

DECLARATION OF FRANK DOE

I, FRANK DOE, 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.

2. I was born in Honduras. I am 28 years old.

3. I went to the San Ysidro port of entry to seek asylum on Saturday, February 2, 2019.

4. The MS-13 killed several close family members and threatened to kill me. I fled my home country because I received death threats from MS-13 and Mara 18. I and other close family members received threats from both major gangs. After MS-13 killed one family member right by our house, their threats continued I was worried that I would be next. I worked as a driver and I also received threats from my former boss after I discovered that he was using his business to support both major gangs. My former boss paid off the police so that they would not arrest him. A coworker of mine was killed after he discovered the operation and refused to join. After my former boss found out that my coworker knew about the operation, he told MS-13 who picked up and killed my coworker. I was afraid that I would be next, so I fled.

5. If I am sent back to Honduras I fear that MS-13, Mara 18, or my former employer might kill me. The gangs have threatened my life on multiple occasions, and my old employer knows that I know about his drug business.

6. I do not believe my government could protect me because they were unable to protect my family member and coworker—who were both murdered. I feel that I would be in danger from the police because my former employer collaborates with the MS-13, Mara 18 and the police. I have also seen the police directly cooperating with my boss and various gang members.

7. I have no criminal record.

8. I first tried to present myself at the port of entry on December 26, 2018. However, I was told by Mexican officers from Grupos Beta that they would not allow me to access the port of entry until I put my name on a list and my number was called. I asked them how long I would have to wait and they told me that they had no idea and were not in charge of the list. I found the person in charge of the list and got a number. I did not realize how long it was going to take for my number to be called.

9. I waited five and a half weeks in Tijuana before my number was called. During this time, I stayed at a shelter called Caritas. Caritas is very far from the port of entry, and it was expensive to travel back and forth to check on what numbers were being called. At first I pooled money with some other friends and

took a taxi. The taxi ride was about 20 minutes long. Once we ran out of money, we had to ask the shelter manager or others for rides.

10. From the shelter, I could not afford to get to the port of entry every day. I was afraid that my number would be called when I wasn't there. Unfortunately, this happened. While I was at the shelter, a friend who had been able to make it to the port of entry called to say that my number was called. Anxious, I tried rushing to the port of entry but did not make it on time. The Grupos Beta said they were done letting people through on that day. I went the next day and explained to Grupos Beta that my number had been called, but they refused to let me pass. They said that if I didn't like their process, I should find another place to seek asylum. I went back again the next day, and again they refused to let me pass. Finally, four days after they had called my number, the Grupos Beta allowed me to pass.

11. On February 2, the day they let me through, Grupos Beta lined up all of us who were allowed to cross against the wall at El Chaparral. Then they left me there for several hours. It was about 10:30 am, and they told me they would be back later. At about 12:00 pm they came back, but then quickly left. A little while later, they came back locked me into a metal cage inside a van with others. They drove me to an entrance near where the train crosses the border and then told me to get out. Then I waited with others outside in the rain for about one hour.

12. Eventually, U.S. immigration officials came. Grupos Beta told us to follow the U.S. officials and then left. The U.S. officials lined us up against a wall and asked us who had come with the caravan and separated those out who raised their hands. They told us that the caravan members were “VIPs.” I didn’t travel with the caravan, so I did not raise my hand. The U.S. officials gave us a bag to put our documents and other belongings, and gave us paper to write the phone number of a person in the United States who could receive us. Then they asked us who was traveling alone. I raised my hand and they moved me to the line with the caravan members.

13. They brought the group of caravan members and people travelling alone in first and asked me basic questions like my name, where I was from and whether I had travelled with the caravan. In my group, there were people from many different countries so the officers separated the Central Americans, like me, from the rest of the countries.

14. The U.S. officers ordered me to put my hands behind us as if I were handcuffed. Eventually, they told us to put our bags down, lined us up against the wall and searched us. When an officer asked me, I told him that I was not a part of the caravan, but he did not believe me. The officer told me that he wanted to help me, but that I had to tell him that I came with the caravan. I explained that I couldn’t tell him something that wasn’t true. The officer got upset and said that he

had tried to help me but I hadn't allowed him. He then took the bag with my documents and belonging.

15. Then the officers escorted me along with others into a room with chairs lined up and numbers printed on papers on the wall. They told me to sit, and I spent several hours waiting there. During this time, I was not allowed to speak to any of the other migrants. I was instructed that if I needed to stand up, I had to keep our hands behind our back. At one point, an officer called me up and asked me for information like my name, gender, and city where I was born. He sent me back to my chair, where I sat for another half hour or so. Then another officer called me and took my fingerprints and a photo. After that, I sat down again for what felt like hours more.

16. After waiting in that room for a total of many hours, they moved me to a small crowded cell. Then they gave me a thin mat to sleep on and thin aluminum blankets. It was very late by the time they took us to the cell.

17. In the cell, I began to feel lost. The cell was very full of people so the only place I could lie down was in front of the toilet. They kept putting more people in the cell, to the point where everyone basically had to sleep on top of each other. I felt like I was sleeping on top of other people. It was also hard to sleep because there was a bright light that they never turned off. At about midnight, they took us out, cleaned the cell, and put us back inside. About two to three hours later,

they began opening the door and calling people from a list.

18. I lost track of time, but all night the officials opened the door and yelled out people's names for them to get up and go to an interview. In my interview, the officer asked for my name, date of birth, and basic personal information. He asked me the names of my mother and my father, where I'd lived in Honduras, where I'd worked, and why I had fled. I explained that I was afraid for my life because of the threats I had received. I explained that I was just trying to save my own life. The officer asked me how long it had taken me to get to Mexico from Honduras and didn't believe me when I said three days. He then focused on why I had come to Tijuana and not elsewhere on the border. I said that I followed the advice of people that I met on the way, but then he wanted to know exactly who told me to go to Tijuana. Again I told him the truth – it was just other migrants I met on the way. He asked me the same questions over and over again. He frequently cut me off and did not let me fully explain. After a few more questions, the officer told me that I was going to complete the application process from Tijuana. I asked him why, and he said it was the law.

19. He never asked me if I was afraid of returning to Mexico. At one point, I had to interrupt him to explain that I didn't feel safe in Mexico. He told me that it was too bad. He said that that Honduras wasn't safe, Mexico wasn't safe, and the U.S. isn't safe either. I then tried to explain that I don't have anyone to

support me in Mexico, but that a family member was waiting for me in Houston. He asked me where I had lived while I was in Tijuana. I explained that I had lived in a shelter but no longer had anywhere to stay. He told me I'd have to figure out how to survive in Tijuana. The officer said my court date would be on March 20, 2019. He took my phone number and said he would call me if my hearing date changed.

20. When the interview was over, he told me to sign documents. He only showed me the signature lines. I asked him to explain the documents and he said that they explained that I had to wait in Mexico while my case went forward. He told me that I would have to come back to the port of entry on the date of my hearing and that if a judge denied my case, I'd be sent back to Honduras. I told him I couldn't go back, and he responded that if I were deported to Honduras, I should just flee again. He ended the interview and another officer took me back to the cell.

21. I spent about an hour and a half in the cell before the officer called my name again. I walked out of the cell and he gave me another paper to sign. He said that it was an agreement that if my asylum application was denied, I would be deported. Again, I told him that I did not feel safe in Tijuana, but he just said that if Mexico was not safe I should not have left Honduras to go there. Nervous, I explained that I was just trying to get out as quickly as possible. But the officer brushed me off and said I needed to sign because he had other things to do. I

signed the paper.

22. They sent me back to the cell, where I slept amongst dozens of other asylum seekers for another night. We knew that at some point they would come back to clean the cell, so we did not sleep well. In the morning, they brought us to eat breakfast. They returned us to our cell but never explained what was going to happen next. Several hours later, they opened the door and told us come out in groups of five. They put us against the wall and then put us in line and brought us to our bags. I asked for my ID and they told me it was in my bag but that I couldn't check inside my bag yet. The officers led us to vans with cages inside. We didn't know where they were taking us. I thought they were bringing me to San Diego until one of the others in the van told me that we were going to Tijuana. The U.S. officials took us back to port of entry and told us to get in line. Then they turned us over to Grupos Beta. It was now February 4, 2019.

23. The Grupos Beta gave us a visa to stay in Mexico for 76 days, until our next court date. After I asked, a Mexican official told me that this form did not come with permission to work. After I was released back into Tijuana, I tried to stay at the same shelter I had been staying at before. Unfortunately, they said they no longer had space for me. I found a different shelter for a couple of nights but I don't know where I will sleep long term.

24. I don't feel safe in Tijuana. I don't know the laws here and don't trust

the police. I have been treated badly by many people, and I don't feel safe going to the police. I am afraid of the police here because I know that they arrest migrants without reason and take their money. A friend of mine was arrested and robbed by police on the day his number was called, so he missed his day and had to put his name on the list again. I have heard that MS-13 and Mara 18 have ties with gang members in Tijuana, so I am also afraid that they might find me here. While I was in the shelter, I was so afraid that I rarely went outside, other than to go to the port of entry. I have heard on the news that some asylum seekers have been killed while waiting to present themselves at the port of entry. Many others have been hurt or kidnapped during the trip.

25. I am afraid that I will be deported back to my country before I have a chance to have my asylum claim heard. My status here is only temporary, and I don't trust the Mexican authorities to keep me safe. I have heard of cases where Mexican immigration officials arrest people, rip up their papers, and deport them anyway.

26. I don't know how I will work on my case from Tijuana. I don't know how I will find a lawyer, gather evidence, or contact witnesses. I do not even have a permanent place to stay, because the Caritas shelter no longer has space for me. Even if I did find a lawyer, I could not afford to pay them. I am frustrated because if I was able to work on my case from the United States, I would have family to

help me with all of these things.

27. Given that I have been persecuted in my country, I fear that if my identity and my status as an asylum applicant are released to the public, my life and possibly that of my family will be in danger. I wish that my identity not be publicly disclosed, and I wish to proceed with the use of a pseudonym or initials in any federal action.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge and recollection. This declaration was read back to me in Spanish, a language in which I am fluent.

Executed on February 10, 2019 at Tijuana, Mexico.

Frank DOE
FRANK DOE


CERTIFICATION

I, Jenny Villegas-Garcia, declare that I am fluent in the English and Spanish languages.

On February 10, 2019, 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 February 10, 2019 at Tijuana, Mexico.



Jenny Villegas-Garcia

02/12/2019
February 10, 2019