

DECLARATION OF JOHN DOE

I, John 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 San Juan, Sacatepequez, Guatemala. I am 31 years old and a citizen of Guatemala. I am an indigenous person and speak the native language Kaqchikel as well as Spanish. I was raised by my grandparents in Guatemala, where I started working at the age of approximately eleven years old. I graduated from evening high school in San Juan while working during the day. I most recently worked as a dog groomer. My immediate family, including my U.S. citizen siblings, lives in California.

3. I went to the San Ysidro port of entry to seek asylum on Tuesday, January 29, 2019 after waiting in Tijuana to seek asylum since approximately mid-December 2018.

4. I fled my home country because I was beaten severely and threatened with death by a group that calls itself Ronderos de San Juan. Ronderos de San Juan is a death squad that controls my hometown of San Juan. Members of the death squad beat me severely on multiple occasions. I would often wake up unconscious and bloody after they attacked me, and I have several scars from their

attacks. I believe that the death squad targeted me because of my indigenous background, as death squad members would often taunt me with indigenous slurs when they threatened and beat me.

5. The death squad also believed that I had filed a report against them for animal cruelty. An animal rights group filed a report against them because they often kill and harm stray dogs. Because I am a dog groomer, I would often leave out water and food for these animals. This led the death squad to believe that I complained to the government about them. In October 2018, they killed stray dogs and left them outside my house to threaten me. They told me that if I continued to defy them, they would kill me just like they had killed the dogs. Because of this threat, I fled Guatemala in fear of losing my life.

6. If I am sent back to my country I fear that the death squad will kill me, as they threatened to do, or continue to beat me to the point of severe injury or death.

7. I do not believe my government could protect me if I were to return to Guatemala. I filed a police report against them the first time they beat me, but nothing ever came of it, and the death squad continued to harm me. The death squad controls our entire community.

8. I have no criminal record.

9. I fled Guatemala and crossed into Mexico around October 30, 2018. When I crossed into Mexico, Mexican immigration officials gave me a green card

that they told me was for permission to pass into Mexico.

10. When I traveled through Mexico, I took a train from Nayarit to Mexicali. The trip lasted almost three days. Around the second day, very early in the morning, the train stopped in the middle of nowhere. I peeked out of the car I was riding in to see what was happening. About three cars away from me, I saw a bunch of lights and a group of men wearing black face masks and carrying huge guns. They were unloading many big packets off of the train onto the ground, to a few waiting cars. I had been warned by other travelers that the trains were used for narcotrafficking, and suspected that the packets contained drugs.

11. When I saw what was happening, I quickly went to hide. I must have made some noise while doing so, however, because the men heard me and started to look for me with their lights. I had to hide for about five to six hours. The entire time, I was terrified that they would find me and kill me. I fear that the narcotraffickers saw me, will find me, and will kill me for having been a witness to their crime.

12. I arrived in Tijuana around mid-December 2018. I wanted to seek asylum in the United States but did not know what the process was.

13. A man in Tijuana told me that I had to put my name on a list in order to seek asylum in the United States. I wanted to do things correctly, so I went to El Chaparral to put my name on the list, and I was assigned number 1,856.

14. I waited about six weeks in Tijuana before I was told that I could

return to the port of entry. During this time, I stayed in a room where a stranger allowed me to sleep. I had to eat at shelters and in other places that offer free food to migrants. I was very afraid in Tijuana because I thought the narcotraffickers would find me and kill me for having witnessed their crime. Out of fear, I kept to myself and was very careful while waiting for my turn to present myself to seek asylum. Every morning I went to El Chaparral to see what number was being called and if it was my turn.

15. On Tuesday, January 29, 2019, the organizers of the list finally said that it my number had finally come up. I was told to present myself at 1 PM. At 1 PM, the Mexican officers from Grupos Beta put us all in a line. There were about 45 of us who were called. While we were waiting in line, a Beta officer came down and spoke to each of us individually. The Beta officer asked me to turn over the green card that I had received from Mexican immigration when I first entered Mexico. The Beta officer told me that I would no longer need the card because I was going to cross over to the other side of the border. Wanting to follow all of the rules, I turned in my card.

16. At the port of entry, U.S. immigration officials in blue uniforms told us to place our documents in a plastic bag, turn off our cell phones, take out our wallets, and take the shoelaces out of our shoes. Then they asked us to separate into two lines—one line for people who had traveled with the migrant caravan, and one line for people who were not with the caravan. Because I had traveled alone, I

put myself in the line of people who did not come with the caravan. In that line, an immigration officer in a blue uniform asked me where I was from. When I said I was from Guatemala, the officer told me to go to the back of the line. Another man in line, who was from Nicaragua, was also told to go to the back of the line.

17. I waited my turn to talk to an immigration officer, who asked where I intended to travel and scanned my passport. I was then moved to a different line, where I was asked to provide the name and phone number of the person who would receive me in the United States, and undergo a clothing check (to make sure I wasn't wearing multiple shirts or jackets).

18. Next, I was moved to a different hallway, where a group of us were asked to stand against the wall with our hands behind our back. A U.S. immigration officer patted me down and then directed me follow him to a waiting room where there were other men, women, and children. There, I was called up to speak with an agent at a computer. This agent asked me some basic questions like my name, who would receive me in the United States, and my parents' names. I answered all of the agent's questions, and he told me to sit back down. Later, I was called up again to speak with a female immigration official. She asked me similar questions, but also took my fingerprints and my picture. After that, she told me to wait again, and later took my fingerprints again.

19. While I was waiting, an officer came by with some food, and then another officer came over with some papers that had my name on them. The

second officer then called me, along with a group of other people. We followed him through the hallways to the “hielera” (ice box). I went into the hielera around 7 PM. I remember that I was held in Hielera #16.

20. Other people in the hielera told me that we were waiting for our credible fear interviews. I was held in the hielera overnight. I did not sleep at all because of the cold and because the lights remained on all night.

21. In the morning, we were fed a small breakfast, which we ate standing up. An immigration officer in a blue uniform then came and called me by name out of the hielera to ask for the name of my sponsor in the United States. I explained to him that I had provided the names of my mother and her partner, who is a U.S. citizen.

22. Ten or twenty minutes later, I was again called out of the hielera. The agent told me to return to the wall and place my hands behind my back. Several of us were called out from different hielera cells. We followed the agent to an area where there were offices with short walls. I was called up to speak with a female immigration officer.

23. The officer had me raise my right hand and swear to tell the truth. She then asked me some questions in Spanish. I remember that she asked me my name, if I was married, if I had any problems with the law, if I had children, and if I had any documents. She asked me why I was there, and I told her that I had come to have my credible fear interview. She asked me if I was afraid of returning

to Guatemala, if I was being persecuted in Guatemala, and by whom. She also asked me how I traveled through Mexico. She did not ask me if I was afraid to be in Mexico, however.

24. At the end of the interview, the officer asked me to sign and initial several pieces of paper. I could not see what the papers said because she covered up each of the pages with the others. I could only see the space at the bottom where she told me to sign or initial. I signed the papers because I trusted the officer and I believed that this was part of the process of seeking asylum.

25. After I signed and initialed, the officer told me that I would have a court date on March 19, 2019 at 12:30. She then told me that I was being returned to Mexico. I was very surprised by this news and did not understand why this was happening to me. Then I was returned to the hielera

26. About thirty minutes later, I was taken from the hielera and put in a group of about ten people. All of us were men except for one woman. U.S. immigration officers in blue uniforms placed us in steel handcuffs with our hands behind our back. This was the first time I had been handcuffed in my entire life. We had to carry our backpacks—with our hands handcuffed—to board a blue and white bus. The bus left and took us back to El Chaparral, which was about five minutes away. After we got off the bus, an officer took off my handcuffs, gave me some papers, and told me to wait. From there, the U.S. officers turned us over to a group of Mexican officers.

27. The Mexican officers took us into an office. There were at least two Mexican officers from Grupos Beta. I recognized them because of their orange uniforms. There was one other Mexican officer in a white shirt, and there may have been more. I wasn't quite sure who everyone was. A Mexican officer called me up, took my picture, and photocopied the documents I had received from U.S. immigration officers. Then a different officer gave me a piece of paper that the officer said gave me permission to wait for my court date in Mexico, but did not allow me to work. They told us that if we wanted to work, we would have to go through a different process with Mexican immigration. One officer told me that if I didn't have somewhere to go, I could go to a shelter temporarily, and he showed me the address for the shelter on a piece of paper. But he said the shelter would only be able to offer me somewhere to stay for a night or so. Then the Mexican officers said that we were free to go.

28. I am afraid to stay in Mexico. Not only do I feel unsafe here as an asylum seeker, I am afraid that narcotraffickers will find me and kill me because I saw them transporting drugs. I also feel that my life is in danger because Mexico may deport me to Guatemala. I do not feel confident that the paper Mexican immigration officers gave me would prevent me from being deported. The officers told me that the paper is valid for only for a limited number of days. No one explained to me what the immigration paper means, and I am afraid of being deported from Mexico while waiting for my immigration case to move forward.

29. During my entire time on the U.S. side of the border, no one ever asked me if I was afraid of being returned to Mexico. I also did not have the opportunity to tell anyone I was afraid because I was not allowed to provide any information other than the answers to the questions I was asked. Had I been asked if I was afraid to go back to Mexico, I would have told the officer about the crime that I witnessed and my fear of narcotraffickers.

30. Apart from my fear of being in Mexico, I also am worried about how I will fight my asylum case. U.S. immigration officers gave me a list of attorneys, but they all work in California. No one ever explained how I could find an attorney or how an attorney in California would be able to represent me if I am in Mexico. I had heard that there are lots of organizations in the United States that help asylum seekers and hoped to find an attorney to represent me. Here in Tijuana, I do not know how I will find a lawyer to help me with my case. I also think it will be a lot harder to prove my asylum case without the support of my family. Here, I have no one to help me understand the process and what I need to do.

31. No one explained how I will get to my hearing in the United States. The U.S. officers told me to come to El Chaparral with my paperwork, and I should walk until I found an immigration officer. They told me to show my paperwork to an immigration officer, and that officer would help me get to the judge. Without more information, I am afraid that I will miss my immigration

court hearing.

32. Given the problems I have had 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 2, 2019 at Tijuana, Mexico.

A handwritten signature in black ink, appearing to read "John Doe", written over a horizontal line.

John Doe

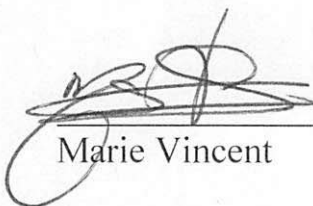
CERTIFICATION

I, Marie Vincent, declare that I am fluent in the English and Spanish languages.

On February 2, 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 2, 2019 at Tijuana, Mexico.



Marie Vincent

02 / 01 / 2019

Date