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

IMMIGRANT DEFENDERS LAW CENTER,
et al.,

Plaintiffs,

v.
CHAD WOLF, et al.,

Defendants.

Case No. 2:20-cv-09893-JGB-SHK

DECLARATION OF JAQUELINE DOE

1 I, Jaqueline Doe, hereby declare under the penalty of perjury pursuant to 28 U.S.C.
2 § 1746:

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

6 2. I was born in Honduras in 1993. I am 27 years old. I travelled to the
7 United States alone.

8 3. I fled my home country because of the discrimination and physical harm
9 I suffered for being a member of the LGBT community and a transgender woman.

10 4. If I am sent back to my country, I fear that I will be killed for being a
11 transgender woman and member of the LGBT community.

12 5. I do not believe my government would protect me if I were to return to
13 my country because I have asked for help from the police and they have told me they
14 cannot help me.

15 6. I fled Honduras and rode the train with other migrants to Mexicali,
16 Mexico. When we arrived in Mexicali, a Mexican police officer told us that we could
17 not cross the U.S. border from Mexicali and that we would have to go to Tijuana to
18 cross the border.

19 7. I was stranded in Mexicali for two days. I did not know anyone in
20 Mexicali and had nowhere to live. I had to sleep on the street for two nights. I had no
21 money and could not work in Mexicali because I didn't have permission to work. I
22 had to beg for money for food. I was begging for money at a gas station and a man
23 asked me where I was from and where I was going. I told him I was from Honduras
24 and that I was trying to get to Tijuana. He told me he was going to Tijuana and
25 offered to give me a ride.

26 8. Five days after I arrived to Tijuana, I tried to present myself at the port of
27 entry to request asylum. During those five days I had to sleep on the streets. When I
28 arrived to the port of entry, I spoke to a U.S. immigration officer and said that I

1 wanted to apply for asylum. The officer told me that I could apply for asylum but that
2 I would probably be deported. I was afraid of being deported to Honduras and I
3 returned to Tijuana to think about my options.

4 9. I didn't have anywhere to go except to the address of the man who had
5 given me a ride from Mexicali. I did not know the area and had to ask people to help
6 me get there. When I arrived at address, he wasn't there. I had to sleep on the streets
7 in Tijuana.

8 10. When I finally regained contact with the man from Mexicali, he told me I
9 could not stay with him because his family does not accept members of the LGBT
10 community. He helped me with food, water and with clothing because I only had the
11 clothes on my back.

12 11. I could not find work and the man from Mexicali helped me by paying
13 for a hotel room while I figured out how to request asylum.

14 12. I attempted to cross the border on July 4, 2019. I crossed at night and
15 was apprehended by U.S. border patrol. The officers asked me where I was from,
16 who I came with, and why I came. I explained that I was fleeing from my country
17 because I was a transgender woman and I was afraid to return to my country. I told
18 the officers that I wanted to apply for asylum in the United States.

19 13. The officers asked me for my identification. I had my passport and
20 another identification from Honduras called a "cedula." I showed these to the officer.
21 They took my identity documents from me and detained me.

22 14. I was detained for three days. While I was detained, I had an interview
23 with an immigration officer. The officer spoke English and Spanish. During the
24 interview, he would ask the question first in English, then in Spanish. I would
25 respond in Spanish and he would record my answer in English.

26 15. During the interview, the officer asked me where I was from, why I came
27 to the U.S., why I feared returning to my country, and what I planned to do in the U.S.
28 I explained that I was from Honduras, that I was fleeing my country because I was a

1 transgender woman, and that I wanted a safer life. I explained to the officer that I had
2 suffered discrimination and physical harm in Honduras for being a member of the
3 LGBT community and for being a transgender woman. I also told the officer that I
4 was afraid to return to Mexico. The officer asked me why I was afraid to return to
5 Mexico and I explained that I was afraid because I belong to the LGBT community
6 and am a transgender woman. The officer did not ask me any follow up questions.

7 16. After the interview, the officer who interviewed me told me I would have
8 to sign papers. He presented me with the papers but they were only in English. I
9 asked him what the papers were for and why they were taking photos of me. The
10 officer explained to me in Spanish that the papers were to start the asylum process and
11 told me not to worry and that he would help me. I signed the papers and was then
12 returned to my cell.

13 17. The officers told me that the detention center was full and I would have
14 to return to Mexico. The officers then returned me to Tijuana, Mexico. They returned
15 my passport and my Honduran ID. They also gave me paperwork, but the papers
16 were only in English and I could not read them. In Spanish, the officers told me that
17 the papers would let the Mexican officers know we were in Mexico temporarily and
18 nothing more. The officers also told me the papers had my next hearing date. They
19 told me the date and time of my next hearing on my paperwork, that I would have to
20 arrive at the port of entry for my hearing, and that I would be taken to San Diego for
21 my hearing by immigration officers. The date of my hearing was October 25, 2019.

22 18. When the officers returned me to Mexico, they returned me to the port of
23 entry. I had to speak with Mexican immigration officers before I could pass through
24 to Mexico. The Mexican officers reviewed my paperwork and issued me a permit to
25 be in Mexico. The officers told me that the permit required that I stay in Tijuana and
26 that I could not leave Tijuana without advanced permission. I understood that I would
27 have to ask for permission to leave Tijuana and that it would be up to the officer to
28 grant me that permission or not. The officers explained that the permit was only

1 temporary and was valid only until my next hearing date. The officers told me I could
2 only renew by showing up for my next court hearing.

3 19. No one told me where I could find shelter or get food in Tijuana. I didn't
4 have anywhere to live in Tijuana and had no money, food or even a phone. After I
5 was returned to Mexico, the man I met in Mexicali let me use his computer so that I
6 could access the internet. I used his computer to login to Facebook and reached out to
7 a friend who I had met on Facebook while living in Honduras. This friend lived in
8 Tijuana. Through Facebook, he told me how to find him and I went to his house. He
9 offered to help me financially while I tried to find a job. We are now romantically
10 involved.

11 20. I looked for work for over a month and I finally found work as a male
12 stripper at a gay bar. I worked there for a year and a half. I did not make enough to
13 cover my expenses and my partner had to help me. I often did not have enough
14 money to eat and cover my expenses.

15 21. I worked for six months and lived at the hotel. I made enough working at
16 the gay bar that I was able to afford to pay for the hotel, but I didn't make enough
17 money to pay for anything else and I had to rely on others to help me with food. My
18 friend that I had met in Mexicali gave me food.

19 22. After six months of working, I was able to move from the hotel to an
20 apartment. I was able to pay for half of the apartment's rent and my partner offered to
21 pay for the other half of the rent. I would not be able to afford the apartment without
22 my partner's help because I did not earn enough money to cover the rent on my own.
23 He stays with me at the apartment sometimes.

24 23. In January, I started the process of taking hormones to transition to a
25 woman. I told my employer that I was going to start taking hormones to transition
26 and my employer fired me.

27 24. I started looking for other work. I told my prospective employers that I
28 was going to transition and many employers wouldn't hire me. I applied for six

1 different jobs and was turned away because I was a transgender woman and planning
2 to transition. After a month, I found an employer that was supportive of me
3 transitioning to a woman and who was willing to hire me. The work is at a restaurant
4 that makes stew (birria de res).

5 25. I still don't make enough money to pay for my rent and my partner helps
6 me. My partner also helps me with my bills, including water, electricity, gas and
7 internet. My partner also helps me with food. Without my partner's help, I could not
8 afford my bills and would have to live on the streets.

9 26. I do not have enough money to pay for medicine. I pay for medicine
10 when I can, but I can't always afford my medicine.

11 27. My first hearing was on October 25, 2019. I went to the port of entry on
12 that date. I first had to speak to the Mexican officers before I could get to the U.S.
13 officers. One of the Mexican officers asked if I had a hearing in San Diego, he asked
14 for my papers, and only then would they let me pass through to the U.S. officers.
15 When I got to the U.S. officers, they asked for my name and my paperwork with my
16 hearing date. Then the officers searched me, took my belongings, and put them away.
17 Then they put me on a bus with other migrants. The bus ride to the court was about
18 half an hour or an hour.

19 28. When we got off the bus, the officers took us into a building and to a
20 waiting room. There, we had to wait for the judge to enter the courtroom.

21 29. My first hearing was a group hearing. There were about 25 of us.

22 There was a Spanish interpreter present in person. The judge asked each of us
23 where we were from, where we entered the U.S., how we entered the U.S., if we had
24 paid anyone to enter the U.S., and why we had come to the U.S. When the judge
25 asked me why I had come from Honduras, I told the judge that I was afraid to return
26 to Honduras because I was a transgender woman and member of the LGBT
27 community. The judge did not ask me any follow up questions and moved on to the
28 next person. We were not given any opportunity to ask questions.

1 30. At the end of the hearing, the judge gave us paperwork. The paperwork
2 was in English and I could not read it. The judge did not explain the paperwork to us.
3 The judge told us that we'd been given a list of attorneys, told us to call the attorneys,
4 and find an attorney to take our case. The judge did not tell us anything else.

5 31. After the hearing finished, the officers took us back to the bus and the
6 bus took us back to the port of entry. The U.S. officers reviewed my paperwork and
7 told me I had to return on December 11, 2019 for my next hearing. The officer told
8 me this in English and one officer who spoke Spanish translated. I was not given an
9 opportunity to ask any questions.

10 32. Before I could return to Mexico, I had to speak with the Mexican
11 officers. The Mexican officers reviewed my paperwork to find the date of my next
12 hearing and then renewed my permit until my next hearing on December 11, 2019.

13 33. I primarily use WhatsApp and Facebook through the internet to
14 communicate because it is difficult for me to afford a phone plan to make regular
15 calls. I couldn't call the attorneys on the list through WhatsApp and so I had to buy a
16 cell phone plan. I paid 100 pesos for two 20-30 minute phone calls. It was difficult
17 for me to afford this amount and this affected my ability to call attorneys.

18 34. I repeatedly called the numbers for the attorneys on the list I was given
19 but I could not find an attorney to help me. Some of the numbers I called would just
20 keep ringing and no one would answer. Others who answered my calls told me they
21 couldn't take my case. One of the migrants I met gave me the name and number of a
22 private attorney in the U.S. I called him and he told me he would charge me 5,000
23 USD for my case. I could not afford this amount of money and so I could not hire
24 him.

25 35. I presented at the port of entry for my second hearing on December
26 11, 2019. The process for presenting was the same as the first time. I had to first
27 speak with Mexican officers before I could present for my hearing. The Mexican
28 officers reviewed my paperwork and allowed me to pass through to the U.S. officers.

1 The U.S. officers called my name and reviewed my hearing paperwork to confirm that
2 I had a hearing that day and that I was the person named on the paperwork. I was
3 searched, my belongings were taken, and I was put on a bus with other migrants. We
4 were taken by bus to San Diego for our hearings.

5 36. My second hearing was another group hearing. The judge asked if we
6 had talked to any attorneys, what the attorneys had said, and whether had found an
7 attorney to represent us. When the judge asked me these questions, I told the judge
8 that I had called attorneys on the list, but no one answered. I told the judge that some
9 of the numbers rang but I could not leave a message and that the people I had spoken
10 with told me they couldn't help me. I told the judge that I couldn't afford a private
11 attorney. The judge gave us the attorney list again at this second hearing. It was the
12 same list we were given at the first hearing.

13 37. At my second hearing, I told the judge I was afraid to return to Mexico
14 because I had been assaulted. The judge told me not to worry and that at the third
15 hearing he would help me so that I could enter the U.S. He did not tell me anything
16 else.

17 38. After my second hearing, I told one of the officers that I was afraid to
18 return to Mexico because I had been assaulted. The officer told me I would have to
19 wait until the next time I saw the judge and told me they couldn't do anything because
20 I had to tell them about my fear of return in writing- I couldn't tell them orally.

21 39. I was returned to Mexico and again had to get my permit renewed by
22 Mexican officers before I could enter Mexico. The Mexican officer reviewed my
23 paperwork and renewed by permit until February 6, 2020, the date of my next hearing.

24 40. I went to the port of entry to present myself on February 6 for my
25 hearing. I arrived at the port of entry at 10:30AM for my 12:30PM hearing. The U.S.
26 officers told me I couldn't enter because my case was closed. I was there with a group
27 of migrants who had hearings on February 6 and the officers let the others pass but
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1 would not let me pass. The officers wouldn't answer my questions and didn't tell my
2 why my case had been closed.

3 41. I told to tell the officers I was afraid of returning to Mexico and that I had
4 it in writing like the officers had told me I had to do. The officers wouldn't listen to
5 me or take my paper.

6 42. I didn't know what else to do, so I returned back to my apartment. I have
7 not been able to find an attorney to help me with my case. I kept calling the numbers
8 for free attorneys on the list I was given but have not been able to find an attorney to
9 help me reopen my case.

10 43. In March, I spoke with someone at the organization "Al Otro Lado" to
11 help me reopen my case. They told me they would call me but they haven't called. I
12 have kept calling them, but they do not answer my calls.

13 44. My temporary Mexican permit is now expired because I was unable to
14 renew it after the U.S. officers wouldn't let me through for my hearing. I am scared
15 because if Mexican immigration asks for my documents and I don't have valid
16 documents, they will deport me to Honduras. From what I understand, I cannot renew
17 my permit now that I don't have a pending court hearing.

18 45. I was not able to try to speak with any attorneys while I was in the United
19 States to attend my hearings because there were no attorneys in the courtroom or in
20 the waiting room. I did not see any attorneys except for the government attorneys on
21 the occasions I attended court.

22 46. I do not know what evidence I should be gathering to support my asylum
23 case. I do not have a computer and must use my phone to receive documents and
24 evidence for my case. To print and scan documents, I must go to the city center. It
25 costs 50 pesos per page to print documents at the city center. I will not be able to
26 afford to print and scan my evidence if I have a lot of documents to submit to support
27 my case. I cannot afford to print more than fifty pages and if I have more than fifty
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1 pages of evidence for my case, I will not be able to submit all of my evidence to the
2 court.

3 47. I tried to file an asylum application with the court but I do not know if
4 my asylum application was ever accepted by the court. I do not know what the next
5 steps are in my case. I tried to file an asylum application after my February 6, 2020
6 hearing with the help of an organization called “Border Line Crisis Center.” A woman
7 who I met in Mexico and who is also applying for asylum told me about this
8 organization. The lawyers at this organization helped me fill out and submit what I
9 believe is an asylum application to the court by email. I did not receive any response
10 from the court after I attempted to file my application by email. Because I have
11 received no correspondence from the court, I do not know whether they accepted or
12 even received my asylum application.

13 48. I asked this organization if one of their attorneys could represent me in
14 my asylum case but they told me they cannot. They did not say why they cannot
15 represent me. I have continued to call attorneys on the list I was given but have not
16 been able to find an attorney to help me with my case.

17 49. I am in danger in Mexico and have been attacked multiple times in
18 Mexico. I was first attacked when I was walking in the city center one afternoon. A
19 man approached me and put a gun up to my back. He made me walk with him and
20 took me to an area where there were several other men. The men told me to give them
21 everything I had and took my phone and my money. Thankfully they didn’t
22 physically harm me. After they robbed me, they told me to walk away. I did what
23 they told me and one of the men followed me. I was dressed as a man that day, but I
24 was wearing tight clothing and I believe the men recognized me as a member of the
25 LGBT community.

26 50. After the attack, I returned to my apartment. I didn’t call the police that
27 day because they had taken my phone and I had no other way to call the police. I told
28 my partner what had happened. My partner had two phones and let me borrow one to

1 call the police. I called the police with my partner’s phone to report the assault. The
2 police didn’t ask me any questions, they just said they would make a report. I called
3 them several times to follow up on the investigation, but they just told me that they
4 would follow up with me. They never did.

5 51. I have also been threatened, insulted and attacked in Mexico for being a
6 trans woman and a member of the LGBT community. Two men who live nearby are
7 homophobic and they don’t like to see people from the LGBT community. They have
8 threatened to kill me and have insulted me many times because I am LGBT. They call
9 me a “pinche joto maricon” (fucking gay faggot). Every time I see these men, they
10 insult and threaten me because I am LGBT. On one occasion, one of the men tried to
11 physically assault me. My hand was badly cut and I went to urgent care for medical
12 treatment. The doctor told me I was at risk of infection in my hand. I couldn’t work
13 for two weeks because of the injury to my hand.

14 52. I am afraid that I will be hurt or killed in Mexico for being a trans
15 woman. Mexico does not treat trans people or members of the LGBT community
16 well. I know of eight trans women who have been killed in Tijuana since I have lived
17 in Tijuana. All were trans women who I worked with and knew personally. They
18 were killed because they were trans. Their murders have not been solved and to my
19 knowledge, the police have not arrested anyone for their murders.

20 53. I do not believe the police in Mexico can protect me from harm on
21 account of my being trans because there are police who are homophobic and
22 discriminatory against trans people and the LGBT community.

23 54. I have also been threatened by people who I believe are members of a
24 cartel. One of my coworkers at the restaurant where I work asked to borrow a little
25 money so that she could pay her electricity bill. I lent her the money but then she
26 stopped working at the restaurant without paying me back. I tried to contact her by
27 phone about paying me back what she had borrowed, but she wouldn’t answer my
28 calls or texts. I eventually started receiving threatening texts and audio messages from

1 her daughter. He daughter threatened to kill me. I have received two threatening texts
2 and five threatening audio messages. I believe her daughter and the people
3 threatening me are involved with a cartel because I heard from a friend that they are
4 involved with selling drugs.

5 55. The pandemic has only made things worse for me. I was working at the
6 restaurant when the pandemic started. The restaurant closed for four months because
7 of the pandemic and I had to find another job. It took me about a month to find
8 another job. During that month, I went without being able to eat food – all I could
9 afford to eat were water and oats. I had already paid my rent for that month and was
10 lucky to keep my apartment, but I wasn't able to pay any of my bills and I lost my
11 access to internet during this time. At this time, my partner and my friend from
12 Mexicali were not able to help me with my bills and with food because they too were
13 affected by the pandemic and are struggling to afford themselves and their families.

14 56. I eventually found a job at a construction business nearby as a
15 construction helper, but it wasn't regular work, only some days a week. I worked as a
16 construction helper for about month but then I was out of work and I had to wait for
17 the restaurant where I had previously worked to reopen.

18 57. The restaurant reopened and I have since returned to working at the
19 restaurant. I am still struggling to cover my monthly expenses and must rely on my
20 partner to help me. Even with my partner's help and my current job, I cannot afford
21 all of my expenses. There are often times when I do not have enough to eat, I cannot
22 afford the medication I need for my transition, I cannot afford my bills or other basic
23 necessities like clothing.


24 58. If I am allowed to enter the United States, I will reside with my mother in
25 New Jersey.

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

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

7 Executed on October 27, 2020 at Tijuana, Mexico.

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9 Jaqueline Doe

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CERTIFICATION

I, Kelsey Provo, declare that I am fluent in the English and Spanish languages.

On October 27, 2020, I read the foregoing declaration and orally translated it faithfully and accurately into Spanish in the presence of the declarant. After I finished translating the foregoing declaration, the declarant verified that the contents of the 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 27, 2020 at Portland, Oregon.



Kelsey Provo

Date: 10/27/2020