

AFFIDAVIT OF [CLIENT]

STATE OF NEW YORK]
COUNTY OF NEW YORK] ss:

I, [client], being duly sworn, depose and state:

1. My name is [client]. I currently live in Kings County, NY.
2. I was born on [birth date], in Honduras. I am currently 19 years old. I am 5'5" tall and I weigh approximately 115 lbs.
3. Growing up in Honduras, I did not have an easy life. My parents always treated me worse than my other siblings. My father forced me to stop going to school when I was 12 years old, and I began working in the fields. I developed terrible allergies and asthma but my parents would not let me go back to school. One day when I was working with a machete, I accidentally sliced my big toe.
4. My mother very frequently beat me for the smallest thing. She would often use a horse whip or a branch. They would leave welts that lasted for weeks. When she was angry with me, she would refuse to cook me food.
5. I decided to go to the United States because I wanted to escape from my parents and find a better life. When I told my parents that I was leaving and my mom said "I don't care."
6. I told my story to a judge in Brooklyn on July 28, 2014, and he granted my guardianship petition and an order for Special Findings. I applied for a Special Immigrant Juvenile visa on August 6, 2014. My application has been pending for nearly six months.
7. I left Honduras to travel to the United States on April 12, 2013. At that time, I was 17 years old. When I left home, I had a copy of my birth certificate in the back pocket of my pants. That was the only form of identification I had in Honduras.
8. One of my brothers accompanied me until he hired a coyote in Guatemala to travel with me. This was the first of several coyotes who took me to the US border. I travelled 11 days to get to the border. During those 11 days, the coyotes did not give me much to eat and I only slept a few hours every night. I was really hungry throughout the whole trip. I crossed into the United States near McAllen, Texas, from Reynosa, Mexico, early on the morning of the 12th day of my trip.
9. We crossed the Rio Grande in a small boat at around 6:00 am. When we got out of the boat, I tripped in a hole on the river bank and fell backwards into the water. I got wet, and so did my back pocket. I forgot that my birth certificate was in my pocket, and I did not remove it until several hours later, when we sat down to wait for the coyote. The paper was falling apart, and when I went to unfold it, it tore. I left my birth certificate behind before immigration caught me because it was ruined.

10. After we crossed, I was in a group of about 40 people. I felt scared and alone in the group because I didn't have anyone with me. There were two other small children in the group like me and the rest were adults. We got caught after walking most of the day. When people realized that the police were coming and we were going to get caught, the adults went running and pushed me towards the back of the group. A police officer caught me in the street. He made me sit and wait for an immigration patrol. A patrol came along and took us to an investigation center. The date of my arrest was April 24, 2013.

Detention in Texas

11. Everyone entered a large room and the agents yelled at us to form a line. They made us take off our jackets and belts. They gave us a little bit of bread. This was the first food I had eaten since the previous night. I was really hungry.

12. An agent came down the line asking everyone for their information: name, date of birth, country they came from. I gave him my real name, [client], and birth date, and country, Honduras. Other people in line were showing the agent their identification, but since my birth certificate was destroyed, I did not have anything to show him.

13. The agent, a small, chubby man who spoke Spanish, told me he did not believe that I was a minor. I got really nervous and scared when he said that because he was an authority figure. I told him that he could call my family to check my birth date. He told me that he was not going to call and he did not give me a call to my family either. I suggested that because I was trying to think of ways that they could check how old I was. None of the kids in the cell were getting calls either.

14. A different agent, who was tall and appeared to be Hispanic but spoke English, sent me to the cell for children. The cell had a cement floor and four mattresses. I remained there for about two hours. I don't know why they sent me there when the first agent said he didn't believe me. They did not give me any papers when I went into the dormitory, nor food. I did not see any of the other children getting forms either. It was cold in the room. I washed my hands and face. I spent the time waiting to see if they were going to let me make a phone call because they still had not verified my age. I was really scared because I did not know what was going on. I caught the attention of an agent who was guarding the cell, but he ignored me and refused to come over. I felt bad because this was the first time I had ever been a prisoner. I did not sleep at all. The door was locked.

15. Suddenly, another agent came into the cell and called my name. The agent took me to another area and fingerprinted me. He said, "You are an adult," and sent me to the cell for adults. I did not say anything back because I was worried about what would happen if I protested. I felt really scared to be in a room full of adults by myself. I had heard that adults treated you badly in those rooms and made dirty jokes and used bad words. The door to the cell was locked. There were no mattresses in that cell. I tried to sleep on the floor.

16. They took me out of the adult cell with two other people and we went to another room. This happened a few times. No one told me where we were going or what was happening, and I was confused and really wanted to get out of there. I was interviewed by a female

agent in a little hut. She spoke Spanish with an American accent. There were a lot of detained people on the other side of the hut and I could see them through a glass divider. The agent had all of the forms already filled out with my information and printed out when I sat down. The forms said that I was born in 1994, not 1995. I told her that I was born in 1995. She said that the paperwork was already done and it would delay everything if she had to reprint it. I said "fine" and felt really defeated. The interview only lasted a few minutes.

17. The agent told me that if I wanted to go back to my country, I should sign the papers. In that moment, I felt like I wanted to go back. I had never been a prisoner before and I felt ugly and sad. I also was really hungry and felt like I was withering away. I felt like I was losing weight. I signed the papers. The agent gave me a copy of the paperwork. I was returned to the same cell where I had been before. They then put us on a bus and we stopped at another hut.
18. There, agents put me in another cell. After a little while we were put onto another bus and moved to another hut. It was late at night when we got there. In that hut, I had my first shower since immigration detained me a few days prior. I was losing track of time because I was in jail and I could not see daylight or any clocks.
19. All of the men in this cell showered nearly naked. I had never been in a situation like that and I did not take off my boxers to shower. An agent watched people while they used the bathroom. There were beds in this room, and all of the other people there were from Honduras. Everyone was dirty because no one had showered until then and were wearing the same clothes that they had on when they were detained.
20. When it was still nighttime outside, they told us that we were being sent back to our countries. Everyone seemed relieved. They shackled us before we left the building. I had on a belly chain, handcuffs around my wrists that were attached to the belly chain, and ankle cuffs that were attached by a short chain. The chains were heavy and I had to hold really still so the cuffs did not cut into my wrists and ankles. Everyone was saying they felt like Pablo Escobar. It felt awful.
21. In chains, we got on a bus, took a short ride, got off of the bus, and got onto an airplane. It was hard to walk and I felt like a career criminal. I thought the plane would land in San Pedro Sula or Tegucigalpa. No one told us where the plane was going. I was able to sleep a little bit on the plane. I could see the lights down below because it was nighttime for most of the flight.
22. At the end of the flight, the sun came up and I could see what I now know is New York City. I said to myself, "This is not Honduras." I could see all the way to Yankee Stadium. There were flight attendants on the plane who gave us some food, but because we were still shackled, it was uncomfortable and hard to eat. I felt like I was in a gangster movie.

Detention in Adult Facility in New Jersey

23. When we got off of the plane, we formed a line and immigration agents guarded us while we got on a bus. We still were shackled. When we got off of the bus, they gave us blue jail

uniforms. At the jail where we arrived, we could have a shower. They finally took our shackles off. I was placed in a locked dorm with 11 adults. I don't know the name of the place where they held us, but it felt like a jail. There were police everywhere watching us, and we had to be searched whenever we went anywhere. Other immigrants were saying that we were in a jail in New Jersey.

24. I started to talk with the other Hondurans in my dormitory and I told them that I was a minor but the authorities thought I was an adult and I did not know what I should do. I told them I was scared that if I told the authorities I was 17 years old, they would detain me until I turned 18 years old, which was two months away at that time. The adults in the room told me that if I were underage and had family in the United States, they would let me go.
25. There was a special phone where you could call and find out when your date of deportation was. I called and an agent told me it was five days away. I really did not want to go back home to Honduras.
26. I had started to feel bad and have chest pains. I wrote a letter saying that I felt sick and I asked for medical attention. I also wrote to ICE and told them what my birth date was. I put my letters in a mailbox to be picked up. A few hours later, I had an appointment with a doctor. She examined me and gave me some pills for the pain. I told her that I needed something else because I was a minor and they had me with the adults. She was horrified. She said, "What a big error!" and that they were not allowed to have me with the adults since I was a minor. She said that she was going to speak right away with an agent. I was so grateful and thanked her several times.
27. I was taken back to my cell. A little bit later, an ICE agent came to get the mail out of the ICE mailbox. Late that night, another agent came and got me out of the cell and took me to his office. This agent was tall and had a beard. He had white skin, dark hair, and spoke Spanish. He told me that he believed me when I said I was a minor and he asked for the phone number of my family in Honduras. I was nervous that no one would answer the phone because it was late at night and that I would be stuck as a prisoner forever. When we were making the call, four agents surrounded me. They were looking at me. Their presence made me nervous. My brother answered the phone. The agent confirmed my birth date with my brother and let me speak briefly to him. That was the first phone call I was allowed to make during this whole process.
28. I was then taken to a solitary cell. There was no bed in the cell. I was there all day and all night and I slept on the floor. The next day I was taken to a second cell that was hidden from the rest of the facility. I was very scared and felt alone, and I still did not know, after so many transfers and agents talking to me, what was going to happen to me. I could not hear any noise in that cell. I felt desperate and horrible. An agent came and told me that they were going to release me, but he did not tell me how long it would take. He had a beard. He put a bracelet on my wrist with my immigration number printed on it. They then put me in a tiny solitary confinement cell that I had seen people be put in after they were fighting. I had also heard from someone else that if we didn't behave, that cell was where we would get sent. The cell was so small that I could not move around and I began to cry.

The cell had one small window looking outside but I could not see much out of it. It was the size of my eyes. I felt like I was being punished.

29. I was locked in that small cell until they took me to the children's shelter. I was in the cell for about half a day. When it was time for me to be transferred, a guard came and got me. He spoke to me in a loud voice that scared me. Another guard handcuffed me to a chair in a small room. The first guard had to tell the other one to uncuff me. Then they took my fingerprints before releasing me. They followed the same procedure I'd gone through in Texas.
30. I was released from the shelter about two months later.
31. In total, I was detained for about 8 days with adults; for one of those, I was in chains, and for a day and a half or so, I was in solitary confinement. When I was first released from detention, I would wake up suddenly in the middle of the night. It is still difficult for me to talk about what happened, but it is important that I tell what happened so it does not happen to any other child.
32. If they had offered me a phone call or any of the other things that kids were supposed to get in Texas, I would have taken it, even though I was not sure exactly what was happening.
33. This affidavit has been read to me in Spanish and I have had the opportunity to make any changes or corrections I wished to make. I swear under penalty of perjury that it is true and correct to the best of my knowledge.

[client]

Sworn to before me this

____day of January 2015

Notary Public