-me-migrant-children-killed-12182018-story.html>. See generally *Al Otro Lado, Inc. v. Nielsen*, No. 3:17-cv-02366-BAS-KSC (S.D. Cal. File July 12, 2017) (class action litigation challenging the turning away of asylum seekers at ports of entry along the U.S.-Mexico border).

## Evidence of Harm To Asylum Seekers In Mexico

The DPBP has documented the great risks faced by female asylum seekers traveling through Mexico to the United States. Five hundred female asylum seekers detained with their minor children at the STFRC responded in writing in Spanish to a survey disseminated by the DPBP. All detained families doing a legal services intake with the DPBP between January 16 and January 29, 2019, were presented with the opportunity to complete the survey, but were advised that survey participation was optional. Participants were instructed to limit their answers to what they had experienced and witnessed while traveling through Mexico on their way to the United States. Of the respondents, 54.6% were Honduran, 27.4% Guatemalan, 15.5% Salvadoran, and 2.5% from other Latin American countries. Furthermore, 93.3% of respondents were native Spanish speakers, while the remainder were native speakers of Mayan languages with Spanish as their second language.

Overall, the asylum seekers reported overwhelmingly that Mexico was a dangerous place for them and their children: 90.3% of respondents said that they did not feel safe in Mexico, and 46% reported that they or their child experienced at least one type of harm while in Mexico, with some reporting multiple types of harm.

- Robbery or attempted robbery (32.8%)
- Threats (17.2%)
- Physical Harm (12.6%)
- Kidnapping or attempted kidnapping (5.1%)
- Sexual assault (2%)

Many respondents also reported fearing for their safety in Mexico because they had witnessed incidents of harm that happened to others: 48% of respondents reported that they witnessed at least one type of harm to another person while in Mexico.

- Robbery or attempted robbery (29.4%)
- Threats (20.4%)
- Physical Harm (17.2%)
- Kidnapping or attempted kidnapping (7.2%)
- Sexual assault (6.3%)

Furthermore, asylum seekers reported that not only did the Mexican government fail to protect them from these dangers, but government officials were often the perpetrators of crimes against

migrants: 38.1% of respondents stated that a Mexican official mistreated them in at least one way.

- Demanded bribes (28.2%)
- Verbal intimidation (18%)
- Made them feel uncomfortable (15.5%)
- Threatened them (9.5%)
- Harmed them physically or sexually (1.5%)

#### First-Hand Accounts of Violence Faced by Asylum Seekers in Mexico

Additionally, ten mothers detained at the STFRC who took part in the survey also provided detailed sworn statements regarding the harm they experienced in Mexico. They provided first-hand accounts of the grave violence encountered by vulnerable asylum seekers, which could befall thousands of migrants if MPP implementation continues and is expanded. These statements are representative of the hundreds of examples reported in the above survey. Pseudonyms are used in the following case summaries for the safety of the participants. Complete pseudonymized statements are also included in the attached Appendix.

**Rape and Threats to Her Child** – *Concepción* fled through Mexico from Honduras. While traveling through Mexico, a cartel member grabbed her while she lay in bed with her 5-year-old son and raped her. She recounts: “He threatened me, saying he would kidnap me to sell me in prostitution and would take my child to sell his organs if I did not have sex with him. He said that he had connections in the Gulf Cartel [and] that white women like me sold the best, and that children’s organs also sold very well.” She does not trust that Mexican police would protect her from this type of harm because they required bribes of her and other migrants, and strip searched those who did not pay.

**Kidnapped and Sold by Police and Held for Ransom** – *Aracely* and *Fatima* fled Mexico separately with their 4-year-old daughter and 6-year-old son, respectively. They were both kidnapped by Mexican police a few days apart and sold to a cartel who held them for ransom. *Aracely* reported: “A man told us that they were from a cartel and that everything would be fine if our families paid the ransom. They took everything we had and they made us call our families and have them send \$7,000 dollars [for each of us]. I heard the men saying that . . . the police who guard the river, had sold us to them.” *Fatima* stated: “We saw some people there who had been beat up. I saw a man whose whole face and arm were bruised and swollen, and he was vomiting blood . . . . My son has been

shaking and can't sleep because of what happened to us. He frequently tells me that he is still afraid."

**Sexual Assault and Police Extortion** – While fleeing from Honduras through Mexico, *Viviana* was sexually assaulted on three occasions while sleeping with her 10-year-old son next to her. She stated: "I didn't have anywhere else to go to be safe, and I didn't feel that I could ask for help from the Mexican police because every time we took a bus, they demanded money. If a woman didn't have money, they would tell her that they were going to deport her and take her child."

**Sexual Assault** – *Maybelin* and her 2-year-old daughter were persecuted in her native Guatemala due to her membership in an indigenous group. On her way to safety in the United States, she was repeatedly sexually assaulted at a house in Mexico where she was staying. She recalls: "I felt that I could not leave that unsafe situation, because I had nowhere to go in Mexico, and I had heard that the Mexican police did not protect migrants and might even deport me back to danger in Guatemala." She therefore had to continue staying there until she could enter the United States.

**Sexual Harassment and Threats of Sexual Violence** – *Ximena* is a Mexican woman fleeing sexual assault and threats with her 10-year-old daughter and 12-year-old son. Despite presenting herself at two ports of entry and telling U.S. immigration officials that she was afraid to stay in her home country of Mexico, the U.S. officials forced her and her children to wait 20 days to enter the United States. They had nowhere to sleep and had very limited access to food but had to leave a migrant shelter after three nights due to sexual harassment there and fear of sexual violence to Ximena or her children. Ximena says: "I was afraid . . . knowing that the gang has ties to the larger Sinaloa cartel with connections throughout the country. I felt that we were in danger for every moment we were still in our country."

**Extortion and Death Threats by Mexican Police** – *Luisa* escaped gang threats in El Salvador with her 15-year-old daughter. While traveling through Mexico, they were forced to pay the Mexican police three times. The final time, they didn't have the amount of money the police demanded. She states: "They grabbed my daughter, who was crying, and took her off the bus. Then they order[ed] me to get off the bus in the middle of nowhere. The uniformed men said to give them 7,000 pesos for each of us or we would both die there. The men said that if we didn't pay, he would tell the driver to leave and we would be kidnapped and killed."

**Extortion and Threats to Children by Mexican Police/Witnessed Sexual Assault** – *Carolina* fled Guatemala with her 9-year-old son, her sister, and her nephew. She was extorted and threatened twice by armed Mexican federal police. During one of these incidents, the police entered a house in which she was staying. She reports: “The officers were wearing black uniforms, bullet-proof vests, with their faces covered except for their eyes . . . . They said that if we did not pay, they would take our children from us and tie and lock them up.” *Carolina* and her son then witnessed the sexual assault of another woman who did not have enough money to pay.

**Witnessed Extortion/Threats/Apprehension by Mexican Police** – *Belkis* fled domestic violence in Guatemala with her 11-year-old son. She was terrified her husband was following them and could find them in Mexico, and felt she would only be safe from him once she arrived to the U.S. One day, the Mexican state police approached them in a group of about 40 migrants, and randomly selected 26 people to go with them on a bus. They said that they would extort those migrants’ families and beat them, including the children, if the families did not cooperate. *Belkis* says: “The people were crying, and begging God for help. The officials ordered them onto the bus. I do not know what happened to those people.”

**Attempted Kidnapping** – *Valery* escaped domestic violence in Honduras to seek asylum in the United States with her 10-year-old son. On her way through Mexico, they narrowly escaped attempted kidnapping by two unknown men, who tried to force a group of migrants they were a part of into a car. She states: “I felt unsafe the entire time I was traveling [in Mexico]. I knew that the threat of kidnapping was real because I had seen it happen before. Once, . . . a car pulled up next to a young woman . . . [a man] forced a woman into a car while she screamed . . . . I do not know what happened to her.”

## Conclusion

The inaccurately-named “Migrant Protection Protocols” will do nothing to actually protect migrants; instead, they force asylum seekers at our southern border to wait in unquestionably precarious and dangerous circumstances like those experienced and recounted herein. We urge you to terminate the MPP immediately and ensure that asylum seekers are provided meaningful access to safe, timely, and fair adjudication of their requests for protection. U.S.-based hearings should be complemented by increased access to the U.S. Refugee Program from within the region, particularly for vulnerable populations and children.

If you have any questions or require any additional information, please contact Katie Shepherd, National Advocacy Counsel at the American Immigration Council at [KShepherd@immcouncil.org](mailto:KShepherd@immcouncil.org) or Leidy Perez-Davis, Policy Counsel at the American Immigration Lawyers Association (AILA) at [LPerez@aila.org](mailto:LPerez@aila.org).

Sincerely,

THE AMERICAN IMMIGRATION COUNCIL

THE AMERICAN IMMIGRATION LAWYERS ASSOCIATION

CATHOLIC LEGAL IMMIGRATION NETWORK, INC.



APPENDIX - Pseudonymized Declarations

1. Declaration of *Concepción*
2. Declaration of *Aracely*
3. Declaration of *Fatima*
4. Declaration of *Viviana*
5. Declaration of *Maybelin*
6. Declaration of *Ximena*
7. Declaration of *Luisa*
8. Declaration of *Carolina*
9. Declaration of *Belkis*
10. Declaration of *Valery*

## Declaration of Concepcion

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 **Concepcion**. I was born on [REDACTED] in Honduras. I am currently detained in the South Texas Family Residential Center with my 5-year-old son.
2. We fled Honduras to seek asylum in the United States. While we were traveling through Ocosingo, Chiapas, Mexico, two men allowed us and sleep in their house with three other women and four other children. I was afraid but had nowhere else to go to avoid sleeping in the street with my young son.
3. One of the men, was called El Colocho, and was about 23 years old. While I was lying down with my son next to me, he grabbed me and said I would have sex with him whether or not I wanted to. I told him no, but he threatened me, saying he would kidnap me to sell me in prostitution and would take my child to sell his organs if I did not have sex with him. He said that he had connections in the Gulf Cartel white women like me sold the best, and that children's organs also sold very well. Then he raped me.
4. Later, when we were traveling on a bus close to the border, we stopped at a checkpoint on the road. Mexican police got on the bus and forced those who didn't have Mexican documents to get off the bus and go into an office and pay 200 pesos. I paid but those who refused had to take off all their clothes and the police took whatever money they found. Because of these two incidents, I am afraid to be in Mexico and do not trust the police for protection.

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 read back to me word for word in Spanish, a language in which I am fluent.

[REDACTED]  
Signature

2/1/19  
Date

I, Katherine Murdz, certify that I am proficient in both Spanish and English. I read the declaration above in its entirety to [REDACTED] in Spanish.

Katherine Murdz  
Signature

2/1/19  
Date

## Declaration of Aracely

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 **Aracely**. I was born on [REDACTED] in Honduras. I am currently detained in the South Texas Family Residential Center with my 4-year-old daughter.
2. My daughter and I fled Honduras to seek asylum in the United States. We arrived in Reynosa, Mexico. On or around January 24, 2019 around 1:30 PM, we were waiting in a house with other migrants near the river. Four Mexican police officers in black uniforms broke the door down. They stayed for two hours, making phone calls. They told us they were going to take us to a better place where we would eat well and then we could cross the river.
3. The police told us to leave the house in a line with our heads down. It was night and we couldn't see. I believed the worst, that they were going to kill us. A bus arrived and took us about two hours and a half away to a mountain. The police stayed behind and there were other men on the bus.
4. We passed through a wall and were put in small houses. We saw many terrible things. There were some young men had been beat up very badly. We were only not beat like that because we obeyed everything we were told to do.
5. A man told us that they were from a cartel and that everything would be fine if our families paid the ransom. They took everything we had and they made us call our families and have them send \$7,000 dollars each for. I heard the men saying that the "Negros Politanos", the police who guard the river, had sold us to them.
6. We waited various hours until my relative was able to pay the \$14,000 ransom for my daughter and me. I was afraid they would hurt my daughter. We were taken to another place to sleep and then were allowed to cross the river the next day.

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

2/4/19

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].

Katherine Murdza

Signature

2/4/19

Date

### **Declaration of Fátima**

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 Fatima . I was born on [REDACTED] in Honduras. I am currently detained in the South Texas Family Residential Center with my 6-year-old son.
2. I fled Honduras and traveled through Mexico to find safety in the United States and arrived at the border in Reynosa, Mexico. On or around January 21 or 22, 2019, my son and I went to a building near the river to wait to cross to the United States. There were about 25 other migrants there.
3. About 10 police officers with black uniforms arrived and broke down the door. Their faces were covered except for their eyes. All of the migrants were crying. The police told us we were going to help us. After about half an hour, a bus arrived. They yelled at us to hurry up and get on. The bus took us to a hill. The bus ride felt like less than an hour but I'm not sure because I was so afraid.
4. We arrived around 3 p.m. The men there said they were from a cartel. They said if our ransom wasn't paid we would be killed, while gesturing as if they were cutting off their heads. We saw some people there who had been beat up. I saw a man whose whole face and arm were bruised and swollen, and he was vomiting blood.
5. They forced us to crouch behind a wall all night and would not let us stand up. One of the men said that the Polinegros had sold us to their cartel. The men from the cartel said they were going to kill us. They said they were going to search us for phone numbers. I tore up all the phone numbers I had except one, because I was afraid my mother would have a heart attack if they called her. I gave them one phone number and I do not know if they called that person.
6. The next day around 1 p.m. they released the whole group. My son has been shaking and can't sleep because of what happened to us. He frequently tells me that he is still afraid.

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 read back to me word for word in Spanish, a language in which I am fluent.

[REDACTED]  
Signature

2/4/19  
Date

I, Katherine Murdza, certify that I am proficient in both Spanish and English. I read the declaration above in its entirety to [REDACTED] in Spanish.

KRM Murdza  
Signature

2/4/19  
Date

## Declaration of Viviana

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 **Viviana** . I was born on [REDACTED] in Honduras. I am currently detained in the South Texas Family Residential Center with my 10-year-old son.
2. My son and I fled Honduras and traveled through Mexico to get to the United States. In Puebla, Mexico, we slept for four nights on the floor with three other migrant women. Three times when I was sleeping with my son next to me, a Mexican man who was supposed to be guarding us entered the room and touched me sexually. I woke up but was so afraid that I pretended to be asleep. Two other women told me that this happened to them there too. We finally started sleeping all together hugging each other to try to protect each other.
3. I didn't have anywhere else to go to be safe, and I didn't feel that I could ask for help from the Mexican police because every time we took a bus, they demanded money. If a woman didn't have money, they would tell her that they were going to deport her and take her child.



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 read back to me word for word in Spanish, a language in which I am fluent.

[REDACTED]  
Signature

2/4/19  
Date

I, Katherine Murdza, certify that I am proficient in both Spanish and English. I read the declaration above in its entirety to [REDACTED] in Spanish.

KER Murdza  
Signature

2/4/19  
Date

## Declaration of **Maybelin**

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 **Maybelin**. I was born on [REDACTED] in Guatemala. I am currently detained in the South Texas Family Residential Center with my 2-year-old daughter.
2. My daughter and I fled death threats from the gang in Guatemala and traveled through Mexico to seek asylum in the U.S. I did not feel safe in Mexico. I reached the border town of Reynosa, but did not know how to cross the border and was waiting to find people who could help me. I was out of money and did not have anywhere to sleep with my daughter.
3. I talked to some people in the market who said I could go clean their house. I lived there for a week. The husband, wife, and son all yelled at each other and hit each other, which terrified my daughter. They frequently insulted my daughter, calling her hunger-stricken and homeless.
4. While staying in that house, a man would touch my thighs and butt while I was sleeping. He would also come into the bathroom while I was showering and pull aside the shower curtain to watch me. I felt that I could not leave that unsafe situation, because I had nowhere to go in Mexico, and I had heard that the Mexican police did not protect migrants and might even deport me back to danger in Guatemala.

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 read back to me word for word in Spanish, a language in which I am fluent.

[REDACTED]

Signature

1/23/19  
Date

I, Katherine Murdza, certify that I am proficient in both Spanish and English. I read the declaration above in its entirety to [REDACTED] in Spanish.

KRM Murdza  
Signature

1/23/19  
Date

## Declaration of Ximena

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 **Ximena**. I was born on [REDACTED] in Mexico. I am currently detained in the South Texas Family Residential Center with my 10-year-old daughter and 12-year-old son.
2. My children and I fled sexual assault and threats of further harm from a gang in Guerrero, Mexico to seek asylum in the United States. I was afraid while traveling through Mexico, knowing that the gang has ties to the larger Sinaloa cartel with connections throughout the country. I felt that we were in danger for every moment we were still in our country.
3. When we arrived in Piedras Negras, Mexico on approximately December 30, 2018, we presented ourselves at the port of entry into Eagle Pass, Texas to seek asylum. One male and one female U.S. immigration official told us that we could not pass until it was our turn and that we had to find a man called *Licenciado* Mauro Ornelas to add our names on the list. They could not provide any contact information for Mauro. No one was allowed to take even one step over the line from Mexico into the United States.
4. We asked all around town for Mauro for several days. Everyone seemed to know him, and we could find him on Facebook, but no one would give us a phone number. One day, I was waiting at the port of entry and the officials allowed a couple to enter. Mauro arrived very angry with a family that he said was supposed to be next on the list. He told the officials that there were rules and that they had an agreement, and that they had to follow the list. The family that arrived with Mauro was not allowed to enter that day.
5. This incident finally gave us the opportunity to talk to Mauro. I do not know if he was affiliated with a particular organization or agency but he seemed to speak Spanish like a Mexican. I told him our names, our birth dates, our place of origin, and photos of us. Mauro told me that I would be number 126 on the list. He brought me to a shelter, where I was told I could stay for 3 days. I could renew my time with Mauro's confirmation that I was still waiting for it to be my turn on the list.
6. Two families were sleeping on the bridge despite the very cold weather, because they hoped it would let them enter the U.S. more quickly, but it did not change their position on the list. I went to the shelter because I didn't want my children to be unsafe sleeping in the street like many other migrants were doing, but I quickly became uncomfortable there. There was a man who made sexual comments to me. I was worried about what this man would do to me or my children, as I had already experienced sexual violence at home. My son had to sleep in a different room for adolescent boys so I could not watch him carefully. Because of this situation, I left the shelter after three days to try to find a safer place for my family.

7. I asked all over town for shelter, and finally found a church that would take us in. My sister who is receiving us in the United States had already budgeted costs for our travel, and did not have extra money to send us for the time we were waiting in Piedras Negras. It was difficult for us to afford food.
8. People asked me if I wanted to cross the river with them instead of entering the bridge, but I was very afraid for my children. I talked to a woman who had tried to cross the river because of the long wait at the port of entry, but the man helping her abandoned her and her children in the middle of the river. She almost drowned, but barely made it back to the Mexican side of the river.
9. I took a bus for about an hour and twenty minutes to another port of entry in Ciudad Acuña. There I was allowed to walk across the whole bridge and arrive onto the American side where the U.S. immigration officials have their offices. They also said I had to put my name on a list. There, the list was managed by Grupo Beta agents, who had an office right near the bridge. People waiting there told me they had been waiting for up to two months. I put my name on that list as number 90.
10. Finally, after twenty days waiting, Mauro told me my number was going to be called at the first bridge I went to. My children and I were able to enter the port of entry. During each of those twenty days, I was afraid that my persecutors could find me at the border. Mauro knew that I was a Mexican fleeing Mexico, and neither he nor the immigration officials ever asked me if I was afraid to wait in Mexico.

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 read back to me word for word in Spanish, a language in which I am fluent.

\_\_\_\_\_  
[REDACTED]  
Signature

1/23/19  
Date

I, Katherine Murdza, certify that I am proficient in both Spanish and English. I read the declaration above in its entirety to [REDACTED] in Spanish.

KRM Murdza  
Signature

1/23/19  
Date

## **Declaration of Luisa**

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 **Luisa**. I was born on [REDACTED] in El Salvador. I am currently detained in the South Texas Family Residential Center with my 15-year-old daughter.
2. My daughter and I fled death threats from the gang in El Salvador. We traveled through Mexico as we thought seeking asylum in the United States was our only opportunity for safety. We traveled in fear because three times, officials came onto our bus demanding money. Each time, people on the bus would whisper “the officials are coming”. The men would demand that we give them money or they would take us off the bus. The first two times the men were wearing orange shirts and beige pants.
3. The third and worst time was on the last leg of the trip on the way from Monterrey to Reynosa, when three armed uniformed men came onto the bus. The uniforms were green and looked like army uniforms. They came straight for my daughter and asked her where she was going. My daughter told them where we were going. They asked for her documents, but she did not have them. They grabbed my daughter, who was crying, and took her off the bus. Then they order me to get off the bus in the middle of nowhere.
4. The uniformed men said to give them 7,000 pesos for each of us or we would both die there. The men said that if we didn’t pay, he would tell the driver to leave and we would be kidnapped and killed. The previous two times we had had enough money to pay the officials but this time we did not. My daughter gave them \$40, but they said that was very little and they didn’t want it. I added 400 pesos and \$20. Fortunately, the bus had not left and the men allowed us to get back on. They wanted me to get on first but I insisted my daughter go first so they couldn’t kidnap her. I believe that if we had not had that money we would have died. I felt that I would not be safe until I reached the United States.

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

\_\_\_\_\_  
Signature

1/23/19  
Date

I, Katherine Mudza, certify that I am proficient in both Spanish and English. I read the declaration above in its entirety to \_\_\_\_\_ in Spanish.

KEM Mudza  
Signature


1/23/19  
Date



## Declaration of Carolina


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 **Carolina**. I was born on [REDACTED] in Guatemala. I am currently detained in the South Texas Family Residential Center with my 9-year-old son.
2. My sister, nephew, son, and I fled in Guatemala to seek asylum in the United States. On the way through Mexico, we stayed in a shelter for one night in Monterey. Two federal police officers arrived at the house. The man in charge of the house allowed them to come in. They came up to the second floor to where the four of us were with another young woman.
3. The officers were wearing black uniforms, bullet-proof vests, with their faces covered except for their eyes. They had guns and handcuffs on their hips. They counted us and said we had to pay 200 dollars per person. I asked him why. He said "For the right to be here, *mija*". He said that if we did not pay, they would take our children from us and tie and lock them up.
4. My sister and I each paid the 400 dollars. The other young woman said she did not have any money. The men patted her down including touching her private parts.
5. The next day, we all left Monterey together on a bus to Reynosa. Two more federal police officers dressed and armed in the same way as the others came onto the bus. They asked for our documents but we did not have them.
6. The officers took us outside, leaving the children on the bus. They told us we had to each pay 200 pesos to pass, which we did. The other woman only had 100. They yelled at her and said that it wasn't enough, but eventually allowed us to leave.

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

  
\_\_\_\_\_  
Signature

1/28/19  
\_\_\_\_\_  
Date

I, Katherine Murdza, certify that I am proficient in both Spanish and English. I read the declaration above in its entirety to  in Spanish.

Katherine Murdza  
\_\_\_\_\_  
Signature

1/28/19  
\_\_\_\_\_  
Date

## **Declaration of Belkis**

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 **Belkis**. I was born on [REDACTED] in Guatemala. I am currently detained in the South Texas Family Residential Center with my 11-year-old son.
2. My son and I fled domestic violence and traveled through Mexico to seek asylum in the United States. I felt unsafe the whole time I was in Mexico. I was afraid my husband would be able to track me down, because another migrant from my town might recognize me and pass on that information through others. Since my husband has a previous deportation from the U.S., I felt that it would be much more difficult for him to come find me and hurt me once I crossed the border.
3. I also felt in constant danger from gangs and even the police while in Mexico. One day, in Reynosa, Mexico my son and I were waiting for the bus with a group of about 40 migrants to go to the border. A microbus pulled up and four officials in black uniforms with guns got off. They said that they were the State Police and were going to take 26 of us with them.
4. We were in the front of the group so I was terrified they would take me, but they chose other people. They said that they were going to ask their families for money, and if they did not send it they would beat them, including the children. The people were crying, and begging God for help. The officials ordered them onto the bus. I do not know what happened to those people.

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 read back to me word for word in Spanish, a language in which I am fluent.

[REDACTED]

Signature

1/23/19

Date

I. Katherine Murdza certify that I am proficient in both Spanish and English. I read the declaration above in its entirety to [REDACTED] in Spanish.

Katherine Murdza  
Signature

1/23/19

Date

## Declaration of Valery

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 **Valery**. I was born on [REDACTED] in Honduras. I am currently detained in the South Texas Family Residential Center with my 10-year-old son.
2. I fled domestic violence in Guatemala to seek asylum in the United States. My son and I traveled through Mexico through a combination of buses, car rides, and walking because I felt we had no other choice to save our own lives. While in Monterrey, we were walking with seven other Central American migrants. There was a car stopped a little ahead of us on the street. Suddenly, it backed up next to us, and a young man got out.
3. The man said that another man had sent him to pick us up and take us to them. He said the name of the man but I do not remember it. We said that we were not going to go with him because we did not recognize that name. The young man became very angry. He said "I want you to come with me". He said that if we did not go, he would take us by force.
4. The man drove away. We were crying and begged people on the street to give us a call to the police but they would not. Approximately three minutes later, the man came back, this time with a second young man in the car. They opened the car doors, trying to push a man and his daughter in. We barely escaped by running into a crowded supermarket.
5. This was not the only incident that made me feel unsafe in Mexico. I felt unsafe the entire time I was traveling there. I knew that the threat of kidnapping was real because I had seen it happen before. Once, we were walking on the street in Mexico and a car pulled up next to a young woman. One man was driving, and another got out and forced a woman into a car while she screamed. The car drove away and I do not know what happened to that woman or if she is still alive.
6. I never talked to the police about this incident because I heard that I would be deported. I was detained by Mexican immigration officials in Monterrey and it seemed like luck that they ended up releasing us instead of deporting us. In another place in Mexico, I saw a Mexican official screaming at a migrant man and his young child. All of this led me to believe I could not expect protection from Mexican officials.

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 read back to me word for word in Spanish, a language in which I am fluent.

[REDACTED]

Signature

1/23/19  
Date

I, Katherine Murdza, certify that I am proficient in both Spanish and English. I read the declaration above in its entirety to [REDACTED] in Spanish.

Katherine Murdza  
Signature

1/23/19  
Date