

INTRODUCTION

1. This lawsuit challenges the federal government's recent decision to indefinitely separate immigrant parents from their young children. The government's separation policy is designed, intended, and administered as a means of deterring all immigration, even legal immigration by those with a right to seek asylum. This is punishment, it interferes with family integrity, and it interferes with access to courts, all of which our Constitution's Fifth Amendment does not allow. Families naturally experience forced separation as torture and they urge this Court to stop it.

PARTIES

2. Plaintiff M.G.U. is an individual who is a citizen of Guatemala and is presently detained by Defendants near Pearsall, Texas after Defendants forcibly separated her from her three biological children whose ages are 2, 6, and 13.

3. Plaintiff E.F. is an individual who is a citizen of Guatemala and is presently detained by Defendants near El Paso, Texas after Defendants forcibly separated her from her 9-year-old biological son.

4. Plaintiff A.P.F. is an individual who is a citizen of Honduras and is presently detained by Defendants near Los Fresnos, Texas after Defendants forcibly separated him from his 12-year-old biological daughter.

5. Defendant U.S. Department of Homeland Security ("DHS") is a department of the executive branch of the U.S. government that is responsible for enforcing federal immigration laws, overseeing lawful immigration to the United States, and screening of asylum applicants.

6. Defendant U.S. Immigration and Customs Enforcement ("ICE") is a component of DHS. ICE is the principal investigative arm of DHS and is charged with criminal and civil enforcement of federal immigration laws. ICE's primary duties include the investigation of persons suspected

to have violated the immigration laws and the apprehension, detention, and removal of people who are not lawfully present in the United States.

7. Defendant U.S. Customs and Border Protection (“CBP”) is a component of DHS. CBP is responsible for the initial processing and detention of people without lawful immigration status who CBP apprehends near the U.S. border.

8. Defendant U.S. Department of Health and Human Services (“HHS”) is a department of the executive branch of the U.S. government that is responsible for administering a broad range of programs addressing social needs, including care for all persons who meet the definition of “unaccompanied alien child” stated in 6 U.S.C. § 279(g)(2).

9. Defendant Office of Refugee Resettlement (ORR) is a component of HHS. ORR is responsible for care and placement of “unaccompanied” children under § 279(g)(2).

10. Defendant Kirstjen Nielsen is sued in her official capacity as the Secretary of DHS. In this capacity, she is charged with enforcing and administering the immigration laws, and directing all HHS component agencies, including DHS, ICE, and CBP. She has ultimate authority over all policies, procedures, and practices relating to immigrant detention conducted by CBP and ICE. She is responsible for ensuring that all detained individuals held in CBP and ICE custody are detained in accord with law.

11. Defendant Thomas D. Homan is sued in his official capacity as the Acting Director of ICE. In that capacity, he has authority over all ICE policies, procedures, and practices relating to ICE enforcement operations and detention facilities. He is responsible for ensuring that all people held in ICE custody are detained in accord with law.

12. Defendant Daniel A. Bible is sued in his official capacity as the Field Office Director of ICE, San Antonio, Texas. In that capacity, he has direct responsibility for policies, procedures,

and practices relating to ICE enforcement operations and detention facilities in the Central South Texas Area of Responsibility. He is responsible for ensuring that all individuals held in ICE custody in the Central South Texas Area of Responsibility are detained in accord with law.

13. Defendant William Joyce is sued in his official capacity as the Acting Field Office Director of ICE, El Paso, Texas. In that capacity, he has direct responsibility for policies, procedures, and practices relating to ICE enforcement operations and detention facilities in the West Texas and New Mexico Areas of Responsibility. He is responsible for ensuring that all individuals held in ICE custody in the West Texas and New Mexico Areas of Responsibility are detained in accord with law.

14. Defendant Kevin K. McAleenan is sued in his official capacity as the Acting Commissioner of CBP. In that capacity, he has direct authority over all CBP policies, procedures, and practices relating to CBP immigration enforcement operations and facilities. He is responsible for ensuring that the arrest and detention of all individuals by CBP is in accord with law.

15. Defendant Rodney S. Scott is sued in his official capacity as the Chief Patrol Agent for the San Diego Sector of CBP. In that capacity, he has direct responsibility for policies, procedures, and practices relating to CBP enforcement operations and detention in the San Diego, California Sector.

16. Defendant Robert L. Boatright is sued in his official capacity as the Chief Patrol Agent for the Big Bend Sector of CBP. In that capacity, he has direct responsibility for policies, procedures, and practices relating to CBP enforcement operations and detention in the Big Bend Sector of Texas.

17. Defendant Manuel Padilla, Jr. is sued in his official capacity as the Chief Patrol Agent for the Rio Grande Valley Sector of CBP. In that capacity, he has direct responsibility for policies, procedures, and practices relating to CBP enforcement operations and detention in the Rio Grande Valley of Texas Sector.

18. Defendant Alex Azar is sued in his official capacity as the Secretary of HHS. In that capacity, he is charged with the care and custody of “unaccompanied” children, including their reunification with parents. He has ultimate authority over all policies, procedures, and practices relating to the care and custody of “unaccompanied” children. He is responsible for ensuring that the care and custody of all “unaccompanied” children in HHS custody is in accord with law.

19. Defendant Scott Lloyd is sued in his official capacity as the Director of ORR. In that capacity, he is charged with the care and custody of “unaccompanied” children, including their reunification with a legal parent or guardian. He is responsible for ensuring that the care and custody of all “unaccompanied” children in ORR custody is in accord with law.

JURISDICTION AND VENUE

20. This Court has subject matter jurisdiction over Plaintiffs’ claims pursuant to 28 U.S.C. §§ 1331 (federal question) and 1346 (federal defendant). This action arises under the U.S. Constitution.

21. This Court has authority to grant declaratory relief under 28 U.S.C. §§ 2201 and 2202.

22. Venue is proper in this District pursuant to 28 U.S.C. § 1391(e) because the defendant federal agencies are headquartered in this District.

INCORPORATED DOCUMENTS

23. Attached to this Complaint are the following documents, which Plaintiffs incorporate pursuant to Rule 10(c):

- a. DHS's 2013 policy on respecting parental rights is filed as ECF No. 1-1;
- b. DHS's 2017 rescission of its policy respecting parental rights is filed as ECF No. 1-2;
- c. The Attorney General's 2018 "Zero-Tolerance" directive is filed as ECF No. 1-3;
- d. DHS's 2018 policy on separating children is filed as ECF No. 1-4;
- e. DHS's 2018 notice to separated parents is filed as ECF No. 1-5;
- f. The docket from one court for one day, showing standard brief sentences imposed, ending prosecutions within days after arrest, is filed as ECF No. 1-6; and
- g. American Academy of Pediatrics Policy Statement on Detention of Immigrant Children is filed as ECF No. 1-7.

STATEMENT OF FACTS

A. Forced Separation Harms Children and Parents

- 24. Forced separation of parents from their children causes trauma to both.
- 25. The trauma can be severe, and can endanger their physical and mental health.
- 26. Each of these factors compounds the trauma of forced separation:
 - a. the duration of separation is indefinite, and unknown to parent or child;
 - b. the child is young;
 - c. parent and child are denied information about one another; and
 - d. parent or child have pre-existing trauma.
- 27. The American Academy of Pediatrics (AAP) is an association of over 66,000 physicians who specialize in treating children and training others to do so. AAP concludes that "Separation of a parent or primary caregiver from his or her children should never occur, unless there are

concerns for safety of the child at the hand of a parent.” American Academy of Pediatrics Policy Statement, Detention of Immigrant Children at 7 (Mar. 13, 2017),

<http://pediatrics.aappublications.org/content/139/5/e20170483> (visited June 18, 2018).

B. Defendants Made a Policy Choice to Begin Separating Families in Late 2017

28. Defendants and their predecessor agencies have enforced immigration laws at U.S. borders for almost a century.

29. Defendants’ history of immigration law enforcement has included periods when Defendants apprehended large numbers of noncitizen parents who entered the United States together with their minor noncitizen children.

30. Until late 2017, Defendants’ policy was to maintain immigrant families intact as they enforced immigration laws.

31. Until late 2017, Defendants committed that “ICE will maintain a comprehensive process for identifying, placing, monitoring, accommodating, and removing alien parents or legal guardians of minor children *while safeguarding their parental rights*.” ICE defined “parental rights” to mean “[t]he fundamental rights of parents to make decisions concerning the care, custody, and control of their minor children without regard to the child’s citizenship, as provided for and limited by applicable law.”

32. On August 29, 2017, Defendants rescinded the language quoted in the previous paragraph.

33. Throughout 2017, Defendants’ leaders and employees began publicly threatening to begin a policy of separating immigrant families as a means of deterring immigration. *See, e.g.*, CNN Interview of DHS Secretary John Kelly at 00:55 to 01:05 (March 7, 2017),

<https://www.cnn.com/2017/03/06/politics/john-kelly-separating-children-from-parents-immigration-border/index.html> (visited June 18, 2018).

34. Slowly in late 2017, and more rapidly as 2018 progressed, Defendants began to routinely separate immigrant parents from their children. *See U.S. v. Dominguez-Portillo*, No. EP-17-MJ-4409, 2018 WL 315759 at *1-8 (W.D. Tex. Jan. 5, 2018).

35. On April 6, 2018, the U.S. Attorney General announced a “zero tolerance” policy for entering the United States in violation of 8 U.S.C. § 1325(a) and directed the U.S. Department of Justice to accept for prosecution all referrals of § 1325(a) complaints from ICE and CBP.

36. Although entering the United States without inspection is a crime under 1325(a), courts describe it as “quite literally one of the least serious federal offenses.” *Dominguez-Portillo*, 2018 WL 315759 at *8. Congress defines a first violation of § 1325(a) as a “petty misdemeanor” punishable by up to six months’ incarceration. 18 U.S.C. § 19.

37. Judges almost never impose six months’ incarceration for violation of § 1325(a). Instead, in thousands of § 1325(a) prosecutions every year, the standard sentence for a person with no criminal or immigration history is “time served,” meaning that the one-to-three days that a person awaits appearance in court after arrest is the only criminal sanction imposed.

38. Judges alone decide § 1325(a) sentencing, not Defendants or the Attorney General. 18 U.S.C. § 3553(a)(1). Judges consider need to care for children as part of sentencing. *See U.S. v. King*, 201 F. Supp. 3d 167, 171 (D.D.C. 2016).

39. Defendants and the Attorney General are well aware that almost all § 1325(a) prosecutions and sentencing will be concluded within days after arrest.

40. Defendants cite the fact of a § 1325(a) prosecution as a pretext for separating parents from their children indefinitely.

41. On June 15, 2018, Defendants published a policy stating:
- a. all parents charged with violating § 1325(a) will be separated from their children at or near the time of arrest;
 - b. the separation will be indefinite;
 - c. the anguish that Defendants know that they cause by this separation will be addressed by providing mental health services to parents and children;
 - d. Defendants do not guarantee that parents will ever be reunited with their children;
 - e. if parents wish for further information about their children, they may call or email Defendants.

DHS Family Separation Policy (June 15, 2018), <https://www.dhs.gov/news/2018/06/15/fact-sheet-zero-tolerance-immigration-prosecutions-families> .

42. Between November 2017 and June 2018, Defendants have separated roughly two thousand parents from their children without regard to parental fitness.

43. Defendants' change in family separation practice has resulted from changed agency policy alone, and not from any change in any statute or codified regulation.

C. Defendants Forcibly Separated Plaintiffs From Their Children

44. Defendants currently hold Plaintiffs and their children solely as civil immigration detainees, and not in association with any criminal charge or conviction.

(i) Plaintiff M.G.U.

45. Defendants forcibly separated Plaintiff M.G.U. from G.V.G., her biological 2-year-old son, J.V.G., her biological 6-year-old son, and W.M.G., her biological 13-year-old son.

46. M.G.U. does not currently have sufficient reliable information about where her sons are, how to contact them, or how they will be reunited.

47. The separation and lack of information described in the preceding paragraphs cause M.G.U. and her sons continuous and severe emotional distress.

48. M.G.U. and her sons are citizens of Guatemala.

49. M.G.U. and her sons fled Guatemala after receiving threats of murder due to community organizing efforts undertaken by M.G.U.'s husband in Guatemala.

50. In compliance with 8 U.S.C. § 1325, M.G.U., G.V.G., J.V.G., and W.M.G. crossed the U.S.-Mexico border together and presented themselves to Defendants' employees at the San Ysidro, California port of entry on May 4, 2018, and sought asylum under 8 U.S.C. § 1158 due to their fear of returning to Guatemala.

51. Defendants' employees detained M.G.U., G.V.G., J.V.G., and W.M.G., and transferred them together from California to the South Texas Family Residential Center (STFRC) that Defendants operate near Dilley, Texas.

52. On May 18, 2018, M.G.U., G.V.G., J.V.G., and W.M.G. were provided a "credible fear interview" at STFRC before an Asylum Officer as provided by 8 U.S.C. § 1158.

53. Within two days after the credible fear interviews, M.G.U. was eating lunch at STFRC with her 2-year-old and her 6-year-old children. Her 13-year-old ran into the lunchroom and exclaimed that officers had told him that the entire family was being released and needed to pack immediately. After the family packed everything from their room at STFRC, they were escorted STFRC's intake area, where families are processed for release.

54. An officer then informed M.G.U. that he had good news and bad news. The good news: M.G.U. received a positive credible fear determination and her family would be released from STFRC. The bad news: the family would not be leaving together, and instead were going to be separated. The officer stated that Defendants intended to take the children and transport them to

New York while M.G.U. would be detained in Texas. M.G.U., G.V.G., J.V.G., and W.M.G. all burst out in tears, with proverbial weeping and gnashing of teeth.

55. M.G.U. eventually asked the officers how long the separation would last, and the officers responded that the separation would last at most a week. The officers stated that a judge needed to talk to M.G.U.

56. M.G.U.'s 13-year-old son held her 2-year-old in one arm and held the hand of her 6-year-old in the other as Defendants' employees and agents led them away from STFRC at about 2 p.m. on May 18, 2018. This was the last time that MGU has seen any of her children.

57. M.G.U.'s separation from her sons has already endured for almost a month, and M.G.U. has never been taken before any judge during this time.

58. M.G.U. presently has no idea when or how she will be reunited with her children.

59. Defendants have allowed M.G.U. to speak with her children by telephone once or twice per week.

60. When M.G.U. speaks with her children, they express fear, distress, and no understanding of what the future holds. M.G.U.'s 6-year-old is so overcome with grief that he can say little, and instead cries during his telephone calls with M.G.U. M.G.U. has only heard the voice of her 2-year-old toddler once since being separated; she has only heard him cry.

61. M.G.U. worries about her children constantly and is depressed due to her separation from them.

62. M.G.U., G.V.G., J.V.G., and W.M.G. are all desperate to be reunited with one another.

(ii) Plaintiff A.P.F.

63. Defendants forcibly separated Plaintiff A.P.F. from C.P.R., his 12-year-old biological daughter.

64. A.P.F. does not currently have sufficient reliable information about where C.P.R. is, how to contact C.P.R., or how they will be reunited.

65. The separation and lack of information described in the preceding paragraphs cause A.P.F. and C.P.R. continuous and severe emotional distress.

66. A.P.F. and C.P.R. are citizens of Honduras.

67. A.P.F. fled Honduras to the United States after A.P.F. was shot in the shoulder, producing scars that he still bears today. After A.P.F. returned from the hospital to his home in Honduras, he received threats that he and his family would be killed.

68. A.P.F. and C.P.R. crossed the U.S.-Mexico border together in Cameron County, Texas on June 4, 2018. They were extremely tired and hungry from their journey. They began walking alongside a road and soon encountered immigration officials. A.P.F. approached the officials and asked for assistance for himself and his daughter in seeking asylum.

69. Defendants' employees arrested A.P.F. and C.P.R. on the spot and drove them to a processing center in Brownsville, Texas.

70. Within minutes after A.P.F. and C.P.R. entered the facility, Defendants' employees presented A.P.F. and C.P.R. with several documents and indicated on each document where they should sign, and both A.P.F. and C.P.R. signed the forms together. At no time did anyone explain what the forms state. A.P.F. still has no idea what the forms state.

71. After A.P.F. and C.P.R. signed the forms, Defendants' employees physically separated A.P.F. from C.P.R. by leading C.P.R. out of the room where A.P.F. sat. Defendants' employees did not explain what they were doing. A.P.F. assumed that he would soon be reunited with C.P.R. and assumed that C.P.R. thought the same thing.

72. Defendants' employees did not inform APF that he and his daughter would be indefinitely separated until A.P.F. was transferred to a different detention location near Brownsville, Texas later on the same day of arrest, June 4, 2018. At that time, the only information provided to A.P.F. about C.P.R. was that they would be separated indefinitely.

73. On June 5 or 6, 2018, A.P.F. pleaded guilty in federal court to violating 8 U.S.C. § 1325(a), and a judge sentenced A.P.F. to a term of detention equal to the time that A.P.F. had previously spent in federal custody known as "time served."

74. A.P.F. is currently detained by Defendants' employees and agents near Los Fresnos, Texas.

75. A.P.F. has expressed his fear of returning to Honduras to guards on several occasions and intends to pursue an application for asylum under 8 U.S.C. § 1158.

76. A.P.F. has no information from Defendants or anyone else about C.P.R., her well-being, or her whereabouts.

77. A.P.F. convulses and cries when he speaks of his daughter and the pain that they both endure from their separation. He is unable to sleep for worry about his daughter.

(iii) Plaintiff E.F.

78. Defendants forcibly separated Plaintiff E.F. from B.Y.A.F., her 9-year-old biological son, and her only child.

79. E.F. does not currently have sufficient reliable information about where B.Y.A.F. is, how to contact him, or how they will be reunited.

80. The separation and lack of information described in the preceding paragraphs cause E.F. and B.Y.A.F.. continuous and severe emotional distress.

81. E.F. and B.Y.A.F. are citizens of Guatemala. They fled Guatemala after being threatened with violence. E.F. and B.Y.A.F. crossed the U.S.-Mexico border together near Presidio, Texas on May 14, 2018. The first and only action they took after crossing was to affirmatively search for immigration officials at a nearby port of entry. They found the officials quickly and asked for protection. The officials arrested and detained them together.

82. On May 15, 2018, Defendants' employees forcibly separated E.F. from B.Y.A.F. amid much crying and confusion and begging by E.F. and B.Y.A.F.

83. After B.Y.A.F. was led away, Defendants provided E.F. no information about why they were separated, how long it would last, how B.Y.A.F. would be cared for, or how they would be reunited.

84. On or about May 18, 2018, Defendants' employees transferred E.F. into the custody of U.S. marshals at a federal courthouse where, minutes later, E.F. pleaded not guilty to violating § 1325(a) because she affirmatively sought inspection at the border and did not believe that she evaded inspection.

85. On June 6, 2018, a record trial was held where E.F. testified about her experience in fleeing Guatemala and seeking protection in the United States, and in being forcibly separated from her child.

86. Upon hearing the evidence, the magistrate pronounced E.F. guilty of violating § 1325(a), sentenced her to "time served," closed her criminal case, and returned her to Defendants' custody.

87. E.F. is presently held in immigration detention in Texas while she pursues her asylum claim.

88. Now, almost a month after criminal proceedings concluded against her, E.F. is still unsure where her son is, although she believes that he is in New York. She has been allowed to speak with him one time since their forced separation.

89. E.F. has trouble eating and sleeping, and she wakes up crying, for worry about her son.

D. Defendants Inflicted Separation as Punishment

90. The following facts show that Defendants separated Plaintiffs from their children to punish Plaintiffs.

91. Defendants had no legitimate reason for forcibly separating Plaintiffs from their children, for maintaining the separation indefinitely, or for maintaining the separation without providing sufficient information or contact.

92. Defendants implemented a practice of not merely separating parents from their children, but doing so indefinitely and without providing information to family members about one another, to demonstrate to the world what agony parents should expect if they attempt to enter the United States with their children.

93. Defendants expect reports of the agony endured by Plaintiffs and people like Plaintiffs to deter not only illegal immigration, but also legal immigration from people who have a right to seek asylum pursuant to 8 U.S.C. § 1158.

94. The employees and agents who Defendants deploy to interact with parents and children in immigration detention facilities sadistically tease and taunt parents and children with the prospect of separation, and do so using words and tones indicating that Defendants' employees and agents enjoy the pain and suffering that the very idea of separation causes to parents and children.

CAUSES OF ACTION:

95. All of the foregoing allegations of fact are incorporated as if repeated to support each of the following two causes of action.

96. All persons on U.S. soil, including all Plaintiffs and their children, are protected by Due Process under the U.S. Constitution's Fifth Amendment.

COUNT I: Punishment of Civil Detainees in Violation of Due Process

97. The Constitution's Fifth Amendment prohibits punishment of immigrants held in civil detention. *Bell v. Wolfish*, 441 U.S. 520, 538-39 & n.20 (1979).

98. At all times after Defendants arrested Plaintiffs and their children, Defendants and their agents and employees have continuously detained Plaintiffs and their children pursuant to civil immigration detention statutes or as persons charged with crime awaiting trial. Defendants' have never detained Plaintiffs as convicted criminals.

99. Defendants intend to punish Plaintiffs and their children by taking the following actions:

- a. forcibly separating them;
- b. maintaining separation indefinitely;
- c. failing to provide meaningful information to parents or children about one another's whereabouts and well-being, and anticipated reunification; and
- d. preventing them from reliable and ready access to means of communicating with one another.

100. The following actions taken by Defendants punish Plaintiffs and their children regardless of any intent by any Defendant because they are patently excessive in relation to any legitimate objective:

- a. forcibly separating Plaintiffs from their children;

- b. maintaining separation indefinitely;
- c. failing to provide meaningful information to parents or children about one another's whereabouts and well-being, and anticipated reunification; and
- d. preventing them from reliable and ready access to means of communicating with one another.

COUNT II: Family Separation in Violation of Due Process

101. The Constitution's Fifth Amendment protects the relationship of parent and child.

Quilloin v. Walcott, 434 U.S. 246, 255 (1978).

102. Plaintiffs and their children have a liberty interest in remaining together as a family, which is protected by Due Process.

103. Defendants' initial separation of Plaintiffs from their children violates substantive Due Process because it furthers no legitimate purpose, and serves no compelling government interest.

104. Defendants' continued separation of Plaintiffs from their children after conclusion of all criminal proceedings violates substantive Due Process because it furthers no legitimate purpose, and serves no compelling government interest.

PRAYER

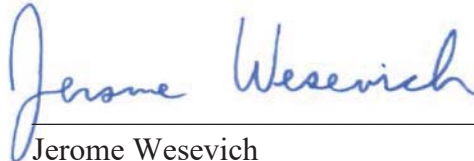
105. WHEREFORE, Plaintiffs pray that the Court grant them the following relief:

- (a) issue preliminary and permanent injunctions directing Defendants to immediately reunite Plaintiffs with their children, and to refrain from taking any action to separate them absent emergency or further order of this Court;
- (b) order Defendants to produce the complete administrative record in the time specified by D.D.C. Loc. R. 7(n)(1);
- (c) enter declaratory judgment that:

- (1) Defendants' forced separation of immigrant detainees from their children is punishment that is proscribed by the Fifth Amendment;
 - (2) Defendants' forced separation of immigrant detainees from their children interferes with family integrity in violation of the Fifth Amendment;
 - (3) Defendants violated Plaintiffs' Fifth Amendment rights when they separated them from their children; and
 - (4) Defendants violated Plaintiffs' Fifth Amendment rights when Defendants maintained separation of Plaintiffs from their children after the conclusion of criminal proceedings against them;
- (d) order Defendants to pay Plaintiffs' litigation costs and reasonable attorney fees; and
- (e) all other relief that the Court deems just and proper to ensure that Defendants act according to law.

June 20, 2018

Respectfully submitted,
TEXAS RIOGRANDE LEGAL AID, INC.



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CERTIFICATE OF INDIGENT REPRESENTATION

In accord with D.D.C. Local Rule 83.2(g), all attorneys signing this pleading certify that they are members in good standing of the bar of the Texas Supreme Court, and that they are employed by Texas RioGrande Legal Aid, Inc. to represent indigent clients at no cost to the clients, including all Plaintiffs named in the above lawsuit.

/s/

Jerome Wesevich

Amanda Chisholm

Peter McGraw

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

11064.1: Facilitating Parental Interests in the Course of Civil Immigration Enforcement Activities

Issue Date: August 23, 2013
Effective Date: August 23, 2013
Superseded: N/A

Federal Enterprise Architecture Number: 306-112-002b

1. **Purpose/Background.** U.S. Immigration and Customs Enforcement (ICE) is committed to intelligent, effective, safe and humane enforcement of the nation's immigration laws. ICE seeks to enforce immigration laws fairly and with respect for a parent's rights and responsibilities. This directive supplements existing ICE enforcement priority memoranda. This Directive establishes ICE policy and procedures to address the placement, monitoring, accommodation, and removal of certain alien parents. The Directive is particularly concerned with the placement, monitoring, accommodation, and removal of alien parents or legal guardians who are: 1) primary caretakers of minor children without regard to the dependent's citizenship; 2) parent and legal guardians who have a direct interest in family court proceeding involving a minor or child welfare proceedings in the United States; and 3) parents or legal guardians whose minor children are U.S. citizens (USCs) or lawful permanent residents (LPRs).

This Directive is intended to complement the immigration enforcement priorities and prosecutorial discretion memoranda, as well as other related detention standards and policies that govern the intake, detention, and removal of alien parents. The security and safety of any ICE employee, detainee, ICE detention staff or member of the public will be paramount in the exercise of the procedures and requirements of this Directive.

2. **Policy.** ICE personnel should ensure that the agency's immigration enforcement activities do not unnecessarily disrupt the parental rights of both alien parents or legal guardians of minor children. Particular attention should be paid to immigration enforcement activities involving: 1) parents or legal guardians who are primary caretakers; 2) parents or legal guardians who have a direct interest in family court or child welfare proceedings; 3) parents or legal guardians whose minor children are physically present in the United States and are USCs or LPRs. ICE will maintain a comprehensive process for identifying, placing, monitoring, accommodating, and removing alien parents or legal guardians of minor children while safeguarding their parental rights.
3. **Definitions.** The following definitions apply for the purposes of this Directive only.

- 3.1. Custody.** The period of time during which a person has been arrested or detained by ICE under its civil immigration enforcement authorities, is physically present in an ICE-owned, -leased, or -contracted detention facility pursuant to such authorities, or is being transported by ICE or an ICE contractor (including for the purposes of removal from the United States) pursuant to such authorities. Custody ends when the person is released from ICE's physical confinement or restraint, including upon transfer to another agency.
- 3.2. Initial Placement.** The first facility where an alien is detained by ICE.
- 3.3. Parental Rights.** The fundamental rights of parents to make decisions concerning the care, custody, and control of their minor children without regard to the child's citizenship, as provided for and limited by applicable law. The rights of legal guardians of minor children to make decisions concerning those children as provided for and limited by applicable law.
- 3.4. Family Court or Child Welfare Proceeding.** A proceeding in which a family or dependency court or child welfare agency adjudicates or enforces the rights of parents or minor children through determination or modification of parenting plans, child custody, visitation, or support, or the distribution of property or other legal obligations in the context of parental rights.
- 4. Responsibilities.**

 - 4.1. Enforcement and Removal Operations (ERO) Field Office Directors (FODs)** and their staff or designees have responsibilities under Sections 5.1 through 5.7.
 - 4.2. The ERO Executive Associate Director (EAD)** has responsibilities under Section 5.8 and 5.9.
 - 4.3. The ERO Field Operations Division** has responsibilities under Section 5.7 (Facilitation of Return).
 - 4.4. The Parental Rights Coordinator** has responsibilities under Sections 5.1, 5.8, and 5.10 (Training).
 - 4.5. The Field Point of Contact (POC) for Parental Rights** in each ERO Field Office have responsibilities under Sections 5.1, 5.2, and 5.8 (Implementation through Collaboration and Information Sharing).
 - 4.6. ICE Office of Detention Policy and Planning (ODPP)** has responsibilities under Section 5.10 (Training).
- 5. Procedures/Requirements.**

5.1. Field Points of Contact for Parental Rights (“Field POCs”).

- 1) Each ERO FOD shall designate a specially trained coordinator at the supervisory level in his or her Field Office to serve as the Field POC for Parental Rights for his/her area of responsibility (AOR). These Field POCs will regularly communicate with the Parental Rights Coordinator (See 5.8) and report to ERO HQ on the progress of implementing this Directive. The Field POCs will also participate in all relevant training offered by HQ ERO on the subject of this Directive.
- 2) Each Field POC shall receive and address public inquiries related to the parental rights or family ties of detained alien parents or legal guardians of minor children. Careful consideration should be given to cases involving parents or legal guardians who are primary caretakers, those who have a direct interest in family court or child welfare proceedings, and those whose minor children are USCs or LPRs. Inquiries may be received from detained or non-detained aliens, their family members, attorneys or representatives, advocacy groups, state and local family courts, and/or child welfare services, among others.
- 3) Information regarding how to contact the Field POCs shall be posted and publicized at detention facilities within each AOR and on the ICE website. Information will be made available in multiple languages to the extent practicable.

5.2. Prosecutorial Discretion and Identification.

- 1) ***Prosecutorial Discretion.*** FODs shall continue to weigh whether an exercise of prosecutorial discretion may be warranted for a given alien and shall consider all relevant factors in this determination, including whether the alien is a parent or legal guardian of a USC or LPR minor, or is a primary caretaker of a minor. While the FODs may exercise prosecutorial discretion at any stage of an enforcement proceeding, it is generally preferable to exercise such discretion as early in the case or proceeding as possible.
- 2) ***Identification.*** ICE may receive information that identifies an alien as a parent or legal guardian of a USC or LPR minor, or as a primary caretaker of a minor at any time during the alien’s arrest, processing or detention.

If such information is sufficiently credible to confirm the alien’s status as a parent or legal guardian of a USC or LPR minor, or as a primary caretaker of a minor, FODs should reevaluate any custody determination for the alien to the extent permitted by law and in accordance with existing ICE policy.

Once a detained alien has been determined to be a parent or legal guardian of a USC or LPR minor, or as a primary caretaker of a minor, the FOD or Field POC should also enter this information into ENFORCE.

5.3. Initial Placement and Subsequent Transfers.

- 1) If the alien's child, children, or family court or child welfare proceedings are within the AOR of initial apprehension, the FOD shall refrain from making an initial placement or from subsequently transferring the alien outside of the AOR of apprehension, unless deemed necessary by the FOD for the reasons outlined in Section 5.2(3) of ICE Policy 11022.1, Detainee Transfers (January 4, 2012) ("Detainee Transfer Directive"). FODs shall also note any transfers outside the AOR in the updated Detainee Transfer Checklist (attached).
- 2) Further, and subject to detention space availability, the FOD will initially place the detained alien parent as close as practicable to the alien's child(ren) and/or to the location of the alien's family court or child welfare proceedings (if any).

5.4. Nature of the Individual's Participation in Family Court or Child Welfare Proceedings.

- 1) *In-person appearance* -- When a detained alien parent or legal guardian's presence is required to participate in family court or child welfare proceedings in order for him or her to maintain, or regain, custody of his or her child(ren) and:
 - a) The detained alien parent or legal guardian or his or her attorney or other representative requests with reasonable notice an opportunity to participate in such hearings;
 - b) The detained alien parent or legal guardian, or his or her attorney or other representative, has produced evidence of a family court or child welfare proceeding, including but not limited to, a notice of hearing, scheduling letter, court order, or other such documentation;
 - c) The family court or child welfare proceedings are located within a reasonable driving distance of the detention facility where the detained alien parent or legal guardian is housed;
 - d) Transportation and escort of the detained alien parent or legal guardian would not be unduly burdensome on Field Office operations; and
 - e) Such transportation and/or escort of the detained alien parent or legal guardian to participate in family court or child welfare proceedings does not present security and/or public safety concerns,

The FOD shall arrange for the detained alien parent or legal guardian's in-person appearance at family court or child welfare proceedings, if practicable.

- 2) *Participation by video or standard teleconferencing* -- If it is impracticable to transport the detained alien parent or legal guardian to appear in-person in a family

court or child welfare proceeding, due to distance or safety or security concerns, the FOD should work with both the detained alien parent or legal guardian and the family court or child welfare authority to identify alternative means for the detained alien parent or legal guardian to participate in the proceeding. For instance, if it is technologically feasible, and approved by the family court or child welfare authority, the FOD may facilitate a detained alien parent's or legal guardian's appearance or participation through video or standard teleconferencing from the detention facility or the Field Office.

In all cases, if the detained alien parent or legal guardian does not wish to attend and/or participate in a family court or child welfare proceeding, ICE will not interfere with the detained alien parent's or legal guardian's decision, which shall be documented in the detainee's A-File.

5.5. Visitation.

- 1) In some cases, parent-child visitation may be required by the family court or child welfare authority in order for a detained alien parent or legal guardian to maintain or regain custody of his or her minor child(ren). If a detained alien parent or legal guardian, or his or her family member, attorney, or other representative produces documentation (e.g. a reunification plan, scheduling letter, court order, or other such documentation) of such a requirement, FODs shall facilitate, to the extent practicable, the required visitation between the detained alien parent or legal guardian and his or her minor child(ren).¹
 - a) Such special visitation may include contact visitation, within the constraints of safety and security for both facility staff and detainees.
 - b) These special arrangements shall not limit or otherwise adversely affect the detained alien parent or legal guardian's normal visitation rights under the relevant detention standards, or the safe and efficient operation of the detention facility.
- 2) While in-person visitation is preferred and should be made available whenever practicable, if it is technologically feasible and approved by the family court or child welfare authority, FODs may permit parent-child visitation through video or standard teleconferencing from the detention facility or the Field Office.

¹ Pursuant to ICE detention standards, at facilities where there is no provision for visits by minors, upon request, FODs shall arrange for a visit by children, stepchildren, and/or foster children within the first 30 days. After that time, upon request, ICE shall consider a request for transfer, when possible, to a facility that will allow such visitation. Upon request, FODs shall continue monthly visits, if transfer is not approved, or until an approved transfer can be effected. *See* NDS 2000 (Section H.2.d); PBNDS 2008 (Section H.2.d); PBNDS 2011 (Section I.2.b).

5.6. Coordinating Care or Travel of Minor Children Pending Removal of a Parent or Legal Guardian.

- 1) Where detained alien parents or legal guardians who maintain their parental rights are subject to a final order of removal and ICE is effectuating their removal, FODs or their appropriate designees should accommodate, to the extent practicable, the detained parent or legal guardian's individual efforts to make provisions for their minor children. Such provisions may include the parent or legal guardian's attempt to arrange guardianship for his/her minor children to remain in the United States, or to obtain travel documents for their child(ren) to accompany them to their country of removal.
- 2) FODs will coordinate, to the extent practicable, within their local detention facilities and within the Field Office to afford detained alien parents or legal guardians access to counsel, consulates and consular officials, courts and/or family members in the weeks preceding removal in order to execute signed documents (e.g., powers of attorney, passport applications, appointments of guardians or other permissions), purchase airline tickets, and make other necessary preparations prior to removal.
- 3) In addition, the FOD may, subject to security considerations, provide sufficient notice of the removal itinerary to the detainee or through the detained alien's attorney or other representative, so that coordinated travel arrangements may be made for the alien's minor child(ren).

5.7. Facilitation of Return.

- 1) If a lawfully removed alien (or his or her attorney, family member, consular official or other representative) provides to ICE verifiable evidence indicating that he or she has a hearing or hearings related to his or her termination of parental or legal guardianship rights before a family court or child welfare authority in the United States, and the court or child welfare authority has determined that the removed parent or legal guardian must be physically present, rather than participating via other means, ICE may, on a case-by-case basis, while taking into account security and public safety considerations, facilitate the return of the alien to the United States by grant of parole for the sole purpose of participation in the termination of parental rights proceedings.
- 2) ICE shall consider facilitating the return of a removed parent or legal guardian in compelling humanitarian cases. Aliens who are allowed to return must acknowledge in writing that they may be subject to additional safeguards, including but not limited to, detention, electronic monitoring or routine reporting requirements. Prior to being paroled back into the United States, alien parents or legal guardians must confirm, in writing: (i) that their sole purpose in traveling to the United States is to attend their termination of parental rights hearings; (ii) that the grant of parole can be terminated at any time; (iii) that they are not traveling to the United States in order to pursue immigration benefits or relief or protection from removal, or to otherwise circumvent

orderly visa and immigration processing; (iv) that they will depart the United States without delay following the conclusion of the final parental rights termination hearing for which they traveled to the United States; and (v) that they understand that if they do not depart the United States promptly upon the completion of such hearing, they may be subject to removal from the United States without further hearing as an arriving alien. Additionally, facilitation of return under this Directive will not relieve an alien of any ground of inadmissibility, deportability, or ineligibility for immigration benefits or relief or protection from removal.

- 3) The alien will be responsible for incurring all costs associated with returning to United States to participate in the termination of parental rights hearings; the alien will also incur all costs for departing the United States at the conclusion of the hearing.
- 4) Requests to facilitate return will be considered and accommodated on a case-by-case basis, taking into account security and public safety considerations and other relevant factors, such as whether the family court or relevant child welfare authority will permit the removed alien to participate through alternative means, e.g., through video or standard teleconferencing.

5.8. Implementation through Collaboration and Information Sharing.

- 1) The ERO EAD shall designate a Parental Rights Coordinator.
- 2) The Parental Rights Coordinator shall be responsible for:
 - a) Serving as the primary point of contact and subject matter expert for all FODs and Field POCs, regarding the parental rights of detained aliens.
 - b) With the assistance of relevant ERO divisions responsible for data collection and analysis, evaluating on an ongoing basis information collected from ENFORCE, Risk Classification Assessment (RCA) and other relevant ICE information technology systems regarding detained alien parents or legal guardians and sharing with FODs and Field POCs, on an ongoing basis, relevant information about detained alien parents and legal guardians within each AOR.
 - c) Assisting FODs and Field POCs in utilizing information about detained alien parents and legal guardians to help ensure compliance with this directive, including:
 - i. the appropriate exercise of prosecutorial discretion with respect to detained aliens who are determined to be the primary caretaker of a minor child, or who are determined to be the parent or legal guardian of a USC or LPR child;
 - ii. appropriate initial placement decisions and transfer decisions for detained alien parents or legal guardians;

- iii. the appropriate provision of escorted trips to family court or child welfare proceedings for detained alien parents or legal guardians;
 - iv. appropriate visitation within ICE facilities; and
 - v. appropriate efforts, to the extent practicable, to allow a detained alien parent or legal guardian to make provisions for their minor children, including through increased access to counsel, consular officials, family and dependency courts, child welfare authorities personnel, and/or family members or friends in order to arrange guardianship, or to obtain travel documents or otherwise make necessary travel arrangements, for his or her children.
- d) Coordinating as necessary with other relevant ERO program offices, FODs, state or local family court or child welfare authority personnel, consular officials and others to facilitate the timely response to issues or complaints relating to the parental rights of detained aliens received by ICE.
 - e) Working as necessary with relevant ICE program offices and consular officials to facilitate the return to the United States of certain lawfully removed aliens by grant of parole for the sole purpose of participation in the termination of parental rights proceedings.
- 3) To the extent practicable, the FODs and the Field POCs shall utilize information collected from ENFORCE, RCA, and other relevant ICE information technology systems regarding detained alien parents and legal guardians to perform the functions described in Section 5.8(2)(c) of this Directive.

5.9. Outreach.

- 1) With support from other relevant ICE program offices and in coordination with U.S. Department of Homeland Security (DHS) entities and the U.S. Department of Health and Human Services' Administration for Children and Families, the ERO EAD or his or her designee shall work with representatives of family and dependency courts and child welfare authorities to develop methods for improving communication and cooperation between the immigration enforcement, family or dependency court, and child welfare systems.
- 2) In cooperation with non-governmental organization stakeholders, the ERO EAD or his or her designee shall ensure the dissemination to all over-72-hour facility law libraries relevant resource guides, including materials prepared by non-governmental organizations and reviewed by ICE, regarding dependency proceedings and the intersection of these proceedings with immigration enforcement and detention.

5.10. Training.

- 1) The Parental Rights Coordinator, in consultation with relevant ICE and DHS program offices – to include other relevant ERO program offices, the ICE Office of Training

and Development, Office of Detention Policy and Planning, and the DHS Office for Civil Rights and Civil Liberties – shall develop training materials to assist FODs, Field POCs, and other relevant Field Office personnel in the implementation of this Directive.

- 2) Training shall cover, at a minimum, the means by which ICE officers and personnel will safeguard the parental rights of aliens they encounter – through identification, placement, monitoring, accommodation, and removal – while fulfilling their obligation to enforce the immigration laws.

6. Recordkeeping. None.

7. Authorities/References.

- 7.1. INA § 212(d)(5), 8 U.S.C. § 1182(d)(5).
- 7.2. 8 Code of Federal Regulations (CFR) §212.5
- 7.3. ICE Policy 10075.1, Exercising Prosecutorial Discretion Consistent with the Civil Immigration Enforcement Priorities of the Agency for the Apprehension, Detention, and Removal of Aliens (June 17, 2011).
- 7.4. ICE Policy 10072.1, Civil Immigration Enforcement: Priorities for the Apprehension, Detention, and Removal of Aliens (March 2, 2011).
- 7.5. 2011 Performance-Based National Detention Standard, “5.2 Trips for Non-medical Emergencies.”
- 7.6. ICE Policy 11022.1, Detainee Transfers (January 4, 2012).

8. Attachments.

- 8.1. Detainee Transfer Checklist (updated).

9. **No Private Right.** Notwithstanding the provisions of this Directive, ICE retains its discretion to remove or detain any alien to the extent permitted by law, irrespective of an alien’s pending family court or child welfare proceeding. These guidelines and priorities are not intended to, do not, and may not be relied upon to create any right or benefit, substantive or procedural, enforceable at law by any party in any administrative, civil, or criminal matter.



John Sandweg
Acting Director
U.S. Immigration and Customs Enforcement

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT

Policy Number 11064.2: Detention and Removal of Alien Parents or Legal Guardians

Issue Date: August 29, 2017
Effective Date: August 29, 2017
Superseded: ICE Policy 11064.1: Facilitating Parental Interests in the Course of Civil Immigration Enforcement Activities (Aug. 23, 2013) and ICE Policy 11031.1: Juveniles Encountered During Fugitive Operations (Aug. 24, 2007).
Federal Enterprise Architecture Number: 306-112-002b

1. **Purpose/Background.** This Directive provides guidance regarding the detention and removal of alien parents and legal guardians of a minor child(ren), to include those who have a direct interest in family court or child welfare proceedings in the United States. It is intended to complement the detention standards and policies that govern the intake, detention, and removal of alien parents or legal guardians.
2. **Policy.** U.S. Immigration and Customs Enforcement (ICE) personnel are responsible for the prompt and faithful execution of U.S. immigration laws. In pursuing the enforcement of these laws against alien parents and legal guardians of a minor child(ren), or who have a direct interest in family court or child welfare proceedings involving a minor child(ren) in the United States, ICE personnel should remain cognizant of the impact enforcement actions may have on a lawful permanent resident (LPR) or U.S. citizen (USC) minor child(ren). This Directive in no way limits the ability of ICE personnel to make individual enforcement decisions on a case-by-case basis. The security and safety of any ICE employee, detainee, ICE detention staff, or member of the public will be paramount in the exercise of the procedures and requirements of this Directive.
3. **Definitions.** The following definitions apply for the purposes of this Directive only.
 - 3.1. **Family Court or Child Welfare Proceeding.** A proceeding in which a family or dependency court or child welfare agency adjudicates or enforces the rights of parents or minor child(ren) through determination or modification of parenting plans, child custody, visitation, or support, or the distribution of property or other legal obligations in the context of parental rights.
4. **Responsibilities.**
 - 4.1. **The Enforcement and Removal Operations (ERO) Executive Associate Director** is responsible for:
 - 1) Ensuring ERO employees comply with this Directive; and

2) Designating a Child Welfare Coordinator.

4.2. Field Office Directors (FOD) are responsible for designating a coordinator at the supervisory level in his or her Field Office to serve as the Field Point of Contact (POC) for the provisions listed in this Directive for his/her area of responsibility (AOR).

4.3. The Child Welfare Coordinator is responsible for:

- 1) Serving as the primary point of contact and subject matter expert for all ICE personnel regarding child welfare issues related to detained aliens;**
- 2) With the assistance of ERO divisions responsible for data collection and analysis, evaluating, on an ongoing basis, information collected from ENFORCE, the Risk Classification Assessment, and other relevant ICE information technology systems regarding detained alien parents or legal guardians and sharing appropriate information with FODs and Field POCs on an ongoing basis; and**
- 3) Providing guidance to FODs and Field POCs on:**
 - a) Appropriate initial placement and transfer decisions for detained alien parents or legal guardians;**
 - b) Appropriate provisions for escorted trips to family court or child welfare proceedings for detained alien parents or legal guardians;**
 - c) Appropriate visitation within ICE facilities; and**
 - d) Appropriate efforts, to the extent practicable, to allow a detained alien parent or legal guardian to make arrangements for their minor child(ren), including through increased access to counsel, consular officials, family and dependency courts, child welfare authorities' personnel, and/or family members or friends in order to arrange guardianship, or to obtain travel documents or otherwise make necessary travel arrangements, for his or her minor child(ren).**
- 4) Coordinating as necessary with relevant ERO program offices, FODs, state or local family court or child welfare authority personnel, consular officials, and others to facilitate the timely response to issues or complaints received by ICE regarding the child welfare issues of detained aliens.**

4.4. The ERO Field POCs are responsible for:

- 1) Addressing public inquiries related to the family ties of detained alien parents or legal guardians of a minor child(ren); and**
- 2) Communicating with the Child Welfare Coordinator and completing all relevant training.**

5. Procedures/Requirements.

5.1. Minor Child(ren) Encountered During Enforcement Actions.

- 1) ICE personnel should not take custody of or transport a minor child(ren) they encounter during an enforcement action who is either a USC or LPR, or who is otherwise not removable from the United States.
- 2) Absent indications of child abuse or neglect, ICE personnel should accommodate, to the extent practicable, an alien parent or legal guardian's efforts to make alternative care arrangements for his or her minor child(ren). ICE personnel should document the alien parent or legal guardian's request for transfer of custody of a USC or LPR minor child(ren) to a verifiable third party.
- 3) If the alien parent or legal guardian cannot make an alternative care arrangement for the minor child(ren), or if there is an indication that the minor child(ren) has been subject to abuse or neglect by a parent or other adult who may be asked to take custody of the minor child(ren), ICE personnel should contact the local child welfare authority or law enforcement agency to take custody of the minor child(ren).
- 4) Once a detained alien has been determined to be a parent or legal guardian of a USC or LPR minor child(ren), ICE personnel should enter this information in ENFORCE Alien Removal Module (EARM), or its successor system.

5.2. Initial Detention Placement and Subsequent Transfers of Detained Alien Parents or Legal Guardians.

- 1) If the alien's minor child(ren) or family court or child welfare proceedings are within the AOR of initial apprehension, the FOD must refrain from making an initial placement or from subsequently transferring the alien outside of the AOR of apprehension, unless deemed operationally necessary and otherwise consistent with applicable ICE policies.

5.3. Participation in Family Court or Child Welfare Proceedings by Detained Alien Parents or Legal Guardians.

- 1) Where practicable, the FOD must arrange for a detained alien parent or legal guardian's in-person appearance at a family court or child welfare proceeding when the detained alien parent or legal guardian's presence is required in order for him or her to maintain or regain custody of his or her minor child(ren) and:
 - a) The detained alien parent or legal guardian, or his or her attorney or other representative, timely requests with reasonable notice an opportunity to participate in such hearings;

- b) The detained alien parent or legal guardian, or his or her attorney or other representative, has produced evidence of a family court or child welfare proceeding, including but not limited to, a notice of hearing, scheduling letter, court order, or other such documentation;
 - c) The family court or child welfare proceedings are located within a reasonable driving distance of the detention facility where the detained alien parent or legal guardian is housed;
 - d) Transportation and escort of the detained alien parent or legal guardian would not be unduly burdensome on Field Office operations; and
 - e) Such transportation and/or escort of the detained alien parent or legal guardian to participate in family court or child welfare proceedings does not present security and/or public safety concerns.
- 2) If it is impracticable to transport the detained alien parent or legal guardian to appear in-person in a family court or child welfare proceeding, the FOD should accommodate the detained alien parent or legal guardian's appearance or participation through video or standard teleconferencing from the detention facility or the Field Office to the extent that it is technologically feasible and approved by the family court or child welfare authority. The detained alien parent shall have the responsibility for obtaining approval from the family court or child welfare agency.
- 3) All actions taken pertaining to a detainee's participation in family court or child welfare proceedings should be documented in EARM, or its successor system.
- 4) In all cases, if the detained alien parent or legal guardian does not wish to attend and/or participate in a family court or child welfare proceeding, ICE will not interfere with the detained alien parent or legal guardian's decision, which shall be documented in the detainee's Alien-File (A-File).

5.4. Visitation.

- 1) In the event an alien parent or legal guardian is detained, ICE will facilitate a means of regular visitation between the parent and minor child(ren).
- 2) Pursuant to ICE detention standards, at facilities where there is no provision for visits by minors, upon request, FODs must arrange for a visit by minor child(ren), step-child(ren), child(ren) under legal guardianship, and/or foster child(ren) within the first 30 days. After that time, upon request, ICE must consider a request for transfer, when practicable, to a facility that will allow such visitation. Upon request, FODs must continue monthly visits, if transfer is not approved, or until an approved transfer can be effected.¹

¹ See National Detention Standards 2000 (Section H.2.d); Performance-Based National Detention Standards

- 3) In some cases, parent-child visitation may be required by the family court or child welfare authority in order for a detained alien parent or legal guardian to maintain or regain custody of his or her minor child(ren). If a detained alien parent or legal guardian, or his or her family member, attorney, or other representative produces documentation (e.g., a reunification plan, scheduling letter, court order, or other such documentation) of such a requirement, FODs must facilitate, to the extent practicable, the required visitation between the detained alien parent or legal guardian and his or her minor child(ren).
 - a) Such special visitation may include contact visitation, within the constraints of safety and security for both facility staff and detainees.
 - b) These special arrangements must not limit or otherwise adversely affect the detained alien parent or legal guardian's normal visitation rights under the relevant detention standards, or the safe and efficient operation of the detention facility.
- 4) If in-person visitation is not practicable, FODs may permit parent-child visitation through video or standard teleconferencing from the detention facility or the Field Office to the extent it is technologically feasible and approved by the family court or child welfare authority when visitation is court-ordered.
- 5) All actions documenting parent-child visitation should be recorded in EARM or its successor system. Copies of visitation orders will be placed in the A-File.

5.5. Coordinating Care or Travel of Minor Child(ren) Pending Removal of a Parent or Legal Guardian.

- 1) Where detained alien parents or legal guardians who maintain their parental rights are subject to a final order of removal and ICE is effectuating their removal, FODs or their appropriate designees should accommodate, to the extent practicable, the detained parent or legal guardian's individual efforts to make arrangements for their minor child(ren). Such provisions may include the parent or legal guardian's attempt to arrange guardianship for his or her minor child(ren) to remain in the United States, or to obtain travel documents for the minor child(ren) to accompany them to their country of removal.
- 2) FODs must coordinate, to the extent practicable, within their local detention facilities and within the Field Office to afford detained alien parents or legal guardians access to counsel, consulates and consular officials, courts and/or family members in the weeks preceding removal in order to execute signed documents (e.g., powers of attorney, passport applications, appointments of guardians, or other permissions), purchase airline tickets, and make other necessary preparations prior to removal.

- 3) In addition, the FOD may, subject to security considerations, provide sufficient notice of the removal itinerary to the detainee or through the detained alien's attorney or other representative so that coordinated travel arrangements may be made for the alien's minor child(ren).

6. Recordkeeping.

- 6.1. Court documentation, visitation orders, and family law case files will be maintained as part of the A-File. A-Files will be retained permanently and transferred to the National Archives after 100 years in accordance with the U.S. Citizenship and Immigration Services A-File records schedule (N1-566-08-011).
- 6.2. Information related to minor child(ren) encountered during enforcement actions and family court or child welfare proceedings will be stored in the Enforcement Integrated Database and retained for 75 years in accordance with DHS records schedule Biometric with Limited Biographical Data (DAA-0563-2013-001) item 6, Law Enforcement.

7. Authorities/References.

- 7.1. Executive Order 13,768, "Enhancing Public Safety in the Interior of the United States," 82 Fed. Reg. 8799 (Jan. 30, 2017).
- 7.2. Memorandum from DHS Secretary John Kelly, "Enforcement of the Immigration Laws to Serve the National Interest" (Feb. 20, 2017).
- 7.3. 2011 Performance-Based National Detention Standards.
- 7.4. 2008 Performance-Based National Detention Standards.
- 7.5. 2000 National Detention Standards.

8. Attachments. None.

9. **No Private Right Statement.** This document provides only internal ICE policy guidance, which may be modified, rescinded, or superseded at any time without notice. It is not intended to, does not, and may not be relied upon to create any right or benefit, substantive or procedural, enforceable at law by any party in any administrative, civil, or criminal matter. Likewise, no limitations are placed by this guidance on the otherwise lawful enforcement or litigative prerogatives of ICE.



Thomas D. Homan
Acting Director
U.S. Immigration and Customs Enforcement



Office of the Attorney General
Washington, D. C. 20530

APRIL 6, 2018

MEMORANDUM FOR FEDERAL PROSECUTORS ALONG THE SOUTHWEST BORDER

FROM:

THE ATTORNEY GENERAL

A handwritten signature in black ink, followed by the date "4/6/18".

SUBJECT:

Zero-Tolerance for Offenses Under 8 U.S.C. § 1325(a)

On April 11, 2017, I issued a memorandum to all federal prosecutors entitled “Renewed Commitment to Criminal Immigration Enforcement,” in which I directed the prioritization of the prosecution of certain criminal immigration offenses. I further directed each United States Attorney’s Office along the Southwest Border to work with the Department of Homeland Security to develop guidelines for prosecuting offenses under 8 U.S.C. § 1325(a).

Those seeking to further an illegal goal constantly alter their tactics to take advantage of weak points. That means we must effectively respond with smart changes also. The recent increase in aliens illegally crossing our Southwest Border requires an updated approach. Past prosecution initiatives in certain districts—such as Operation Streamline—led to a decrease in illegal activities in those districts. We must continue to execute effective policies to meet new challenges.

Accordingly, I direct each United States Attorney’s Office along the Southwest Border—to the extent practicable, and in consultation with DHS—to adopt immediately a zero-tolerance policy for all offenses referred for prosecution under section 1325(a). This zero-tolerance policy shall supersede any existing policies. If adopting such a policy requires additional resources, each office shall identify and request such additional resources.

You are on the front lines of this battle. I respect you and your team. Your dedication and insight into border reality is invaluable. Keep us informed, and don’t hesitate to give us suggestions for improvement. Remember, our goal is not simply more cases. It is to end the illegality in our immigration system.

This guidance is not intended to, does not, and may not be relied upon to create, any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.



U.S. Department of
Homeland Security

Fact Sheet: Zero Tolerance Immigration Prosecutions – Families

Release Date: June 15, 2018

The risks of crossing the Rio Grande and desert terrain, or hiding in stash houses or tractor trailers, are high for adults and even more deeply concerning for children. Individuals who seek to enter the United States should do so at ports of entry.

The Attorney General directed United States Attorneys on the Southwest Border to prosecute all amenable adults who illegally enter the country, including those accompanied by their children, for 8 U.S.C. § 1325(a), illegal entry.

Children whose parents are referred for prosecution will be placed with the Department of Health and Human Services (HHS), Office of Refugee Resettlement (ORR).

The information below provides information about:

- Care for children
- Family communication processes
- The removal process

Additional Information

- [Click here for Frequently Asked Questions regarding Zero Tolerance Immigration Prosecutions \(/news/2018/06/15/frequently-asked-questions-zero-tolerance-immigration-prosecutions\)](https://www.dhs.gov/news/2018/06/15/frequently-asked-questions-zero-tolerance-immigration-prosecutions).
- [Click here to view information provided to individuals while in CBP's custody \(/publication/next-steps-families\)](https://www.dhs.gov/publication/next-steps-families).
- [Click here for Information on the location of ICE detainees \(http://locator.ice.gov/odls/#/index\)](http://locator.ice.dhs.gov/odls/#/index).

Prosecution/Removal Proceedings

Individuals who are apprehended by Border Patrol are taken to stations for processing.

- All individuals, including both adults and children, provide biographical information and, in many cases, fingerprints.
- Border Patrol agents enter information into appropriate electronic systems of records, including information about the claimed or confirmed family relationship.

Individuals who are believed to have committed any crime, including illegal entry, will be referred to the Department of Justice and presented before a federal judge.

After the conclusion of any criminal case, individuals will be transferred to U.S. Immigration and Customs Enforcement (ICE) for appropriate immigration proceedings.

Any individual processed for removal, including those who are criminally prosecuted for illegal entry, may seek asylum or other protection available under law.

Alien children may also present an individual claim for asylum and depending on the circumstances, may undergo separate immigration proceedings.

Communication and Coordination for Families

Children in HHS ORR custody are provided with appropriate care, including medical care, mental health care, and educational programs. Children are normally held in a temporary shelter or hosted by an appropriate family.

While in HHS care, ORR begins the process of locating a sponsor for the child for discharge from federal custody.

- A sponsor can be a parent, adult sibling, relative, or appropriate home that meets criteria for the safety of the child and continuation of any immigration proceedings. A parent who is prosecuted and later released can be a sponsor and ask HHS to release his or her child back into his or her custody.
- In Fiscal Year 2017, 90 percent of the children were released to a sponsor who was either a parent or close relative.

HHS and DHS work to facilitate communication between detained parents and their children in HHS care.

- ICE is dedicating a facility as its primary family reunification and removal center.
- Parents and legal guardians who have been criminally prosecuted and are awaiting removal will normally be detained there.
- All ICE facility staff who interact with parents will receive trauma-informed care training.
- ICE is augmenting mental health care staffing, to include trained clinical staff, to provide mental health services to detained parents who have been separated from their children.
- ICE will work with detained parents to provide regular communication with their children through video conferencing, phone, and tablets.

HHS and ICE can take steps to facilitate family reunification for purposes of removal, consistent with federal law where the parent or legal guardian is capable of providing for the physical and mental well-being of the child and comports with the wishes of the parent or legal guardian.

Contact Information

For assistance in locating child(ren), individuals may contact the Office of Refugee Resettlement by calling 1-800-203-7001, email information@ORRNCC.com (<mailto:information@ORRNCC.com>), or visit <https://www.acf.hhs.gov/orr/resource/orr-national-call-center> (<https://www.acf.hhs.gov/orr/resource/orr-national-call-center>). Individuals should provide the child's full name, date of birth, and country of origin, as well as the alien registration number (A number), if available. Operators are available 24 hours a day, 7 days a week, and speak both Spanish and English. If calling from an ICE detention facility, dial 699# on the free call platform.

For information about an immigration case or the process for reunifying with child(ren), individuals can call the ICE hotline at 1-888-351-4024, email Parental.Interests@ice.dhs.gov (<mailto:Parental.Interests@ice.dhs.gov>), or visit <https://www.ice.gov/contact/detention-information-line> (<https://www.ice.gov/contact/detention-information-line>). If calling from an ICE detention facility, call using speed dial 9116# on the free call platform. ICE is committed to connecting family members as quickly as possible after separation so that parents know the location of their children and have regular communication with them. ICE has posted information in all longer-term facilities with this information.

- [Click here for Information on the location of ICE detainees](http://locator.ice.gov/odls/#/index) (<http://locator.ice.gov/odls/#/index>)

- [Click here to view information provided to individuals while in CBP's custody](#)
[\(/publication/next-steps-families\)](#)

Topics: [Border Security](#) [\(/topics/border-security\)](#), [Immigration Enforcement](#) [\(/topics/immigration-enforcement\)](#)

Keywords: [Border Security](#) [\(/keywords/border-security\)](#), [Family detention](#) [\(/keywords/family-detention\)](#), [southwest border](#)
[\(/keywords/southwest-border\)](#)

Last Published Date: June 15, 2018



U.S. Department of
Homeland Security

Frequently Asked Questions: Zero Tolerance Immigration Prosecutions

Release Date: June 15, 2018

The Attorney General directed United States Attorneys on the Southwest Border to prosecute all amenable adults who illegally enter the country, including those accompanied by their children, for 8 U.S.C. § 1325(a), illegal entry. Children whose parents are referred for prosecution will be placed with the Department of Health and Human Services (HHS), Office of Refugee Resettlement (ORR). The following are Frequently Asked Questions regarding Zero Tolerance Immigration Prosecutions.

Why Are Parents Being Separated From Their Children?

The Department of Homeland Security (DHS) may separate a parent or legal guardian from his or her child for several reasons, including situations where DHS cannot ascertain the parental relationship, when DHS determines that a child may be at risk with the presumed parent or legal guardian, or if a parent or legal guardian is referred for criminal prosecution, including for illegal entry.

Where Are Children Going?

Alien children who are separated from their parents or legal guardians will be transferred to the Department of Health and Human Services, Office of Refugee Resettlement (HHS ORR).

What Happens to Children in HHS Custody?

HHS ORR provides care for all alien children in its custody, to include medical care, mental health care, educational services, and other services. HHS also works to locate a sponsor (parent, guardian, other adult relative, or foster care provider) for the children in its custody, for purposes of releasing the child from government custody.

What Happens After Criminal Prosecution?

Parents or legal guardians who are charged with illegal entry will be transferred from DHS to the Department of Justice, where they will be presented to a judge for a hearing on their criminal case. After completion of criminal proceedings, they will be transferred to U.S. Immigration and Customs Enforcement (ICE) for immigration proceedings.

Any individual who is subject to removal may, in the course of immigration proceedings, seek asylum or other relief or protection from removal. The fact that an individual was prosecuted for illegal entry does not affect this right.

HHS and ICE can take steps to facilitate family reunification, for purposes of removal, if the potential sponsor is capable of providing for the physical and mental well-being of the child..and comports with the wishes of the parent or legal guardian.

Children may also present an individual claim for asylum or other relief or protection from removal, and depending on the circumstances, may undergo separate immigration proceedings.

How Can I Communicate With My Child?

For parents or legal guardians detained in ICE custody, ICE and HHS will work to schedule regular communication with their children in HHS custody, through telephone and/or video conferencing.

Additionally, individuals may locate and communicate with their children through the following methods:

- HHS Parent Hotline (24 hours a day, 7 days a week, in both English and Spanish):
 - If calling from outside an ICE detention facility, call 1-800-203-7001.
 - If calling from an ICE detention facility, dial 699# on the free call platform.
 - Please note that you will need to provide the child's full name, date of birth, and country of origin. It is also helpful to provide the child's alien registration number, if you know it.

- Email ORR at information@ORRNCC.com (<mailto:information@ORRNCC.com>).

Individuals may also obtain information about a particular immigration case (including their child's), or information about reunifying with their children, through the following methods:

- ICE Call Center (Monday-Friday, 8 am-8 pm EST):
 - If calling from outside an ICE detention facility, call 1-888-351-4024.
 - If calling from an ICE detention facility, dial 9116# on the free call platform.
- Email ICE at Parental.Interests@ice.dhs.gov (<mailto:Parental.Interests@ice.dhs.gov>).

Topics: [Border Security \(/topics/border-security/\)](/topics/border-security/), [Immigration Enforcement \(/topics/immigration-enforcement/\)](/topics/immigration-enforcement/)

Keywords: [Border Security \(/keywords/border-security/\)](/keywords/border-security/), [Family detention \(/keywords/family-detention/\)](/keywords/family-detention/), [southwest border \(/keywords/southwest-border/\)](/keywords/southwest-border/)


Last Published Date: June 15, 2018



U.S. Department of
Homeland Security

Next Steps for Families

Information provided to families who are in the custody of Customs and Border Protection (CBP) for the crime of illegal entry into the United States. The information provides an overview of the custody process and ways that parents can contact their children.

Attachment	Size
 Next Steps for Families	104.98
. (https://www.dhs.gov/sites/default/files/publications/18_0615_CBP_Next-Steps-for-Families.pdf)	KB

Last Published Date: June 15, 2018

Next Steps for FAMILIES



STEP 1

- ❖ You are currently in the custody of the U.S. Department of Homeland Security (DHS) Customs and Border Protection (CBP).
- ❖ You have been charged with the crime of illegal entry into the United States.

STEP 2

- ❖ Within the next 48 hours, you will be transferred to the custody of the U.S. Department of Justice (DOJ) and will be presented before a judge for having violated this law.
- ❖ While this process is occurring, your child or children will be transferred to the U.S. Department of Health and Human Services (HHS), Office of Refugee Resettlement (ORR), where your child will be held in a temporary child shelter or hosted by a foster family.
- ❖ DHS and HHS can take steps to facilitate reunification with your child(ren).

STEP 3

How do I locate my child(ren)?

Action 1 - Call U.S. Immigration and Customs Enforcement (ICE) Call Center.

- If calling from outside of an ICE detention facility, call 1-888-351-4024.
- If calling from an ICE detention facility, call using speed dial 9116# on the free call platform.
- Available Monday - Friday, 8am to 8pm EST. Language assistance is available.

Action 2 - Call the ORR Parent Hotline.

- If calling from outside of an ICE detention facility, call 1-800-203-7001.
- If calling from an ICE detention facility, call using speed dial 699# on the free call platform.
- Please provide the child's full name, date of birth, and country of origin. It is helpful to give the child's A number, or alien registration number, to the operator if you have it.
- Available 24 hours a day, 7 days a week, in Spanish or English.

Action 3 - Friends, family, ORR staff, and legal representatives can assist you by emailing:

- ICE at Parental.Interests@ice.dhs.gov
- ORR at information@ORRNC.com

STEP 4

- ❖ After your court hearing, you will be transferred to ICE custody.
- ❖ While you are in ICE custody:
 - ICE will work with ORR to schedule regular communication (via telephone and/or video teleconferencing) with your child(ren).
 - ICE will provide access to legal self-help materials.



PASO 1

- ❖ Usted está actualmente en la custodia del Departamento de Seguridad Nacional de los Estados Unidos (DHS) Oficina de Aduanas y Protección Fronteriza (CBP).
- ❖ Usted está acusado del delito de entrar a los Estados Unidos ilegalmente.

PASO 2

- ❖ Dentro las próxima 48 horas, usted va a ser transferido a la custodia del Departamento de Justicia de EE. UU. (DOJ) y vas a aparecer antes de un juez por haber violado la ley.
- ❖ Mientras que ocurre este proceso, su hijo o hijos serán transferidos al Departamento de Salud y Servicios Humanos de EE. UU. (HHS) Oficina de Reubicación de Refugiados (ORR) donde su hijo será puesto en un refugio para niños o será cuidado por una familia sustituta.
- ❖ DHS y HHS pueden tomar los pasos necesarios para facilitar la reunificación con sus hijos.

PASO 3

¿Como ubico mis hijos?

Acción 1 - Llame el Centro de Llamadas del Servicio de Inmigración y Control de Aduanas de EE. UU. (ICE)

- Si usted llama fuera de un centro de detención de ICE, llame 1-888-351-4024.
- Si usted llama desde un centro de detención de ICE, llame usando la marcación rápida 9116# en la plataforma de llamadas gratuitas.
- Accesible lunes-viernes, 8am a 8pm EST. Asistencia para hablar en su idioma está disponible.

Acción 2 - Llame la Línea para Padres del ORR.

- Si usted llama fuera de un centro de detención de ICE, llame, llame 1-800-203-7001.
- Si usted llama desde un centro de detención de ICE, llame usando la marcación rápida 699# en la plataforma de llamadas gratuitas.
- Por favor proporcione el nombre completo de su hijo, la fecha de nacimiento, y su país de origen. También infórmele al operador el "A number", o número de extranjero de su hijo si lo tienes.
- Disponible 24 horas al día, 7 días a la semana, en inglés o español.

Acción 3 - Amigos, familia, empleados de ORR, y su representación legal pueden asistirlo atreves de mandando u email a:

- ICE at Parental.Interests@ice.dhs.gov
- ORR at information@ORRNC.com

PASO 4

- ❖ Usted va a ser transferido a la custodia del ICE después de su audiencia en la corte.
- ❖ Mientras en el cuidado y custodia de ICE:
 - ICE va a trabajar con ORR para designar comunicación fija (vía teléfono y/o video teleconferencia) con sus hijos.
 - ICE dará acceso a materiales de autoayuda legal.

Report Crimes: Email (<http://www.ice.gov/webform/hsi-tip-form>) or(<http://www.ice.gov/>)[Main Menu](#)

Online Detainee Locator System

Select a different language

English ▼

Use this page to locate a detainee who is currently in ICE custody.

Online Detainee Locator System cannot search for records of persons under the age of 18.

Search by A-Number

If you know the detainee's A-Number, ICE recommends you use the A-Number search. The A-Number must be exactly nine digits long. If the A-Number has fewer than nine digits, please add zeros at the beginning. You are also required to select the detainee's correct Country of Birth. (* Required Field)

A-Number: *

A-Number

Country of Birth: *

-- Select a Country -- ▼

Search by A-Number

Search by Biographical Information

When searching by name, a detainee's first and last names are required and must be an exact match (e.g., John Doe will not find Jon Doe or John Doe-Smith). You are also required to select the detainee's Country of Birth. It is optional to enter the value input below are evaluated for exact matches. (* Required Field)

First Name: ***Last Name: *****Country of Birth: ***

Month:

Day:

Year:

Search by Biographical Information

Related Information

Helpful Info

Status of a Case

About the Detainee Locator

Brochure

(<http://www.ice.gov/factsheets/odls>)

ICE ERO Field Offices

(<http://www.ice.gov/contact/ero/>)

ICE Detention Facilities

(<https://www.ice.gov/detention-facilities>)

Privacy Notice

External Links

Bureau of Prisons Inmate
Locator

(<http://www.bop.gov/iloc2/LocateInmate.jsp>)

(http://service.govdelivery.com/service/multi_subscribe.html?code=USDHSICE)

(<http://www.facebook.com/wwwicegov>)



(<http://twitter.com/wwwICEgov>)



(www.ice.gov/rss/)

(<http://youtube.com/wwwICEgov>)

(<https://www.linkedin.com/company/u-s-immigration-and-customs-enforcement-ice>)

(<http://itunes.apple.com/us/podcast/ices-latest-videos/id535655139?mt=2&ign-mpt=uo%3D4>)

(<https://www.instagram.com/icegov>)

DHS.gov (<http://www.dhs.gov>) | USA.gov (<http://www.usa.gov>) |

OIG (<http://www.oig.dhs.gov>) |

Open Gov (<http://www.whitehouse.gov/open>) |

FOIA (<http://www.ice.gov/foia/overview>) |

Metrics (<http://www.ice.gov/metrics>) |

No Fear Act (<http://www.ice.gov/management-administration/dcr>) |

Site Map (<http://www.ice.gov/sitemap>) |

Site Policies & Plug-Ins (<http://www.ice.gov/legal>)

Are You Detained and Separated From Your Child(ren)?

Even though you are in immigration detention you can still communicate with your child(ren) and make decisions about their care.

You can ask for help locating and/or getting in contact with your child(ren) by making the following free calls from your housing unit phones. Ask facility staff for instructions on making phone calls using the pro bono phone platform.

- If you need assistance locating your child(ren) or setting up regular communication with your child(ren), call the Detention Reporting Information Line (Speed Dial 9116# on the Free Call Platform).
- If you know that your child(ren) is in the custody of the U.S. Government, call the Office of Refugee Resettlement (ORR) Parent Hotline using the free speed dial 699# on the detention phones.

In addition to calling, you may also fill out a detainee request form asking an ICE officer for assistance in locating and/or communicating with your child.

ICE and ORR work together to locate children, verify the parent/child relationship, and set up regular communication and removal coordination, if necessary.

Additional information regarding your parental rights may be found in the Women's Refugee Commission's self-help toolkit, *Detained or Deported: What About My Children*, available on the law library computers.



**U.S. Immigration
and Customs
Enforcement**

U.S. District Court
SOUTHERN DISTRICT OF TEXAS
Calendar Events Set For 6/12/2018-6/12/2018

06/12/2018

10:30 AM

[1:18-po-01680-1 USA v. Rayon-Mora](#) **DEFENDANT TERMINATED on 06/12/2018**

Initial Appearance Courtroom 1

USA (Plaintiff)

Federal Public Defender - Brownsville representing Adrian Rayon-Mora (Defendant [T])

- COMPLAINT with Initial Appearance as to Adrian Rayon-Mora (1), filed. Initial Appearance set for 6/12/2018 at 10:30 AM in Courtroom 1 before Magistrate Judge Ignacio Torteya III

[1:18-po-01681-1 USA v. Garcia-Mendez](#) **DEFENDANT TERMINATED on 06/12/2018**

Initial Appearance Courtroom 1

USA (Plaintiff)

Federal Public Defender - Brownsville representing Jefferson Gavino Garcia-Mendez (Defendant [T])

- COMPLAINT with Initial Appearance as to Jefferson Gavino Garcia-Mendez (1), filed. Initial Appearance set for 6/12/2018 at 10:30 AM in Courtroom 1 before Magistrate Judge Ignacio Torteya III

[1:18-po-01682-1 USA v. Ortiz-Garcia](#) **DEFENDANT TERMINATED on 06/12/2018**

Initial Appearance Courtroom 1

USA (Plaintiff)

Federal Public Defender - Brownsville representing Juan Ortiz-Garcia (Defendant [T])

- COMPLAINT with Initial Appearance as to Juan Ortiz-Garcia (1), filed. Initial Appearance set for 6/12/2018 at 10:30 AM in Courtroom 1 before Magistrate Judge Ignacio Torteya III

[1:18-po-01683-1 USA v. Marin-Jorge](#) **DEFENDANT TERMINATED on 06/12/2018**

Initial Appearance Courtroom 1

USA (Plaintiff)

Federal Public Defender - Brownsville representing Miguel Wilson Marin-Jorge (Defendant [T])

- COMPLAINT with Initial Appearance as to Miguel Wilson Marin-Jorge (1), filed. Initial Appearance set for 6/12/2018 at 10:30 AM in Courtroom 1 before Magistrate Judge Ignacio Torteya III

[1:18-po-01684-1 USA v. Altamirano-Hernandez](#) **DEFENDANT**

TERMINATED on 06/12/2018

Initial Appearance Courtroom 1

USA (Plaintiff)

Federal Public Defender - Brownsville representing Alma Delia Altamirano-Hernandez (Defendant [T])

- COMPLAINT with Initial Appearance as to Alma Delia Altamirano-Hernandez (1), filed. Initial Appearance set for 6/12/2018 at 10:30 AM in Courtroom 1 before Magistrate Judge Ignacio Torteya III

[1:18-po-01685-1 USA v. Ortiz-Lopez](#) **DEFENDANT TERMINATED on 06/12/2018**

Initial Appearance Courtroom 1

USA (Plaintiff)

Federal Public Defender - Brownsville representing Diego Raul Ortiz-Lopez (Defendant [T])

- COMPLAINT with Initial Appearance as to Diego Raul Ortiz-Lopez (1), filed. Initial Appearance set for 6/12/2018 at 10:30 AM in Courtroom 1 before Magistrate Judge Ignacio Torteya III

[1:18-po-01686-1 USA v. Casillas-Casillas](#) **DEFENDANT TERMINATED on 06/12/2018**

Initial Appearance Courtroom 1

USA (Plaintiff)

Federal Public Defender - Brownsville representing Daniel Casillas-Casillas (Defendant [T])

- COMPLAINT with Initial Appearance as to Daniel Casillas-Casillas (1), filed. Initial Appearance set for 6/12/2018 at 10:30 AM in Courtroom 1 before Magistrate Judge Ignacio Torteya III

[1:18-po-01687-1 USA v. Ortiz-Escamilla](#) **DEFENDANT TERMINATED on 06/12/2018**

Initial Appearance Courtroom 1

USA (Plaintiff)

Federal Public Defender - Brownsville representing Samuel Ortiz-Escamilla (Defendant [T])

- COMPLAINT with Initial Appearance as to Samuel Ortiz-Escamilla (1), filed. Initial Appearance set for 6/12/2018 at 10:30 AM in Courtroom 1 before Magistrate Judge Ignacio Torteya III

[1:18-po-01688-1 USA v. Juarez-Sierra](#) **DEFENDANT TERMINATED on**

06/12/2018

Initial Appearance Courtroom 1

USA (Plaintiff)

Federal Public Defender - Brownsville representing Rosario Vladimir Juarez-Sierra (Defendant [T])

- COMPLAINT with Initial Appearance as to Rosario Vladimir Juarez-Sierra (1), filed. Initial Appearance set for 6/12/2018 at 10:30 AM in Courtroom 1 before Magistrate Judge Ignacio Torteya III

[1:18-po-01689-1 USA v. Estrada-Orellana](#) **DEFENDANT TERMINATED on 06/12/2018**

Initial Appearance Courtroom 1

USA (Plaintiff)

Federal Public Defender - Brownsville representing Deysi De Los Angeles Estrada-Orellana (Defendant [T])

- COMPLAINT with Initial Appearance as to Deysi De Los Angeles Estrada-Orellana (1), filed. Initial Appearance set for 6/12/2018 at 10:30 AM in Courtroom 1 before Magistrate Judge Ignacio Torteya III

[1:18-po-01690-1 USA v. Altamirano-Hernandez](#) **DEFENDANT TERMINATED on 06/12/2018**

Initial Appearance Courtroom 1

USA (Plaintiff)

Federal Public Defender - Brownsville representing Luis Alfredo Altamirano-Hernandez (Defendant [T])

- COMPLAINT with Initial Appearance as to Luis Alfredo Altamirano-Hernandez (1), filed. Initial Appearance set for 6/12/2018 at 10:30 AM in Courtroom 1 before Magistrate Judge Ignacio Torteya III

[1:18-po-01691-1 USA v. Gomez-Argueta](#) **DEFENDANT TERMINATED on 06/12/2018**

Initial Appearance Courtroom 1

USA (Plaintiff)

Federal Public Defender - Brownsville representing Elmer John Gomez-Argueta (Defendant [T])

- COMPLAINT with Initial Appearance as to Elmer John Gomez-Argueta (1), filed. Initial Appearance set for 6/12/2018 at 10:30 AM in Courtroom 1 before Magistrate Judge Ignacio Torteya III

[1:18-po-01692-1 USA v. Avalos-Erazo](#) **DEFENDANT TERMINATED on 06/12/2018**

Initial Appearance Courtroom 1

USA (Plaintiff)

Federal Public Defender - Brownsville representing Jose Samuel Avalos-

Erazo (Defendant [T])

- COMPLAINT with Initial Appearance as to Jose Samuel Avalos-Erazo (1), filed. Initial Appearance set for 6/12/2018 at 10:30 AM in Courtroom 1 before Magistrate Judge Ignacio Torteya III

1:18-po-01693-1 USA v. Pineda-Murillo DEFENDANT TERMINATED on 06/12/2018

Initial Appearance Courtroom 1

USA (Plaintiff)

Federal Public Defender - Brownsville representing Juvenal Pineda-Murillo (Defendant [T])

- COMPLAINT with Initial Appearance as to Juvenal Pineda-Murillo (1), filed. Initial Appearance set for 6/12/2018 at 10:30 AM in Courtroom 1 before Magistrate Judge Ignacio Torteya III

1:18-po-01694-1 USA v. Perez-Recinos DEFENDANT TERMINATED on 06/12/2018

Initial Appearance Courtroom 1

USA (Plaintiff)

Federal Public Defender - Brownsville representing Dania Marleny Perez-Recinos (Defendant [T])

- COMPLAINT with Initial Appearance as to Dania Marleny Perez-Recinos (1), filed. Initial Appearance set for 6/12/2018 at 10:30 AM in Courtroom 1 before Magistrate Judge Ignacio Torteya III

1:18-po-01695-1 USA v. Sanchez-Gonzales DEFENDANT TERMINATED on 06/12/2018

Initial Appearance Courtroom 1

USA (Plaintiff)

Federal Public Defender - Brownsville representing Carlos Jose Sanchez-Gonzales (Defendant [T])

- COMPLAINT with Initial Appearance as to Carlos Jose Sanchez-Gonzales (1), filed. Initial Appearance set for 6/12/2018 at 10:30 AM in Courtroom 1 before Magistrate Judge Ignacio Torteya III

1:18-po-01696-1 USA v. Morales-Herrera DEFENDANT TERMINATED on 06/12/2018

Initial Appearance Courtroom 1

USA (Plaintiff)

Federal Public Defender - Brownsville representing Olman Daniel Morales-Herrera (Defendant [T])

- COMPLAINT with Initial Appearance as to Olman Daniel Morales-Herrera (1), filed. Initial Appearance set for 6/12/2018 at 10:30 AM in Courtroom 1 before Magistrate Judge Ignacio Torteya III

1:18-po-01697-1 USA v. Ortiz-Escamilla DEFENDANT TERMINATED on 06/12/2018

Initial Appearance Courtroom 1

USA (Plaintiff)

Federal Public Defender - Brownsville representing Francisco Jesus Ortiz-Escamilla (Defendant [T])

- COMPLAINT with Initial Appearance as to Francisco Jesus Ortiz-Escamilla (1), filed. Initial Appearance set for 6/12/2018 at 10:30 AM in Courtroom 1 before Magistrate Judge Ignacio Torteya III

1:18-po-01698-1 USA v. Romero-Mendoza DEFENDANT TERMINATED on 06/12/2018

Initial Appearance Courtroom 1

USA (Plaintiff)

Federal Public Defender - Brownsville representing Victor Manuel Romero-Mendoza (Defendant [T])

- COMPLAINT with Initial Appearance as to Victor Manuel Romero-Mendoza (1), filed. Initial Appearance set for 6/12/2018 at 10:30 AM in Courtroom 1 before Magistrate Judge Ignacio Torteya III

1:18-po-01699-1 USA v. Neri-Demetrio DEFENDANT TERMINATED on 06/12/2018

Initial Appearance Courtroom 1

USA (Plaintiff)

Federal Public Defender - Brownsville representing Romualdo Neri-Demetrio (Defendant [T])

- COMPLAINT with Initial Appearance as to Romualdo Neri-Demetrio (1), filed. Initial Appearance set for 6/12/2018 at 10:30 AM in Courtroom 1 before Magistrate Judge Ignacio Torteya III

1:18-po-01700-1 USA v. Bartolon-Gonzalez DEFENDANT TERMINATED on 06/12/2018

Initial Appearance Courtroom 1

USA (Plaintiff)

Federal Public Defender - Brownsville representing Edgar Bartolon-Gonzalez (Defendant [T])

- COMPLAINT with Initial Appearance as to Edgar Bartolon-Gonzalez (1), filed. Initial Appearance set for 6/12/2018 at 10:30 AM in Courtroom 1 before Magistrate Judge Ignacio Torteya III

1:18-po-01701-1 USA v. Diaz DEFENDANT TERMINATED on 06/12/2018

Initial Appearance Courtroom 1

USA (Plaintiff)

Federal Public Defender - Brownsville representing Marina Del Carmen Diaz (Defendant [T])

- COMPLAINT with Initial Appearance as to Marina Del Carmen Diaz (1), filed. Initial Appearance set for 6/12/2018 at 10:30 AM in Courtroom 1 before Magistrate Judge Ignacio Torteya III

[1:18-po-01702-1 USA v. Amador-Tzitzimititla](#) **DEFENDANT**

TERMINATED on 06/12/2018

Initial Appearance Courtroom 1

USA (Plaintiff)

Federal Public Defender - Brownsville representing Rolando Amador-Tzitzimititla (Defendant [T])

- COMPLAINT with Initial Appearance as to Rolando Amador-Tzitzimititla (1), filed. Initial Appearance set for 6/12/2018 at 10:30 AM in Courtroom 1 before Magistrate Judge Ignacio Torteya III

[1:18-po-01703-1 USA v. Rodriguez-Cruz](#) **DEFENDANT TERMINATED on 06/12/2018**

Initial Appearance Courtroom 1

USA (Plaintiff)

Federal Public Defender - Brownsville representing Cristian Rene Rodriguez-Cruz (Defendant [T])

- COMPLAINT with Initial Appearance as to Cristian Rene Rodriguez-Cruz (1), filed. Initial Appearance set for 6/12/2018 at 10:30 AM in Courtroom 1 before Magistrate Judge Ignacio Torteya III

[1:18-po-01704-1 USA v. Guardado-Cruz](#) **DEFENDANT TERMINATED on 06/12/2018**

Initial Appearance Courtroom 1

USA (Plaintiff)

Federal Public Defender - Brownsville representing Ever Alexander Guardado-Cruz (Defendant [T])

- COMPLAINT with Initial Appearance as to Ever Alexander Guardado-Cruz (1), filed. Initial Appearance set for 6/12/2018 at 10:30 AM in Courtroom 1 before Magistrate Judge Ignacio Torteya III

[1:18-po-01705-1 USA v. Ramirez-Aguilar](#) **DEFENDANT TERMINATED on 06/12/2018**

Initial Appearance Courtroom 1

USA (Plaintiff)

Federal Public Defender - Brownsville representing Carlos Roberto Ramirez-Aguilar (Defendant [T])

- COMPLAINT with Initial Appearance as to Carlos Roberto Ramirez-Aguilar (1), filed. Initial Appearance set for 6/12/2018 at 10:30 AM in Courtroom 1

before Magistrate Judge Ignacio Torteya III

[1:18-po-01706-1 USA v. Segundo-Lopez](#) **DEFENDANT TERMINATED on 06/12/2018**

Initial Appearance Courtroom 1

USA (Plaintiff)

Federal Public Defender - Brownsville representing Raul Segundo-Lopez (Defendant [T])

- COMPLAINT with Initial Appearance as to Raul Segundo-Lopez (1), filed. Initial Appearance set for 6/12/2018 at 10:30 AM in Courtroom 1 before Magistrate Judge Ignacio Torteya III

[1:18-po-01707-1 USA v. Lopez-Gonzalez](#) **DEFENDANT TERMINATED on 06/12/2018**

Initial Appearance Courtroom 1

USA (Plaintiff)

Federal Public Defender - Brownsville representing Cristian Lopez-Gonzalez (Defendant [T])

- COMPLAINT with Initial Appearance as to Cristian Lopez-Gonzalez (1), filed. Initial Appearance set for 6/12/2018 at 10:30 AM in Courtroom 1 before Magistrate Judge Ignacio Torteya III

[1:18-po-01708-1 USA v. Perez-Lopez](#) **DEFENDANT TERMINATED on 06/12/2018**

Initial Appearance Courtroom 1

USA (Plaintiff)

Federal Public Defender - Brownsville representing Elbin Perez-Lopez (Defendant [T])

- COMPLAINT with Initial Appearance as to Elbin Perez-Lopez (1), filed. Initial Appearance set for 6/12/2018 at 10:30 AM in Courtroom 1 before Magistrate Judge Ignacio Torteya III

[1:18-po-01709-1 USA v. De La Cruz-Perez](#) **DEFENDANT TERMINATED on 06/12/2018**

Initial Appearance Courtroom 1

USA (Plaintiff)

Federal Public Defender - Brownsville representing Octaviano De La Cruz-Perez (Defendant [T])

- COMPLAINT with Initial Appearance as to Octaviano De La Cruz-Perez (1), filed. Initial Appearance set for 6/12/2018 at 10:30 AM in Courtroom 1 before Magistrate Judge Ignacio Torteya III

[1:18-po-01710-1 USA v. Aranda-Reyes](#) **DEFENDANT TERMINATED on 06/12/2018**

Initial Appearance Courtroom 1

USA (Plaintiff)

Federal Public Defender - Brownsville representing Candido Aranda-Reyes (Defendant [T])

- COMPLAINT with Initial Appearance as to Candido Aranda-Reyes (1), filed. Initial Appearance set for 6/12/2018 at 10:30 AM in Courtroom 1 before Magistrate Judge Ignacio Torteya III

[1:18-po-01711-1 USA v. Castro-Ruiz](#) **DEFENDANT TERMINATED on 06/12/2018**

Initial Appearance Courtroom 1

USA (Plaintiff)

Federal Public Defender - Brownsville representing Fredy Antonio Castro-Ruiz (Defendant [T])

- COMPLAINT with Initial Appearance as to Fredy Antonio Castro-Ruiz (1), filed. Initial Appearance set for 6/12/2018 at 10:30 AM in Courtroom 1 before Magistrate Judge Ignacio Torteya III

[1:18-po-01712-1 USA v. Almendares-Alvarado](#) **DEFENDANT TERMINATED on 06/12/2018**

Initial Appearance Courtroom 1

USA (Plaintiff)

Federal Public Defender - Brownsville representing Jose Francisco Almendares-Alvarado (Defendant [T])

- COMPLAINT with Initial Appearance as to Jose Francisco Almendares-Alvarado (1), filed. Initial Appearance set for 6/12/2018 at 10:30 AM in Courtroom 1 before Magistrate Judge Ignacio Torteya III

[1:18-po-01713-1 USA v. Hernandez](#) **DEFENDANT TERMINATED on 06/12/2018**

Initial Appearance Courtroom 1

USA (Plaintiff)

Federal Public Defender - Brownsville representing Jose Maria Hernandez (Defendant [T])

- COMPLAINT with Initial Appearance as to Jose Maria Hernandez (1), filed. Initial Appearance set for 6/12/2018 at 10:30 AM in Courtroom 1 before Magistrate Judge Ignacio Torteya III

[1:18-po-01714-1 USA v. Interiano-Morales](#) **DEFENDANT TERMINATED on 06/12/2018**

Initial Appearance Courtroom 1

USA (Plaintiff)

Federal Public Defender - Brownsville representing Leibin Victoria Interiano-Morales (Defendant [T])

- COMPLAINT with Initial Appearance as to Leibin Victoria Interiano-

Morales (1), filed. Initial Appearance set for 6/12/2018 at 10:30 AM in Courtroom 1 before Magistrate Judge Ignacio Torteya III

[1:18-po-01715-1 USA v. Ixcoy-Diaz](#) **DEFENDANT TERMINATED on 06/12/2018**

Initial Appearance Courtroom 1

USA (Plaintiff)

Federal Public Defender - Brownsville representing Jonathan Rocael Ixcoy-Diaz (Defendant [T])

- COMPLAINT with Initial Appearance as to Jonathan Rocael Ixcoy-Diaz (1), filed. Initial Appearance set for 6/12/2018 at 10:30 AM in Courtroom 1 before Magistrate Judge Ignacio Torteya III

[1:18-po-01716-1 USA v. Lopez-De Beltran](#) **DEFENDANT TERMINATED on 06/12/2018**

Initial Appearance Courtroom 1

USA (Plaintiff)

Federal Public Defender - Brownsville representing Silvia Santos Lopez-De Beltran (Defendant [T])

- COMPLAINT with Initial Appearance as to Silvia Santos Lopez-De Beltran (1), filed. Initial Appearance set for 6/12/2018 at 10:30 AM in Courtroom 1 before Magistrate Judge Ignacio Torteya III

[1:18-po-01717-1 USA v. Rubi-Pineda](#) **DEFENDANT TERMINATED on 06/12/2018**

Initial Appearance Courtroom 1

USA (Plaintiff)

Federal Public Defender - Brownsville representing Yony Rafael Rubi-Pineda (Defendant [T])

- COMPLAINT with Initial Appearance as to Yony Rafael Rubi-Pineda (1), filed. Initial Appearance set for 6/12/2018 at 10:30 AM in Courtroom 1 before Magistrate Judge Ignacio Torteya III

UNITED STATES DISTRICT COURT

Southern District Of Texas Brownsville Division

UNITED STATES OF AMERICA**CRIMINAL COMPLAINT****vs.**

Case Number: 1:18-po-1681

Jefferson Gavino GARCIA-Mendez
A216 608 021 Honduras

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about June 03, 2018 in Cameron County, in the Southern District Of Texas defendant(s) being then and there an alien, did, willfully, knowingly and unlawfully enter the United States at a time or place other than designated by an Immigration Officer,

in violation of Title 8 United States Code, Section(s) 1325(a)(1)I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

The defendant was apprehended in Norias, Texas on June 10, 2018. The defendant is a citizen of Honduras who entered the United States illegally by rafting across the Rio Grande River near Brownsville, Texas on June 3, 2018 thus avoiding immigration inspection.

I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS IN THIS COMPLAINT ARE TRUE AND CORRECT.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No/S/ Fayett, Bernardo I. Border Patrol Agent

Signature of Complainant

Fayett, Bernardo I. Border Patrol Agent

Printed Name of Complainant

Sworn to before me and signed in my presence,

June 12, 2018

Date

at

Brownsville, Texas

City/State

Ignacio Torteya III

Name of Judge

U.S. Magistrate Judge

Title of Judge

Signature of Judge

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

ENTERED

June 12, 2018

David J. Bradley, Clerk

UNITED STATES OF AMERICA

Plaintiff

v.

Case No.: 1:18-po-01681

Magistrate Judge Ignacio Torteya III

Jefferson Gavino Garcia-Mendez

Defendant

JUDGMENT

On **6/12/18**, the above named defendant appeared in person and with counsel.

Whereupon the defendant entered a plea of guilty to the offense of entering the United States illegally, in violation of 8 U.S.C. §1325(a)(1), as charged in the Complaint; and the Court having asked the defendant whether he/she had anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court;

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

The defendant is hereby sentenced to time served.

A \$10.00 special assessment is imposed.

DONE at Brownsville, Texas, on **6/12/18**.



Ignacio Torteya, III
United States Magistrate Judge

UNITED STATES DISTRICT COURT

Southern District Of Texas Brownsville Division

UNITED STATES OF AMERICA**CRIMINAL COMPLAINT****vs.**

Case Number: 1:18-po-1682

Juan ORTIZ-Garcia
A209 223 384 Mexico

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about May 31, 2018 in Hidalgo County, in the Southern District Of Texas defendant(s) being then and there an alien, did, willfully, knowingly and unlawfully enter the United States at a time or place other than designated by an Immigration Officer,

in violation of Title 8 United States Code, Section(s) 1325(a)(1)

I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

The defendant was apprehended in Los Indios, Texas on June 10, 2018. The defendant is a citizen of Mexico who entered the United States illegally by rafting across the Rio Grande River near Hidalgo, Texas on May 31, 2018 thus avoiding immigration inspection.

I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS IN THIS COMPLAINT ARE TRUE AND CORRECT.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No/S/ Flores, Hector Border Patrol Agent

Signature of Complainant

Flores, Hector Border Patrol Agent

Printed Name of Complainant

Sworn to before me and signed in my presence,

June 12, 2018

Date

at

Brownsville, Texas

City/State

Ignacio Torteya III

Name of Judge

U.S. Magistrate Judge

Title of Judge

Signature of Judge

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

ENTERED

June 12, 2018

David J. Bradley, Clerk

UNITED STATES OF AMERICA

Plaintiff

v.

Case No.: 1:18-po-01682

Magistrate Judge Ignacio Torteya III

Juan Ortiz-Garcia

Defendant

JUDGMENT

On **6/12/18**, the above named defendant appeared in person and with counsel.

Whereupon the defendant entered a plea of guilty to the offense of entering the United States illegally, in violation of 8 U.S.C. §1325(a)(1), as charged in the Complaint; and the Court having asked the defendant whether he/she had anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court;

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

The defendant is hereby sentenced to time served.

A \$10.00 special assessment is imposed.

DONE at Brownsville, Texas, on **6/12/18**.



Ignacio Torteya, III
United States Magistrate Judge

UNITED STATES DISTRICT COURT

Southern District Of Texas Brownsville Division

UNITED STATES OF AMERICA**CRIMINAL COMPLAINT****vs.**

Case Number: 1:18-po-1683

Miguel Wilson MARIN-Jorge
A209 908 199 Guatemala
AKA Miguel Wilson MARVIN-George

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about June 03, 2018 in Cameron County, in the Southern District Of Texas defendant(s) being then and there an alien, did, willfully, knowingly and unlawfully enter the United States at a time or place other than designated by an Immigration Officer,

in violation of Title 8 United States Code, Section(s) 1325(a)(1)

I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

The defendant was apprehended in Norias, Texas on June 10, 2018. The defendant is a citizen of Guatemala who entered the United States illegally by rafting across the Rio Grande River near Brownsville, Texas on June 3, 2018 thus avoiding immigration inspection.

I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS IN THIS COMPLAINT ARE TRUE AND CORRECT.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No/S/ Flores, Hector Border Patrol Agent

Signature of Complainant

Flores, Hector Border Patrol Agent

Printed Name of Complainant

Sworn to before me and signed in my presence,

June 12, 2018

Date

at

Brownsville, Texas

City/State

Ignacio Torteya III

Name of Judge

U.S. Magistrate Judge

Title of Judge

Signature of Judge

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

ENTERED

June 12, 2018

David J. Bradley, Clerk

UNITED STATES OF AMERICA

Plaintiff

v.

Case No.: 1:18-po-01683

Magistrate Judge Ignacio Torteya III

Miguel Wilson Marin-Jorge

Defendant

JUDGMENT

On **6/12/18**, the above named defendant appeared in person and with counsel.

Whereupon the defendant entered a plea of guilty to the offense of entering the United States illegally, in violation of 8 U.S.C. §1325(a)(1), as charged in the Complaint; and the Court having asked the defendant whether he/she had anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court;

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

The defendant is hereby sentenced to time served.

A \$10.00 special assessment is imposed.

DONE at Brownsville, Texas, on **6/12/18**.



Ignacio Torteya, III
United States Magistrate Judge

UNITED STATES DISTRICT COURT

Southern District Of Texas Brownsville Division

UNITED STATES OF AMERICA**CRIMINAL COMPLAINT****vs.**

Case Number: 1:18-po-1684

Alma Delia ALTAMIRANO-Hernandez
A208 580 692 Mexico

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about June 03, 2018 in Cameron County, in the Southern District Of Texas defendant(s) being then and there an alien, did, willfully, knowingly and unlawfully enter the United States at a time or place other than designated by an Immigration Officer,

in violation of Title 8 United States Code, Section(s) 1325(a)(1)I further state that I am a(n) Border Patrol Agent and that this complaint is based on the

following facts:

The defendant was apprehended in Norias, Texas on June 10, 2018. The defendant is a citizen of Mexico who entered the United States illegally by rafting across the Rio Grande River near Brownsville, Texas on June 3, 2018 thus avoiding immigration inspection.

I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS IN THIS COMPLAINT ARE TRUE AND CORRECT.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No/S/ Fayett, Bernardo I. Border Patrol Agent

Signature of Complainant

Fayett, Bernardo I. Border Patrol Agent

Printed Name of Complainant

Sworn to before me and signed in my presence,

June 12, 2018

Date

at

Brownsville, Texas

City/State

Ignacio Torteya III

Name of Judge

U.S. Magistrate Judge

Title of Judge

Signature of Judge

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

ENTERED

June 12, 2018

David J. Bradley, Clerk

UNITED STATES OF AMERICA

Plaintiff

v.

Case No.: 1:18-po-01684

Magistrate Judge Ignacio Torteya III

Alma Delia Altamirano-Hernandez

Defendant

JUDGMENT

On **6/12/18**, the above named defendant appeared in person and with counsel.

Whereupon the defendant entered a plea of guilty to the offense of entering the United States illegally, in violation of 8 U.S.C. §1325(a)(1), as charged in the Complaint; and the Court having asked the defendant whether he/she had anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court;

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

The defendant is hereby sentenced to time served.

A \$10.00 special assessment is imposed.

DONE at Brownsville, Texas, on **6/12/18**.



Ignacio Torteya, III
United States Magistrate Judge

UNITED STATES DISTRICT COURT

Southern District Of Texas Brownsville Division

UNITED STATES OF AMERICA**CRIMINAL COMPLAINT****vs.**

Case Number: 1:18-po-1685

Diego Raul ORTIZ-Lopez
A209 151 208 Mexico

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about June 03, 2018 in Cameron County, in the Southern District Of Texas defendant(s) being then and there an alien, did, willfully, knowingly and unlawfully enter the United States at a time or place other than designated by an Immigration Officer,

in violation of Title 8 United States Code, Section(s) 1325(a)(1)

I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

The defendant was apprehended in Norias, Texas on June 10, 2018. The defendant is a citizen of Mexico who entered the United States illegally by rafting across the Rio Grande River near Brownsville, Texas on June 3, 2018 thus avoiding immigration inspection.

I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS IN THIS COMPLAINT ARE TRUE AND CORRECT.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No/S/ Fayett, Bernardo I. Border Patrol Agent

Signature of Complainant

Fayett, Bernardo I. Border Patrol Agent

Printed Name of Complainant

Sworn to before me and signed in my presence,

June 12, 2018

Date

at

Brownsville, Texas

City/State

Ignacio Torteya III

Name of Judge

U.S. Magistrate Judge

Title of Judge

Signature of Judge

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

ENTERED

June 12, 2018

David J. Bradley, Clerk

UNITED STATES OF AMERICA

Plaintiff

v.

Case No.: 1:18-po-01685

Magistrate Judge Ignacio Torteya III

Diego Raul Ortiz-Lopez

Defendant

JUDGMENT

On **6/12/18**, the above named defendant appeared in person and with counsel.

Whereupon the defendant entered a plea of guilty to the offense of entering the United States illegally, in violation of 8 U.S.C. §1325(a)(1), as charged in the Complaint; and the Court having asked the defendant whether he/she had anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court;

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

The defendant is hereby sentenced to time served.

A \$10.00 special assessment is imposed.

DONE at Brownsville, Texas, on **6/12/18**.



Ignacio Torteya, III
United States Magistrate Judge

UNITED STATES DISTRICT COURT

Southern District Of Texas Brownsville Division

UNITED STATES OF AMERICA**CRIMINAL COMPLAINT****vs.**

Case Number: 1:18-po-1687

Samuel ORTIZ-Escamilla
A209 151 212 Mexico

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about June 03, 2018 in Cameron County, in the Southern District Of Texas defendant(s) being then and there an alien, did, willfully, knowingly and unlawfully enter the United States at a time or place other than designated by an Immigration Officer,

in violation of Title 8 United States Code, Section(s) 1325(a)(1)I further state that I am a(n) Border Patrol Agent and that this complaint is based on the

following facts:

The defendant was apprehended in Norias, Texas on June 10, 2018. The defendant is a citizen of Mexico who entered the United States illegally by rafting across the Rio Grande River near Brownsville, Texas on June 3, 2018 thus avoiding immigration inspection.

I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS IN THIS COMPLAINT ARE TRUE AND CORRECT.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No/S/ Fayette, Bernardo I. Border Patrol Agent

Signature of Complainant

Fayette, Bernardo I. Border Patrol Agent

Printed Name of Complainant

Sworn to before me and signed in my presence,

June 12, 2018

Date

at

Brownsville, Texas

City/State

Ignacio Torteya III

Name of Judge

U.S. Magistrate Judge

Title of Judge

Signature of Judge

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

ENTERED

June 12, 2018

David J. Bradley, Clerk

UNITED STATES OF AMERICA

Plaintiff

v.

Case No.: 1:18-po-01687

Magistrate Judge Ignacio Torteya III

Samuel Ortiz-Escamilla

Defendant

JUDGMENT

On **6/12/18**, the above named defendant appeared in person and with counsel.

Whereupon the defendant entered a plea of guilty to the offense of entering the United States illegally, in violation of 8 U.S.C. §1325(a)(1), as charged in the Complaint; and the Court having asked the defendant whether he/she had anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court;

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

The defendant is hereby sentenced to time served.

A \$10.00 special assessment is imposed.

DONE at Brownsville, Texas, on **6/12/18**.



Ignacio Torteya, III
United States Magistrate Judge

UNITED STATES DISTRICT COURT

Southern District Of Texas Brownsville Division

UNITED STATES OF AMERICA**CRIMINAL COMPLAINT****vs.**

Case Number: 1:18-po-1688

Rosario Vladimir JUAREZ-Sierra
A208 293 836 Mexico

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about June 01, 2018 in Hidalgo County, in the Southern District Of Texas defendant(s) being then and there an alien, did, willfully, knowingly and unlawfully enter the United States at a time or place other than designated by an Immigration Officer,

in violation of Title 8 United States Code, Section(s) 1325(a)(1)I further state that I am a(n) Border Patrol Agent and that this complaint is based on the

following facts:

The defendant was apprehended in Norias, Texas on June 10, 2018. The defendant is a citizen of Mexico who entered the United States illegally by rafting across the Rio Grande River near Hidalgo, Texas on June 1, 2018 thus avoiding immigration inspection.

I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS IN THIS COMPLAINT ARE TRUE AND CORRECT.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No/S/ Fayett, Bernardo I. Border Patrol Agent

Signature of Complainant

Fayett, Bernardo I. Border Patrol Agent

Printed Name of Complainant

Sworn to before me and signed in my presence,

June 12, 2018

Date

at

Brownsville, Texas

City/State

Ignacio Torteya III

Name of Judge

U.S. Magistrate Judge

Title of Judge

Signature of Judge

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

ENTERED

June 12, 2018

David J. Bradley, Clerk

UNITED STATES OF AMERICA

Plaintiff

v.

Case No.: 1:18-po-01688

Magistrate Judge Ignacio Torteya III

Rosario Vladimir Juarez-Sierra

Defendant

JUDGMENT

On **6/12/18**, the above named defendant appeared in person and with counsel.

Whereupon the defendant entered a plea of guilty to the offense of entering the United States illegally, in violation of 8 U.S.C. §1325(a)(1), as charged in the Complaint; and the Court having asked the defendant whether he/she had anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court;

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

The defendant is hereby sentenced to time served.

A \$10.00 special assessment is imposed.

DONE at Brownsville, Texas, on **6/12/18**.



Ignacio Torteya, III
United States Magistrate Judge

UNITED STATES DISTRICT COURT

 Southern District Of Texas Brownsville Division

UNITED STATES OF AMERICA**CRIMINAL COMPLAINT****vs.**

Case Number: 1:18-po-1689

 Deysi De Los Angeles ESTRADA-Orellana
 A215 716 426 El Salvador

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about June 10, 2018 in Cameron County, in the Southern District Of Texas defendant(s) being then and there an alien, did, willfully, knowingly and unlawfully enter the United States at a time or place other than designated by an Immigration Officer,

 in violation of Title 8 United States Code, Section(s) 1325(a)(1)

I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

The defendant was apprehended in Brownsville, Texas on June 10, 2018. The defendant is a citizen of El Salvador who entered the United States illegally by wading across the Rio Grande River near Brownsville, Texas on June 10, 2018 thus avoiding immigration inspection.

I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS IN THIS COMPLAINT ARE TRUE AND CORRECT.

Continued on the attached sheet and made a part of this complaint:

☐ Yes
 ☒ No
/S/ Fayett, Bernardo I. Border Patrol Agent

Signature of Complainant

Fayett, Bernardo I. Border Patrol Agent

Printed Name of Complainant

Sworn to before me and signed in my presence,

June 12, 2018

Date

at

Brownsville, Texas

City/State

Ignacio Torteya III

Name of Judge

U.S. Magistrate Judge

Title of Judge

Signature of Judge

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

ENTERED

June 12, 2018

David J. Bradley, Clerk

UNITED STATES OF AMERICA

Plaintiff

v.

Case No.:
1:18-po-01689
Magistrate Judge Ignacio
Torteya III

Deysi De Los Angeles Estrada-Orellana

Defendant

JUDGMENT

On **6/12/18**, the above named defendant appeared in person and with counsel.

Whereupon the defendant entered a plea of guilty to the offense of entering the United States illegally, in violation of 8 U.S.C. §1325(a)(1), as charged in the Complaint; and the Court having asked the defendant whether he/she had anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court;

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

The defendant is hereby sentenced to time served.

A \$10.00 special assessment is imposed.

DONE at Brownsville, Texas, on **6/12/18**.



Ignacio Torteya, III
United States Magistrate Judge

UNITED STATES DISTRICT COURT

Southern District Of Texas Brownsville Division

UNITED STATES OF AMERICA**CRIMINAL COMPLAINT****vs.**

Case Number: 1:18-po-1690

Luis Alfredo ALTAMIRANO-Hernandez
A215 761 303 Mexico

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about June 03, 2018 in Cameron County, in the Southern District Of Texas defendant(s) being then and there an alien, did, willfully, knowingly and unlawfully enter the United States at a time or place other than designated by an Immigration Officer,

in violation of Title 8 United States Code, Section(s) 1325(a)(1)I further state that I am a(n) Border Patrol Agent and that this complaint is based on the

following facts:

The defendant was apprehended in Norias, Texas on June 10, 2018. The defendant is a citizen of Mexico who entered the United States illegally by rafting across the Rio Grande River near Brownsville, Texas on June 3, 2018 thus avoiding immigration inspection.

I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS IN THIS COMPLAINT ARE TRUE AND CORRECT.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No/S/ Gamez Jr, Leoncio Border Patrol Agent

Signature of Complainant

Gamez Jr, Leoncio Border Patrol Agent

Printed Name of Complainant

Sworn to before me and signed in my presence,

June 12, 2018

Date

at

Brownsville, Texas

City/State

Ignacio Torteya III

Name of Judge

U.S. Magistrate Judge

Title of Judge

Signature of Judge

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

ENTERED

June 12, 2018

David J. Bradley, Clerk

UNITED STATES OF AMERICA

Plaintiff

v.

Case No.: 1:18-po-01690

Magistrate Judge Ignacio Torteya III

Luis Alfredo Altamirano-Hernandez

Defendant

JUDGMENT

On **6/12/18**, the above named defendant appeared in person and with counsel.

Whereupon the defendant entered a plea of guilty to the offense of entering the United States illegally, in violation of 8 U.S.C. §1325(a)(1), as charged in the Complaint; and the Court having asked the defendant whether he/she had anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court;

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

The defendant is hereby sentenced to time served.

A \$10.00 special assessment is imposed.

DONE at Brownsville, Texas, on **6/12/18**.



Ignacio Torteya, III
United States Magistrate Judge

UNITED STATES DISTRICT COURT

Southern District Of Texas Brownsville Division

UNITED STATES OF AMERICA**CRIMINAL COMPLAINT****vs.**

Case Number: 1:18-po-1691

Elmer John GOMEZ-Argueta
A215 716 436 Honduras

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about June 10, 2018 in Cameron County, in the Southern District Of Texas defendant(s) being then and there an alien, did, willfully, knowingly and unlawfully enter the United States at a time or place other than designated by an Immigration Officer,

in violation of Title 8 United States Code, Section(s) 1325(a)(1)

I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

The defendant was apprehended in Brownsville, Texas on June 10, 2018. The defendant is a citizen of Honduras who entered the United States illegally by wading across the Rio Grande River near Brownsville, Texas on June 10, 2018 thus avoiding immigration inspection.

I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS IN THIS COMPLAINT ARE TRUE AND CORRECT.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No/S/ Rodriguez, Julio M. Border Patrol Agent

Signature of Complainant

Rodriguez, Julio M. Border Patrol Agent

Printed Name of Complainant

Sworn to before me and signed in my presence,

June 12, 2018

Date

at

Brownsville, Texas

City/State

Ignacio Torteya III

Name of Judge

U.S. Magistrate Judge

Title of Judge

Signature of Judge

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

ENTERED

June 12, 2018

David J. Bradley, Clerk

UNITED STATES OF AMERICA

Plaintiff

v.

Case No.: 1:18-po-01691

Magistrate Judge Ignacio Torteya III

Elmer John Gomez-Argueta

Defendant

JUDGMENT

On **6/12/18**, the above named defendant appeared in person and with counsel.

Whereupon the defendant entered a plea of guilty to the offense of entering the United States illegally, in violation of 8 U.S.C. §1325(a)(1), as charged in the Complaint; and the Court having asked the defendant whether he/she had anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court;

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

The defendant is hereby sentenced to time served.

A \$10.00 special assessment is imposed.

DONE at Brownsville, Texas, on **6/12/18**.



Ignacio Torteya, III
United States Magistrate Judge

UNITED STATES DISTRICT COURT

Southern District Of Texas Brownsville Division

UNITED STATES OF AMERICA**CRIMINAL COMPLAINT****vs.**

Case Number: 1:18-po-1692

Jose Samuel AVALOS-Erazo
A209 908 200 Mexico

I, the undersigned complainant state that the following is true and correct to the best of my

knowledge and belief. On or about June 03, 2018 in Hidalgo County, inthe Southern District Of Texas defendant(s)

being then and there an alien, did, willfully, knowingly and unlawfully enter the United States at a time or place other than designated by an Immigration Officer,

in violation of Title 8 United States Code, Section(s) 1325(a)(1)I further state that I am a(n) Border Patrol Agent and that this complaint is based on the

following facts:

The defendant was apprehended in Norias, Texas on June 10, 2018. The defendant is a citizen of Mexico who entered the United States illegally by wading across the Rio Grande River near Hidalgo, Texas on June 3, 2018 thus avoiding immigration inspection.

I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS IN THIS COMPLAINT ARE TRUE AND CORRECT.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No/S/ Gamez Jr, Leoncio Border Patrol Agent

Signature of Complainant

Gamez Jr, Leoncio Border Patrol Agent

Printed Name of Complainant

Sworn to before me and signed in my presence,

June 12, 2018

Date

at

Brownsville, Texas

City/State

Ignacio Torteya III

Name of Judge

U.S. Magistrate Judge

Title of Judge

Signature of Judge

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

ENTERED

June 12, 2018

David J. Bradley, Clerk

UNITED STATES OF AMERICA

Plaintiff

v.

Case No.: 1:18-po-01692

Magistrate Judge Ignacio Torteya III

Jose Samuel Avalos-Erazo

Defendant

JUDGMENT

On **6/12/18**, the above named defendant appeared in person and with counsel.

Whereupon the defendant entered a plea of guilty to the offense of entering the United States illegally, in violation of 8 U.S.C. §1325(a)(1), as charged in the Complaint; and the Court having asked the defendant whether he/she had anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court;

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

The defendant is hereby sentenced to time served.

A \$10.00 special assessment is imposed.

DONE at Brownsville, Texas, on **6/12/18**.



Ignacio Torteya, III
United States Magistrate Judge

UNITED STATES DISTRICT COURT

Southern District Of Texas Brownsville Division

UNITED STATES OF AMERICA**CRIMINAL COMPLAINT****vs.**

Case Number: 1:18-po-1693

Juvenal PINEDA-Murillo
A215 761 300 Honduras

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about June 03, 2018 in Hidalgo County, in the Southern District Of Texas defendant(s) being then and there an alien, did, willfully, knowingly and unlawfully enter the United States at a time or place other than designated by an Immigration Officer,

in violation of Title 8 United States Code, Section(s) 1325(a)(1)

I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

The defendant was apprehended in Norias, Texas on June 10, 2018. The defendant is a citizen of Honduras who entered the United States illegally by wading across the Rio Grande River near Hidalgo, Texas on June 3, 2018 thus avoiding immigration inspection.

Defendant had no funds at time of arrest.

I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS IN THIS COMPLAINT ARE TRUE AND CORRECT.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No

/S/ Rodriguez, Julio M. Border Patrol Agent
Signature of Complainant

Rodriguez, Julio M. Border Patrol Agent
Printed Name of Complainant

Sworn to before me and signed in my presence,

June 12, 2018
Date

at Brownsville, Texas
City/State

Ignacio Torteya III
Name of Judge

U.S. Magistrate Judge
Title of Judge

Signature of Judge

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

ENTERED

June 12, 2018

David J. Bradley, Clerk

UNITED STATES OF AMERICA

Plaintiff

v.

Case No.: 1:18-po-01693

Magistrate Judge Ignacio Torteya III

Juvenal Pineda-Murillo

Defendant

JUDGMENT

On **6/12/18**, the above named defendant appeared in person and with counsel.

Whereupon the defendant entered a plea of guilty to the offense of entering the United States illegally, in violation of 8 U.S.C. §1325(a)(1), as charged in the Complaint; and the Court having asked the defendant whether he/she had anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court;

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

The defendant is hereby sentenced to time served.

A \$10.00 special assessment is imposed.

DONE at Brownsville, Texas, on **6/12/18**.



Ignacio Torteya, III
United States Magistrate Judge

UNITED STATES DISTRICT COURT

Southern District Of Texas Brownsville Division

UNITED STATES OF AMERICA**CRIMINAL COMPLAINT****vs.**

Case Number: 1:18-po-1694

Dania Marleny PEREZ-Recinos
A215 716 435 Honduras

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about June 10, 2018 in Cameron County, in the Southern District Of Texas defendant(s) being then and there an alien, did, willfully, knowingly and unlawfully enter the United States at a time or place other than designated by an Immigration Officer,

in violation of Title 8 United States Code, Section(s) 1325(a)(1)

I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

The defendant was apprehended in Brownsville, Texas on June 10, 2018. The defendant is a citizen of Honduras who entered the United States illegally by rafting across the Rio Grande River near Brownsville, Texas on June 10, 2018 thus avoiding immigration inspection.

I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS IN THIS COMPLAINT ARE TRUE AND CORRECT.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No/S/ Gamez Jr, Leoncio Border Patrol Agent

Signature of Complainant

Gamez Jr, Leoncio Border Patrol Agent

Printed Name of Complainant

Sworn to before me and signed in my presence,

June 12, 2018

Date

at

Brownsville, Texas

City/State

Ignacio Torteya III

Name of Judge

U.S. Magistrate Judge

Title of Judge

Signature of Judge

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

ENTERED

June 12, 2018

David J. Bradley, Clerk

UNITED STATES OF AMERICA

Plaintiff

v.

Case No.: 1:18-po-01694

Magistrate Judge Ignacio Torteya III

Dania Marleny Perez-Recinos

Defendant

JUDGMENT

On **6/12/18**, the above named defendant appeared in person and with counsel.

Whereupon the defendant entered a plea of guilty to the offense of entering the United States illegally, in violation of 8 U.S.C. §1325(a)(1), as charged in the Complaint; and the Court having asked the defendant whether he/she had anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court;

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

The defendant is hereby sentenced to time served.

A \$10.00 special assessment is imposed.

DONE at Brownsville, Texas, on **6/12/18**.



Ignacio Torteya, III
United States Magistrate Judge

UNITED STATES DISTRICT COURT

Southern District Of Texas Brownsville Division

UNITED STATES OF AMERICA**CRIMINAL COMPLAINT****vs.**

Case Number: 1:18-po-1695

Carlos Jose SANCHEZ-Gonzales
A215 761 304 Honduras

I, the undersigned complainant state that the following is true and correct to the best of my

knowledge and belief. On or about June 03, 2018 in Hidalgo County, inthe Southern District Of Texas defendant(s)

being then and there an alien, did, willfully, knowingly and unlawfully enter the United States at a time or place other than designated by an Immigration Officer,

in violation of Title 8 United States Code, Section(s) 1325(a)(1)I further state that I am a(n) Border Patrol Agent and that this complaint is based on the

following facts:

The defendant was apprehended in Norias, Texas on June 10, 2018. The defendant is a citizen of Honduras who entered the United States illegally by wading across the Rio Grande River near Hidalgo, Texas on June 3, 2018 thus avoiding immigration inspection.

Defendant had no funds at time of arrest.

I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS IN THIS COMPLAINT ARE TRUE AND CORRECT.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No/S/ Rodriguez, Julio M. Border Patrol Agent

Signature of Complainant

Rodriguez, Julio M. Border Patrol Agent

Printed Name of Complainant

Sworn to before me and signed in my presence,

June 12, 2018

Date

at

Brownsville, Texas

City/State

Ignacio Torteya III

Name of Judge

U.S. Magistrate Judge

Title of Judge

Signature of Judge

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

ENTERED

June 12, 2018

David J. Bradley, Clerk

UNITED STATES OF AMERICA

Plaintiff

v.

Case No.: 1:18-po-01695

Magistrate Judge Ignacio Torteya III

Carlos Jose Sanchez-Gonzales

Defendant

JUDGMENT

On **6/12/18**, the above named defendant appeared in person and with counsel.

Whereupon the defendant entered a plea of guilty to the offense of entering the United States illegally, in violation of 8 U.S.C. §1325(a)(1), as charged in the Complaint; and the Court having asked the defendant whether he/she had anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court;

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

The defendant is hereby sentenced to time served.

A \$10.00 special assessment is imposed.

DONE at Brownsville, Texas, on **6/12/18**.



Ignacio Torteya, III
United States Magistrate Judge

UNITED STATES DISTRICT COURT

Southern District Of Texas Brownsville Division

UNITED STATES OF AMERICA**CRIMINAL COMPLAINT****vs.**

Case Number: 1:18-po-1696

Olman Daniel MORALES-Herrera
A215 761 301 Honduras

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about June 03, 2018 in Cameron County, in the Southern District Of Texas defendant(s) being then and there an alien, did, willfully, knowingly and unlawfully enter the United States at a time or place other than designated by an Immigration Officer,

in violation of Title 8 United States Code, Section(s) 1325(a)(1)

I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

The defendant was apprehended in Norias, Texas on June 10, 2018. The defendant is a citizen of Honduras who entered the United States illegally by rafting across the Rio Grande River near Brownsville, Texas on June 3, 2018 thus avoiding immigration inspection.

I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS IN THIS COMPLAINT ARE TRUE AND CORRECT.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No/S/ Gamez Jr, Leoncio Border Patrol Agent

Signature of Complainant

Gamez Jr, Leoncio Border Patrol Agent

Printed Name of Complainant

Sworn to before me and signed in my presence,

June 12, 2018

Date

at

Brownsville, Texas

City/State

Ignacio Torteya III

Name of Judge

U.S. Magistrate Judge

Title of Judge

Signature of Judge

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

ENTERED

June 12, 2018

David J. Bradley, Clerk

UNITED STATES OF AMERICA

Plaintiff

v.

Case No.: 1:18-po-01696

Magistrate Judge Ignacio Torteya III

Olman Daniel Morales-Herrera

Defendant

JUDGMENT

On **6/12/18**, the above named defendant appeared in person and with counsel.

Whereupon the defendant entered a plea of guilty to the offense of entering the United States illegally, in violation of 8 U.S.C. §1325(a)(1), as charged in the Complaint; and the Court having asked the defendant whether he/she had anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court;

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

The defendant is hereby sentenced to time served.

A \$10.00 special assessment is imposed.

DONE at Brownsville, Texas, on **6/12/18**.



Ignacio Torteya, III
United States Magistrate Judge

UNITED STATES DISTRICT COURT

Southern District Of Texas Brownsville Division

UNITED STATES OF AMERICA**CRIMINAL COMPLAINT****vs.**

Case Number: 1:18-po-1697

Francisco Jesus ORTIZ-Escamilla
A215 761 302 Mexico

I, the undersigned complainant state that the following is true and correct to the best of my

knowledge and belief. On or about June 03, 2018 in Cameron County, inthe Southern District Of Texas defendant(s)

being then and there an alien, did, willfully, knowingly and unlawfully enter the United States at a time or place other than designated by an Immigration Officer,

in violation of Title 8 United States Code, Section(s) 1325(a)(1)I further state that I am a(n) Border Patrol Agent and that this complaint is based on the

following facts:

The defendant was apprehended in Norias, Texas on June 10, 2018. The defendant is a citizen of Mexico who entered the United States illegally by rafting across the Rio Grande River near Brownsville, Texas on June 3, 2018 thus avoiding immigration inspection.

I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS IN THIS COMPLAINT ARE TRUE AND CORRECT.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No/S/ Gamez Jr, Leoncio Border Patrol Agent

Signature of Complainant

Gamez Jr, Leoncio Border Patrol Agent

Printed Name of Complainant

Sworn to before me and signed in my presence,

June 12, 2018

Date

at

Brownsville, Texas

City/State

Ignacio Torteya III

Name of Judge

U.S. Magistrate Judge

Title of Judge

Signature of Judge

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

ENTERED

June 12, 2018

David J. Bradley, Clerk

UNITED STATES OF AMERICA

Plaintiff

v.

Case No.: 1:18-po-01697

Magistrate Judge Ignacio Torteya III

Francisco Jesus Ortiz-Escamilla

Defendant

JUDGMENT

On **6/12/18**, the above named defendant appeared in person and with counsel.

Whereupon the defendant entered a plea of guilty to the offense of entering the United States illegally, in violation of 8 U.S.C. §1325(a)(1), as charged in the Complaint; and the Court having asked the defendant whether he/she had anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court;

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

The defendant is hereby sentenced to time served.

A \$10.00 special assessment is imposed.

DONE at Brownsville, Texas, on **6/12/18**.



Ignacio Torteya, III
United States Magistrate Judge

UNITED STATES DISTRICT COURT

Southern District Of Texas Brownsville Division

UNITED STATES OF AMERICA**CRIMINAL COMPLAINT****vs.**

Case Number: 1:18-po-1698

Victor Manuel ROMERO-Mendoza
A215 716 438 Mexico

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about June 11, 2018 in Cameron County, in the Southern District Of Texas defendant(s) being then and there an alien, did, willfully, knowingly and unlawfully enter the United States at a time or place other than designated by an Immigration Officer,

in violation of Title 8 United States Code, Section(s) 1325(a)(1)

I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

The defendant was apprehended in Brownsville, Texas on June 11, 2018. The defendant is a citizen of Mexico who entered the United States illegally by rafting across the Rio Grande River near Brownsville, Texas on June 11, 2018 thus avoiding immigration inspection.

Defendant had \$20.00 Mexican Pesos at time of arrest.

I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS IN THIS COMPLAINT ARE TRUE AND CORRECT.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No

/S/ Rodriguez, Julio M. Border Patrol Agent
Signature of Complainant

Rodriguez, Julio M. Border Patrol Agent
Printed Name of Complainant

Sworn to before me and signed in my presence,

June 12, 2018
Date

at Brownsville, Texas
City/State

Ignacio Torteya III U.S. Magistrate Judge
Name of Judge Title of Judge

Signature of Judge

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

ENTERED

June 12, 2018

David J. Bradley, Clerk

UNITED STATES OF AMERICA

Plaintiff

v.

Case No.: 1:18-po-01698

Magistrate Judge Ignacio Torteya III

Victor Manuel Romero-Mendoza

Defendant

JUDGMENT

On **6/12/18**, the above named defendant appeared in person and with counsel.

Whereupon the defendant entered a plea of guilty to the offense of entering the United States illegally, in violation of 8 U.S.C. §1325(a)(1), as charged in the Complaint; and the Court having asked the defendant whether he/she had anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court;

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

The defendant is hereby sentenced to time served.

A \$10.00 special assessment is imposed.

DONE at Brownsville, Texas, on **6/12/18**.



Ignacio Torteya, III
United States Magistrate Judge

UNITED STATES DISTRICT COURT

Southern District Of Texas Brownsville Division

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

vs.

Case Number: 1:18-po-1699

Romualdo NERI-Demetrio
A215 760 949 Mexico

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about June 10, 2018 in Starr County, in the Southern District Of Texas defendant(s) being then and there an alien, did, willfully, knowingly and unlawfully enter the United States at a time or place other than designated by an Immigration Officer,

in violation of Title 8 United States Code, Section(s) 1325(a)(1)

I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

The defendant was apprehended in Edinburg, Texas on June 11, 2018. The defendant is a citizen of Mexico who entered the United States illegally by rafting across the Rio Grande River near Hidalgo, Texas on June 10, 2018 thus avoiding immigration inspection.

Defendant had \$5,100 Mexican Pesos at the time if arrest.

I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS IN THIS COMPLAINT ARE TRUE AND CORRECT.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No

/S/ Davila, Carlos Border Patrol Agent

Signature of Complainant

Davila, Carlos Border Patrol Agent

Printed Name of Complainant

Sworn to before me and signed in my presence,

June 12, 2018

Date

at

Brownsville, Texas

City/State

Ignacio Torteya III

Name of Judge

U.S. Magistrate Judge

Title of Judge

Signature of Judge

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

ENTERED

June 12, 2018

David J. Bradley, Clerk

UNITED STATES OF AMERICA

Plaintiff

v.

Case No.: 1:18-po-01699

Magistrate Judge Ignacio Torteya III

Romualdo Neri-Demetrio

Defendant

JUDGMENT

On **6/12/18**, the above named defendant appeared in person and with counsel.

Whereupon the defendant entered a plea of guilty to the offense of entering the United States illegally, in violation of 8 U.S.C. §1325(a)(1), as charged in the Complaint; and the Court having asked the defendant whether he/she had anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court;

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

The defendant is hereby sentenced to time served.

A \$10.00 special assessment is imposed.

DONE at Brownsville, Texas, on **6/12/18**.



Ignacio Torteya, III
United States Magistrate Judge

UNITED STATES DISTRICT COURT

Southern District Of Texas Brownsville Division

UNITED STATES OF AMERICA**CRIMINAL COMPLAINT****vs.**

Case Number: 1:18-po-1700

Edgar BARTOLON-Gonzalez
A215 760 951 Mexico

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about June 10, 2018 in Starr County, in the Southern District Of Texas defendant(s) being then and there an alien, did, willfully, knowingly and unlawfully enter the United States at a time or place other than designated by an Immigration Officer,

in violation of Title 8 United States Code, Section(s) 1325(a)(1)

I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

The defendant was apprehended in Edinburg, Texas on June 11, 2018. The defendant is a citizen of Mexico who entered the United States illegally by swimming across the Rio Grande River near Roma, Texas on June 10, 2018 thus avoiding immigration inspection.

Defendant had no money.

I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS IN THIS COMPLAINT ARE TRUE AND CORRECT.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No

/S/ Davila, Carlos Border Patrol Agent

Signature of Complainant

Davila, Carlos Border Patrol Agent

Printed Name of Complainant

Sworn to before me and signed in my presence,

June 12, 2018

Date

at

Brownsville, Texas

City/State

Ignacio Torteya III

Name of Judge

U.S. Magistrate Judge

Title of Judge

Signature of Judge

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

ENTERED

June 12, 2018

David J. Bradley, Clerk

UNITED STATES OF AMERICA

Plaintiff

v.

Case No.: 1:18-po-01700

Magistrate Judge Ignacio Torteya III

Edgar Bartolon-Gonzalez

Defendant

JUDGMENT

On **6/12/18**, the above named defendant appeared in person and with counsel.

Whereupon the defendant entered a plea of guilty to the offense of entering the United States illegally, in violation of 8 U.S.C. §1325(a)(1), as charged in the Complaint; and the Court having asked the defendant whether he/she had anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court;

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

The defendant is hereby sentenced to time served.

A \$10.00 special assessment is imposed.

DONE at Brownsville, Texas, on **6/12/18**.



Ignacio Torteya, III
United States Magistrate Judge

UNITED STATES DISTRICT COURT

Southern District Of Texas Brownsville Division

UNITED STATES OF AMERICA**CRIMINAL COMPLAINT****vs.**

Case Number: 1:18-po-1701

Marina Del Carmen DIAZ
A216 569 191 El Salvador

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about June 09, 2018 in Starr County, in the Southern District Of Texas defendant(s) being then and there an alien, did, willfully, knowingly and unlawfully enter the United States at a time or place other than designated by an Immigration Officer,

in violation of Title 8 United States Code, Section(s) 1325(a)(1)I further state that I am a(n) Border Patrol Agent and that this complaint is based on the

following facts:

The defendant was apprehended in Edinburg, Texas on June 11, 2018. The defendant is a citizen of El Salvador who entered the United States illegally by rafting across the Rio Grande River near Roma, Texas on June 9, 2018 thus avoiding immigration inspection.

Defendant had \$50 Mexican Pesos at the time of arrest.

I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS IN THIS COMPLAINT ARE TRUE AND CORRECT.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No/S/ Davila, Carlos Border Patrol Agent

Signature of Complainant

Davila, Carlos Border Patrol Agent

Printed Name of Complainant

Sworn to before me and signed in my presence,

June 12, 2018

Date

at

Brownsville, Texas

City/State

Ignacio Torteya III

Name of Judge

U.S. Magistrate Judge

Title of Judge

Signature of Judge

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

ENTERED

June 12, 2018

David J. Bradley, Clerk

UNITED STATES OF AMERICA

Plaintiff

v.

Case No.: 1:18-po-01701

Magistrate Judge Ignacio Torteya III

Marina Del Carmen Diaz

Defendant

JUDGMENT

On **6/12/18**, the above named defendant appeared in person and with counsel.

Whereupon the defendant entered a plea of guilty to the offense of entering the United States illegally, in violation of 8 U.S.C. §1325(a)(1), as charged in the Complaint; and the Court having asked the defendant whether he/she had anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court;

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

The defendant is hereby sentenced to time served.

A \$10.00 special assessment is imposed.

DONE at Brownsville, Texas, on **6/12/18**.



Ignacio Torteya, III
United States Magistrate Judge

UNITED STATES DISTRICT COURT

Southern District Of Texas Brownsville Division

UNITED STATES OF AMERICA**CRIMINAL COMPLAINT****vs.**

Case Number: 1:18-po-1703

Cristian Rene RODRIGUEZ-Cruz
A215 760 957 Honduras

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about May 09, 2018 in Starr County, in the Southern District Of Texas defendant(s) being then and there an alien, did, willfully, knowingly and unlawfully enter the United States at a time or place other than designated by an Immigration Officer,

in violation of Title 8 United States Code, Section(s) 1325(a)(1)I further state that I am a(n) Border Patrol Agent and that this complaint is based on the

following facts:

The defendant was apprehended in Edinburg, Texas on June 11, 2018. The defendant is a citizen of Honduras who entered the United States illegally by rafting across the Rio Grande River near Roma, Texas on May 9, 2018 thus avoiding immigration inspection.

Defendant had no money.

I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS IN THIS COMPLAINT ARE TRUE AND CORRECT.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No/S/ Davila, Carlos Border Patrol Agent

Signature of Complainant

Davila, Carlos Border Patrol Agent

Printed Name of Complainant

Sworn to before me and signed in my presence,

June 12, 2018

Date

at

Brownsville, Texas

City/State

Ignacio Torteya III

Name of Judge

U.S. Magistrate Judge

Title of Judge

Signature of Judge

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

ENTERED

June 12, 2018

David J. Bradley, Clerk

UNITED STATES OF AMERICA

Plaintiff

v.

Case No.: 1:18-po-01703

Magistrate Judge Ignacio Torteya III

Cristian Rene Rodriguez-Cruz

Defendant

JUDGMENT

On **6/12/18**, the above named defendant appeared in person and with counsel.

Whereupon the defendant entered a plea of guilty to the offense of entering the United States illegally, in violation of 8 U.S.C. §1325(a)(1), as charged in the Complaint; and the Court having asked the defendant whether he/she had anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court;

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

The defendant is hereby sentenced to time served.

A \$10.00 special assessment is imposed.

DONE at Brownsville, Texas, on **6/12/18**.



Ignacio Torteya, III
United States Magistrate Judge

UNITED STATES DISTRICT COURT

Southern District Of Texas Brownsville Division

UNITED STATES OF AMERICA**CRIMINAL COMPLAINT****vs.**

Case Number: 1:18-po-1704

Ever Alexander GUARDADO-Cruz
A215 760 950 Honduras

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about June 07, 2018 in Starr County, in the Southern District Of Texas defendant(s) being then and there an alien, did, willfully, knowingly and unlawfully enter the United States at a time or place other than designated by an Immigration Officer,

in violation of Title 8 United States Code, Section(s) 1325(a)(1)

I further state that I am a(n) Border Patrol Agent and that this complaint is based on the

following facts:

The defendant was apprehended in Edinburg, Texas on June 11, 2018. The defendant is a citizen of Honduras who entered the United States illegally by floating across the Rio Grande River near Roma, Texas on June 7, 2018 thus avoiding immigration inspection.

Defendant had no money.

I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS IN THIS COMPLAINT ARE TRUE AND CORRECT.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No

/S/ Davila, Carlos Border Patrol Agent

Signature of Complainant

Davila, Carlos Border Patrol Agent

Printed Name of Complainant

Sworn to before me and signed in my presence,

June 12, 2018

Date

at

Brownsville, Texas

City/State

Ignacio Torteya III

Name of Judge

U.S. Magistrate Judge

Title of Judge

Signature of Judge

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

ENTERED

June 12, 2018

David J. Bradley, Clerk

UNITED STATES OF AMERICA

Plaintiff

v.

Case No.: 1:18-po-01704
Magistrate Judge Ignacio Torteya III

Ever Alexander Guardado-Cruz

Defendant

JUDGMENT

On **6/12/18**, the above named defendant appeared in person and with counsel.

Whereupon the defendant entered a plea of guilty to the offense of entering the United States illegally, in violation of 8 U.S.C. §1325(a)(1), as charged in the Complaint; and the Court having asked the defendant whether he/she had anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court;

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

The defendant is hereby sentenced to time served.

A \$10.00 special assessment is imposed.

DONE at Brownsville, Texas, on **6/12/18**.



Ignacio Torteya, III
United States Magistrate Judge

UNITED STATES DISTRICT COURT

Southern District Of Texas Brownsville Division

UNITED STATES OF AMERICA**CRIMINAL COMPLAINT****vs.**

Case Number: 1:18-po-1705

Carlos Roberto RAMIREZ-Aguilar
A215 760 952 El Salvador

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about June 08, 2018 in Starr County, in the Southern District Of Texas defendant(s) being then and there an alien, did, willfully, knowingly and unlawfully enter the United States at a time or place other than designated by an Immigration Officer,

in violation of Title 8 United States Code, Section(s) 1325(a)(1)I further state that I am a(n) Border Patrol Agent and that this complaint is based on the

following facts:

The defendant was apprehended in Roma, Texas on June 11, 2018. The defendant is a citizen of El Salvador who entered the United States illegally by floating across the Rio Grande River near Roma, Texas on June 8, 2018 thus avoiding immigration inspection.

Defendant had \$20 US dollars at the time of arrest.

I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS IN THIS COMPLAINT ARE TRUE AND CORRECT.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No/S/ Davila, Carlos Border Patrol Agent

Signature of Complainant

Davila, Carlos Border Patrol Agent

Printed Name of Complainant

Sworn to before me and signed in my presence,

June 12, 2018

Date

at

Brownsville, Texas

City/State

Ignacio Torteya III

Name of Judge

U.S. Magistrate Judge

Title of Judge

Signature of Judge

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

ENTERED

June 12, 2018

David J. Bradley, Clerk

UNITED STATES OF AMERICA

Plaintiff

v.

Case No.: 1:18-po-01705

Magistrate Judge Ignacio Torteya III

Carlos Roberto Ramirez-Aguilar

Defendant

JUDGMENT

On **6/12/18**, the above named defendant appeared in person and with counsel.

Whereupon the defendant entered a plea of guilty to the offense of entering the United States illegally, in violation of 8 U.S.C. §1325(a)(1), as charged in the Complaint; and the Court having asked the defendant whether he/she had anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court;

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

The defendant is hereby sentenced to time served.

A \$10.00 special assessment is imposed.

DONE at Brownsville, Texas, on **6/12/18**.



Ignacio Torteya, III
United States Magistrate Judge

UNITED STATES DISTRICT COURT

Southern District Of Texas Brownsville Division

UNITED STATES OF AMERICA**CRIMINAL COMPLAINT****vs.**

Case Number: 1:18-po-1706

Raul SEGUNDO-Lopez
A215 761 308 Mexico

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about June 11, 2018 in Hidalgo County, in the Southern District Of Texas defendant(s) being then and there an alien, did, willfully, knowingly and unlawfully enter the United States at a time or place other than designated by an Immigration Officer,

in violation of Title 8 United States Code, Section(s) 1325(a)(1)

I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

The defendant was apprehended in Mission, Texas on June 11, 2018. The defendant is a citizen of Mexico who entered the United States illegally by rafting across the Rio Grande River near Hidalgo, Texas on June 11, 2018 thus avoiding immigration inspection.

Defendant had \$20 Mexican Pesos at the time of arrest.

I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS IN THIS COMPLAINT ARE TRUE AND CORRECT.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No

/S/ Davila, Carlos Border Patrol Agent

Signature of Complainant

Davila, Carlos Border Patrol Agent

Printed Name of Complainant

Sworn to before me and signed in my presence,

June 12, 2018

Date

at

Brownsville, Texas

City/State

Ignacio Torteya III

Name of Judge

U.S. Magistrate Judge

Title of Judge

Signature of Judge

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

ENTERED

June 12, 2018

David J. Bradley, Clerk

UNITED STATES OF AMERICA

Plaintiff

v.

Case No.: 1:18-po-01706

Magistrate Judge Ignacio Torteya III

Raul Segundo-Lopez

Defendant

JUDGMENT

On **6/12/18**, the above named defendant appeared in person and with counsel.

Whereupon the defendant entered a plea of guilty to the offense of entering the United States illegally, in violation of 8 U.S.C. §1325(a)(1), as charged in the Complaint; and the Court having asked the defendant whether he/she had anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court;

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

The defendant is hereby sentenced to time served.

A \$10.00 special assessment is imposed.

DONE at Brownsville, Texas, on **6/12/18**.



Ignacio Torteya, III
United States Magistrate Judge

UNITED STATES DISTRICT COURT

 Southern District Of Texas Brownsville Division

UNITED STATES OF AMERICA**CRIMINAL COMPLAINT****vs.**

Case Number: 1:18-po-1707

Cristian LOPEZ-Gonzalez
A215 761 306 Mexico

I, the undersigned complainant state that the following is true and correct to the best of my

knowledge and belief. On or about June 11, 2018 in Hidalgo County, inthe Southern District Of Texas defendant(s)

being then and there an alien, did, willfully, knowingly and unlawfully enter the United States at a time or place other than designated by an Immigration Officer,

in violation of Title 8 United States Code, Section(s) 1325(a)(1)I further state that I am a(n) Border Patrol Agent and that this complaint is based on the

following facts:

The defendant was apprehended in Hidalgo, Texas on June 11, 2018. The defendant is a citizen of Mexico who entered the United States illegally by rafting across the Rio Grande River near Hidalgo, Texas on June 11, 2018 thus avoiding immigration inspection.

Defendant had no money.

I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS IN THIS COMPLAINT ARE TRUE AND CORRECT.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No/S/ Davila, Carlos Border Patrol Agent

Signature of Complainant

Davila, Carlos Border Patrol Agent

Printed Name of Complainant

Sworn to before me and signed in my presence,

June 12, 2018

Date

at

Brownsville, Texas

City/State

Ignacio Torteya III

Name of Judge

U.S. Magistrate Judge

Title of Judge

Signature of Judge

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

ENTERED

June 12, 2018

David J. Bradley, Clerk

UNITED STATES OF AMERICA

Plaintiff

v.

Case No.: 1:18-po-01707

Magistrate Judge Ignacio Torteya III

Cristian Lopez-Gonzalez

Defendant

JUDGMENT

On **6/12/18**, the above named defendant appeared in person and with counsel.

Whereupon the defendant entered a plea of guilty to the offense of entering the United States illegally, in violation of 8 U.S.C. §1325(a)(1), as charged in the Complaint; and the Court having asked the defendant whether he/she had anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court;

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

The defendant is hereby sentenced to time served.

A \$10.00 special assessment is imposed.

DONE at Brownsville, Texas, on **6/12/18**.



Ignacio Torteya, III
United States Magistrate Judge

UNITED STATES DISTRICT COURT

Southern District Of Texas Brownsville Division

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

vs.

Case Number: 1:18-po-1708

Elbin PEREZ-Lopez
A201 291 332 Guatemala

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about June 11, 2018 in Hidalgo County, in the Southern District Of Texas defendant(s) being then and there an alien, did, willfully, knowingly and unlawfully enter the United States at a time or place other than designated by an Immigration Officer,

in violation of Title 8 United States Code, Section(s) 1325(a)(1)

I further state that I am a(n) Border Patrol Agent and that this complaint is based on the

following facts:

The defendant was apprehended in Hidalgo, Texas on June 11, 2018. The defendant is a citizen of Guatemala who entered the United States illegally by rafting across the Rio Grande River near Hidalgo, Texas on June 11, 2018 thus avoiding immigration inspection.

Defendant had no money.

I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS IN THIS COMPLAINT ARE TRUE AND CORRECT.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No

/S/ Davila, Carlos Border Patrol Agent

Signature of Complainant

Davila, Carlos Border Patrol Agent

Printed Name of Complainant

Sworn to before me and signed in my presence,

June 12, 2018

Date

at

Brownsville, Texas

City/State

Ignacio Torteya III

Name of Judge

U.S. Magistrate Judge

Title of Judge

Signature of Judge

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

ENTERED

June 12, 2018

David J. Bradley, Clerk

UNITED STATES OF AMERICA

Plaintiff

v.

Case No.: 1:18-po-01708

Magistrate Judge Ignacio Torteya III

Elbin Perez-Lopez

Defendant

JUDGMENT

On **6/12/18**, the above named defendant appeared in person and with counsel.

Whereupon the defendant entered a plea of guilty to the offense of entering the United States illegally, in violation of 8 U.S.C. §1325(a)(1), as charged in the Complaint; and the Court having asked the defendant whether he/she had anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court;

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

The defendant is hereby sentenced to time served.

A \$10.00 special assessment is imposed.

DONE at Brownsville, Texas, on **6/12/18**.



Ignacio Torteya, III
United States Magistrate Judge

UNITED STATES DISTRICT COURT

Southern District Of Texas Brownsville Division

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

vs.

Case Number: 1:18-po-1709

Octaviano DE LA CRUZ-Perez
A215 761 307 Guatemala

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about June 11, 2018 in Hidalgo County, in the Southern District Of Texas defendant(s) being then and there an alien, did, willfully, knowingly and unlawfully enter the United States at a time or place other than designated by an Immigration Officer,

in violation of Title 8 United States Code, Section(s) 1325(a)(1)

I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

The defendant was apprehended in Hidalgo, Texas on June 11, 2018. The defendant is a citizen of Guatemala who entered the United States illegally by rafting across the Rio Grande River near Hidalgo, Texas on June 11, 2018 thus avoiding immigration inspection.

Defendant had \$500 Quetzales at the time of arrest.

I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS IN THIS COMPLAINT ARE TRUE AND CORRECT.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No

/S/ Davila, Carlos Border Patrol Agent

Signature of Complainant

Davila, Carlos Border Patrol Agent

Printed Name of Complainant

Sworn to before me and signed in my presence,

June 12, 2018

Date

at

Brownsville, Texas

City/State

Ignacio Torteya III

Name of Judge

U.S. Magistrate Judge

Title of Judge

Signature of Judge

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

ENTERED

June 12, 2018

David J. Bradley, Clerk

UNITED STATES OF AMERICA

Plaintiff

v.

Case No.: 1:18-po-01709

Magistrate Judge Ignacio Torteya III

Octaviano De La Cruz-Perez

Defendant

JUDGMENT

On **6/12/18**, the above named defendant appeared in person and with counsel.

Whereupon the defendant entered a plea of guilty to the offense of entering the United States illegally, in violation of 8 U.S.C. §1325(a)(1), as charged in the Complaint; and the Court having asked the defendant whether he/she had anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court;

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

The defendant is hereby sentenced to time served.

A \$10.00 special assessment is imposed.

DONE at Brownsville, Texas, on **6/12/18**.



Ignacio Torteya, III
United States Magistrate Judge

UNITED STATES DISTRICT COURT

Southern District Of Texas Brownsville Division

UNITED STATES OF AMERICA**CRIMINAL COMPLAINT****vs.**

Case Number: 1:18-po-1710

Candido ARANDA-Reyes
A089 005 046 Mexico

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about June 11, 2018 in Hidalgo County, in the Southern District Of Texas defendant(s) being then and there an alien, did, willfully, knowingly and unlawfully enter the United States at a time or place other than designated by an Immigration Officer,

in violation of Title 8 United States Code, Section(s) 1325(a)(1)

I further state that I am a(n) Border Patrol Agent and that this complaint is based on the

following facts:

The defendant was apprehended in Mcallen, Texas on June 11, 2018. The defendant is a citizen of Mexico who entered the United States illegally by rafting across the Rio Grande River near Hidalgo, Texas on June 11, 2018 thus avoiding immigration inspection.

Defendant had no money.

I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS IN THIS COMPLAINT ARE TRUE AND CORRECT.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No/S/ Davila, Carlos Border Patrol Agent

Signature of Complainant

Davila, Carlos Border Patrol Agent

Printed Name of Complainant

Sworn to before me and signed in my presence,

June 12, 2018

Date

at

Brownsville, Texas

City/State

Ignacio Torteya III

Name of Judge

U.S. Magistrate Judge

Title of Judge

Signature of Judge

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

ENTERED

June 12, 2018

David J. Bradley, Clerk

UNITED STATES OF AMERICA

Plaintiff

v.

Case No.: 1:18-po-01710

Magistrate Judge Ignacio Torteya III

Candido Aranda-Reyes

Defendant

JUDGMENT

On **6/12/18**, the above named defendant appeared in person and with counsel.

Whereupon the defendant entered a plea of guilty to the offense of entering the United States illegally, in violation of 8 U.S.C. §1325(a)(1), as charged in the Complaint; and the Court having asked the defendant whether he/she had anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court;

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

The defendant is hereby sentenced to time served.

A \$10.00 special assessment is imposed.

DONE at Brownsville, Texas, on **6/12/18**.



Ignacio Torteya, III
United States Magistrate Judge

UNITED STATES DISTRICT COURT

Southern District Of Texas Brownsville Division

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

vs.

Case Number: 1:18-po-1711

Fredy Antonio CASTRO-Ruiz
A215 760 961 El Salvador

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about June 09, 2018 in Starr County, in the Southern District Of Texas defendant(s) being then and there an alien, did, willfully, knowingly and unlawfully enter the United States at a time or place other than designated by an Immigration Officer,

in violation of Title 8 United States Code, Section(s) 1325(a)(1)

I further state that I am a(n) Border Patrol Agent and that this complaint is based on the

following facts:

The defendant was apprehended in Edinburg, Texas on June 11, 2018. The defendant is a citizen of El Salvador who entered the United States illegally by rafting across the Rio Grande River near Roma, Texas on June 9, 2018 thus avoiding immigration inspection.

Defendant had no money.

I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS IN THIS COMPLAINT ARE TRUE AND CORRECT.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No

/S/ Davila, Carlos Border Patrol Agent

Signature of Complainant

Davila, Carlos Border Patrol Agent

Printed Name of Complainant

Sworn to before me and signed in my presence,

June 12, 2018

Date

at

Brownsville, Texas

City/State

Ignacio Torteya III

Name of Judge

U.S. Magistrate Judge

Title of Judge

Signature of Judge

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

ENTERED

June 12, 2018

David J. Bradley, Clerk

UNITED STATES OF AMERICA

Plaintiff

v.

Case No.: 1:18-po-01711

Magistrate Judge Ignacio Torteya III

Fredy Antonio Castro-Ruiz

Defendant

JUDGMENT

On **6/12/18**, the above named defendant appeared in person and with counsel.

Whereupon the defendant entered a plea of guilty to the offense of entering the United States illegally, in violation of 8 U.S.C. §1325(a)(1), as charged in the Complaint; and the Court having asked the defendant whether he/she had anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court;

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

The defendant is hereby sentenced to time served.

A \$10.00 special assessment is imposed.

DONE at Brownsville, Texas, on **6/12/18**.



Ignacio Torteya, III
United States Magistrate Judge

UNITED STATES DISTRICT COURT

Southern District Of Texas Brownsville Division

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

vs.

Case Number: 1:18-po-1712

Jose Francisco ALMENDARES-Alvarado
A215 761 305 Honduras

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about June 11, 2018 in Hidalgo County, in the Southern District Of Texas defendant(s) being then and there an alien, did, willfully, knowingly and unlawfully enter the United States at a time or place other than designated by an Immigration Officer,

in violation of Title 8 United States Code, Section(s) 1325(a)(1)

I further state that I am a(n) Border Patrol Agent and that this complaint is based on the

following facts:

The defendant was apprehended in Mcallen, Texas on June 11, 2018. The defendant is a citizen of Honduras who entered the United States illegally by rafting across the Rio Grande River near Hidalgo, Texas on June 11, 2018 thus avoiding immigration inspection.

Defendant had no money.

I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS IN THIS COMPLAINT ARE TRUE AND CORRECT.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No

/S/ Davila, Carlos Border Patrol Agent

Signature of Complainant

Davila, Carlos Border Patrol Agent

Printed Name of Complainant

Sworn to before me and signed in my presence,

June 12, 2018

Date

at

Brownsville, Texas

City/State

Ignacio Torteya III

Name of Judge

U.S. Magistrate Judge

Title of Judge

Signature of Judge

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

ENTERED

June 12, 2018

David J. Bradley, Clerk

UNITED STATES OF AMERICA

Plaintiff

v.

Case No.: 1:18-po-01712

Magistrate Judge Ignacio Torteya III

Jose Francisco Almendares-Alvarado

Defendant

JUDGMENT

On **6/12/18**, the above named defendant appeared in person and with counsel.

Whereupon the defendant entered a plea of guilty to the offense of entering the United States illegally, in violation of 8 U.S.C. §1325(a)(1), as charged in the Complaint; and the Court having asked the defendant whether he/she had anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court;

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

The defendant is hereby sentenced to time served.

A \$10.00 special assessment is imposed.

DONE at Brownsville, Texas, on **6/12/18**.



Ignacio Torteya, III
United States Magistrate Judge

UNITED STATES DISTRICT COURT

Southern District Of Texas Brownsville Division

UNITED STATES OF AMERICA**CRIMINAL COMPLAINT****vs.**

Case Number: 1:18-po-1713

Jose Maria HERNANDEZ
A215 760 958 El Salvador

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about June 03, 2018 in Hidalgo County, in the Southern District Of Texas defendant(s) being then and there an alien, did, willfully, knowingly and unlawfully enter the United States at a time or place other than designated by an Immigration Officer,

in violation of Title 8 United States Code, Section(s) 1325(a)(1)I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

The defendant was apprehended in Edinburg, Texas on June 11, 2018. The defendant is a citizen of El Salvador who entered the United States illegally by rafting across the Rio Grande River near Roma, Texas on June 3, 2018 thus avoiding immigration inspection.

Defendant had \$50 Mexican Pesos and \$5 US dollars.

I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS IN THIS COMPLAINT ARE TRUE AND CORRECT.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No/S/ Davila, Carlos Border Patrol Agent

Signature of Complainant

Davila, Carlos Border Patrol Agent

Printed Name of Complainant

Sworn to before me and signed in my presence,

June 12, 2018

Date

at

Brownsville, Texas

City/State

Ignacio Torteya III

Name of Judge

U.S. Magistrate Judge

Title of Judge

Signature of Judge

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

ENTERED

June 12, 2018

David J. Bradley, Clerk

UNITED STATES OF AMERICA

Plaintiff

v.

Case No.: 1:18-po-01713

Magistrate Judge Ignacio Torteya III

Jose Maria Hernandez

Defendant

JUDGMENT

On **6/12/18**, the above named defendant appeared in person and with counsel.

Whereupon the defendant entered a plea of guilty to the offense of entering the United States illegally, in violation of 8 U.S.C. §1325(a)(1), as charged in the Complaint; and the Court having asked the defendant whether he/she had anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court;

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

The defendant is hereby sentenced to time served.

A \$10.00 special assessment is imposed.

DONE at Brownsville, Texas, on **6/12/18**.



Ignacio Torteya, III
United States Magistrate Judge

UNITED STATES DISTRICT COURT

Southern District Of Texas Brownsville Division

UNITED STATES OF AMERICA**CRIMINAL COMPLAINT****vs.**

Case Number: 1:18-po-1714

Leibin Victoria INTERIANO-Morales
A215 760 953 Honduras

I, the undersigned complainant state that the following is true and correct to the best of my

knowledge and belief. On or about June 06, 2018 in Starr County, inthe Southern District Of Texas defendant(s)

being then and there an alien, did, willfully, knowingly and unlawfully enter the United States at a time or place other than designated by an Immigration Officer,

in violation of Title 8 United States Code, Section(s) 1325(a)(1)I further state that I am a(n) Border Patrol Agent and that this complaint is based on the

following facts:

The defendant was apprehended in Edinburg, Texas on June 11, 2018. The defendant is a citizen of Honduras who entered the United States illegally by rafting across the Rio Grande River near Roma, Texas on June 6, 2018 thus avoiding immigration inspection.

Defendant had no money.

I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS IN THIS COMPLAINT ARE TRUE AND CORRECT.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No/S/ Davila, Carlos Border Patrol Agent

Signature of Complainant

Davila, Carlos Border Patrol Agent

Printed Name of Complainant

Sworn to before me and signed in my presence,

June 12, 2018

Date

at

Brownsville, Texas

City/State

Ignacio Torteya III

Name of Judge

U.S. Magistrate Judge

Title of Judge

Signature of Judge

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

ENTERED

June 12, 2018

David J. Bradley, Clerk

UNITED STATES OF AMERICA

Plaintiff

v.

Case No.: 1:18-po-01714

Magistrate Judge Ignacio Torteya III

Leibin Victoria Interiano-Morales

Defendant

JUDGMENT

On **6/12/18**, the above named defendant appeared in person and with counsel.

Whereupon the defendant entered a plea of guilty to the offense of entering the United States illegally, in violation of 8 U.S.C. §1325(a)(1), as charged in the Complaint; and the Court having asked the defendant whether he/she had anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court;

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

The defendant is hereby sentenced to time served.

A \$10.00 special assessment is imposed.

DONE at Brownsville, Texas, on **6/12/18**.



Ignacio Torteya, III
United States Magistrate Judge

UNITED STATES DISTRICT COURT

Southern District Of Texas Brownsville Division

UNITED STATES OF AMERICA**CRIMINAL COMPLAINT****vs.**

Case Number: 1:18-po-1715

Jonathan Rocael IXCOY-Diaz
A215 760 955 Guatemala

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about June 08, 2018 in Starr County, in the Southern District Of Texas defendant(s) being then and there an alien, did, willfully, knowingly and unlawfully enter the United States at a time or place other than designated by an Immigration Officer,

in violation of Title 8 United States Code, Section(s) 1325(a)(1)I further state that I am a(n) Border Patrol Agent and that this complaint is based on the

following facts:

The defendant was apprehended in Edinburg, Texas on June 11, 2018. The defendant is a citizen of Guatemala who entered the United States illegally by rafting across the Rio Grande River near Roma, Texas on June 8, 2018 thus avoiding immigration inspection.

Defendant had no money.

I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS IN THIS COMPLAINT ARE TRUE AND CORRECT.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No/S/ Davila, Carlos Border Patrol Agent

Signature of Complainant

Davila, Carlos Border Patrol Agent

Printed Name of Complainant

Sworn to before me and signed in my presence,

June 12, 2018

Date

at

Brownsville, Texas

City/State

Ignacio Torteya III

Name of Judge

U.S. Magistrate Judge

Title of Judge

Signature of Judge

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

ENTERED

June 12, 2018

David J. Bradley, Clerk

UNITED STATES OF AMERICA

Plaintiff

v.

Case No.: 1:18-po-01715

Magistrate Judge Ignacio Torteya III

Jonathan Rocael Ixcoy-Diaz

Defendant

JUDGMENT

On **6/12/18**, the above named defendant appeared in person and with counsel.

Whereupon the defendant entered a plea of guilty to the offense of entering the United States illegally, in violation of 8 U.S.C. §1325(a)(1), as charged in the Complaint; and the Court having asked the defendant whether he/she had anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court;

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

The defendant is hereby sentenced to time served.

A \$10.00 special assessment is imposed.

DONE at Brownsville, Texas, on **6/12/18**.



Ignacio Torteya, III
United States Magistrate Judge

UNITED STATES DISTRICT COURT

Southern District Of Texas Brownsville Division

UNITED STATES OF AMERICA**CRIMINAL COMPLAINT****vs.**

Case Number: 1:18-po-1716

Silvia Santos LOPEZ-De Beltran
A215 760 954 El Salvador

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about June 08, 2018 in Starr County, in the Southern District Of Texas defendant(s) being then and there an alien, did, willfully, knowingly and unlawfully enter the United States at a time or place other than designated by an Immigration Officer,

in violation of Title 8 United States Code, Section(s) 1325(a)(1)I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

The defendant was apprehended in Edinburg, Texas on June 11, 2018. The defendant is a citizen of El Salvador who entered the United States illegally by rafting across the Rio Grande River near Roma, Texas on June 8, 2018 thus avoiding immigration inspection.

I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS IN THIS COMPLAINT ARE TRUE AND CORRECT.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No/S/ Perez1, Juan J. Border Patrol Agent

Signature of Complainant

Perez1, Juan J. Border Patrol Agent

Printed Name of Complainant

Sworn to before me and signed in my presence,

June 12, 2018

Date

at

Brownsville, Texas

City/State

Ignacio Torteya III

Name of Judge

U.S. Magistrate Judge

Title of Judge

Signature of Judge

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

ENTERED

June 12, 2018

David J. Bradley, Clerk

UNITED STATES OF AMERICA

Plaintiff

v.

Case No.: 1:18-po-01716

Magistrate Judge Ignacio Torteya III

Silvia Santos Lopez-De Beltran

Defendant

JUDGMENT

On **6/12/18**, the above named defendant appeared in person and with counsel.

Whereupon the defendant entered a plea of guilty to the offense of entering the United States illegally, in violation of 8 U.S.C. §1325(a)(1), as charged in the Complaint; and the Court having asked the defendant whether he/she had anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court;

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

The defendant is hereby sentenced to time served.

A \$10.00 special assessment is imposed.

DONE at Brownsville, Texas, on **6/12/18**.



Ignacio Torteya, III
United States Magistrate Judge

UNITED STATES DISTRICT COURT

Southern District Of Texas Brownsville Division

UNITED STATES OF AMERICA**CRIMINAL COMPLAINT****vs.**

Case Number: 1:18-po-1717

Yony Rafael RUBI-Pineda
A077 530 055 Honduras

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about June 11, 2018 in Hidalgo County, in the Southern District Of Texas defendant(s) being then and there an alien, did, willfully, knowingly and unlawfully enter the United States at a time or place other than designated by an Immigration Officer,

in violation of Title 8 United States Code, Section(s) 1325(a)(1)

I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

The defendant was apprehended in Hidalgo, Texas on June 11, 2018. The defendant is a citizen of Honduras who entered the United States illegally by rafting the Rio Grande River near Hidalgo, Texas on June 11, 2018 thus avoiding immigration inspection.

I DECLARE UNDER PENALTY OF PERJURY THAT THE STATEMENTS IN THIS COMPLAINT ARE TRUE AND CORRECT.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No/S/ Fayett, Bernardo I. Border Patrol Agent

Signature of Complainant

Fayett, Bernardo I. Border Patrol Agent

Printed Name of Complainant

Sworn to before me and signed in my presence,

June 12, 2018

Date

at

Brownsville, Texas

City/State

Ignacio Torteya III

Name of Judge

U.S. Magistrate Judge

Title of Judge

Signature of Judge

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION**

ENTERED

June 12, 2018

David J. Bradley, Clerk

UNITED STATES OF AMERICA

Plaintiff

v.

Case No.: 1:18-po-01717

Magistrate Judge Ignacio Torteya III

Yony Rafael Rubi-Pineda

Defendant

JUDGMENT

On **6/12/18**, the above named defendant appeared in person and with counsel.

Whereupon the defendant entered a plea of guilty to the offense of entering the United States illegally, in violation of 8 U.S.C. §1325(a)(1), as charged in the Complaint; and the Court having asked the defendant whether he/she had anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court;

IT IS ADJUDGED that the defendant is guilty as charged and convicted.

The defendant is hereby sentenced to time served.

A \$10.00 special assessment is imposed.

DONE at Brownsville, Texas, on **6/12/18**.



Ignacio Torteya, III
United States Magistrate Judge

American Academy of Pediatrics

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June 15, 2018

I provide this declaration based on my personal knowledge.

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Mark Del Monte, JD

1. Attached to this declaration is a true and correct copy of the American Academy of Pediatrics Policy on Family Detention, April 2017. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

A handwritten signature in black ink, appearing to read "Mark Del Monte".

Mark Del Monte, JD
CEO/Executive Vice President (Interim)
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Detention of Immigrant Children

Julie M. Linton, Marsha Griffin, Alan J. Shapiro and COUNCIL ON COMMUNITY
PEDIATRICS

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POLICY STATEMENT Organizational Principles to Guide and Define the Child Health
Care System and/or Improve the Health of all Children

American Academy
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DEDICATED TO THE HEALTH OF ALL CHILDREN™

Detention of Immigrant Children

Julie M. Linton, MD, FAAP,^a Marsha Griffin, MD, FAAP,^b Alan J. Shapiro, MD, FAAP,^c COUNCIL ON COMMUNITY PEDIATRICS

Immigrant children seeking safe haven in the United States, whether arriving unaccompanied or in family units, face a complicated evaluation and legal process from the point of arrival through permanent resettlement in communities. The conditions in which children are detained and the support services that are available to them are of great concern to pediatricians and other advocates for children. In accordance with internationally accepted rights of the child, immigrant and refugee children should be treated with dignity and respect and should not be exposed to conditions that may harm or traumatize them. The Department of Homeland Security facilities do not meet the basic standards for the care of children in residential settings. The recommendations in this statement call for limited exposure of any child to current Department of Homeland Security facilities (ie, Customs and Border Protection and Immigration and Customs Enforcement facilities) and for longitudinal evaluation of the health consequences of detention of immigrant children in the United States. From the moment children are in the custody of the United States, they deserve health care that meets guideline-based standards, treatment that mitigates harm or traumatization, and services that support their health and well-being. This policy statement also provides specific recommendations regarding postrelease services once a child is released into communities across the country, including a coordinated system that facilitates access to a medical home and consistent access to education, child care, interpretation services, and legal services.

INTRODUCTION

Communities nationwide have become homes to immigrant and refugee children who have fled countries across the globe.¹ However, in the dramatic increase in arrivals that began in 2014 and continues at the time of writing this policy statement, more than 95% of undocumented children have emigrated from Guatemala, Honduras, and El Salvador (the Northern Triangle countries of Central America), with much smaller numbers from Mexico and other countries. Most of these undocumented children cross into the United States through the southern border.² Unprecedented violence, abject poverty, and lack of state protection

abstract

FREE

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Drs Linton, Griffin, and Shapiro collectively drafted, critically revised, and reviewed this policy.

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of children and families in Central America are driving an escalation of migration to the United States from Guatemala, Honduras, and El Salvador.^{3,4} Children, unaccompanied and in family units, seeking safe haven* in the United States often experience traumatic events in their countries of origin, during the journeys to the United States, and throughout the difficult process of resettlement.^{5,6} In fiscal year (FY) 2014, Customs and Border Protection (CBP) detained 68 631 unaccompanied children and another 68 684 children in family units⁷ (a child with parent[s] or legal guardian[s]). In response to these numbers, the US government implemented a media campaign in Central America and increased immigration enforcement at the southern border of Mexico in an effort to deter immigration.⁸ Yet despite decreasing numbers of unaccompanied children and children in family units attempting to emigrate to the United States in FY 2015, another significant increase of both groups began in FY 2016, with 59 692 unaccompanied children and 77 674 family units detained in FY 2016.² Interviews with children in detention from Mexico and the Northern Triangle Countries revealed that 58% had fear sufficient to merit protection under international law,⁴ and in another survey, 77% reported violence as the main reason for fleeing their country.⁹

Children first detained at the time of entry to the United States, whether they are unaccompanied or in family units, are held by the Department of Homeland Security (DHS) in CBP processing centers.^{10,11} If an accompanying adult cannot verify that he or she is the biological parent or legal guardian, this adult is separated from the child, and the

child is considered unaccompanied.¹⁰ After processing, unaccompanied immigrant children are placed in shelters or other facilities operated by the US Department of Health and Human Services (HHS) Office of Refugee Resettlement (ORR), and the majority are subsequently released to the care of community sponsors (parents, other adult family members, or nonfamily individuals) throughout the country for the duration of their immigration cases.¹¹ Children detained with a parent or legal guardian are either repatriated back to their home countries under expedited removal procedures, placed in Immigration and Customs Enforcement (ICE) family residential centers, or released into the community to await their immigration hearings.¹²

Pediatricians who care for previously detained immigrant children in communities throughout the United States should be aware of the traumatic events these children have invariably experienced to better understand and address their complex medical, mental health, and legal needs. Pediatricians also have an opportunity to advocate for the health and well-being of vulnerable immigrant children. This policy statement applies principles established by numerous previous statements, including care of immigrant children,¹³ toxic stress,¹⁴ and social determinants of health,¹⁵ to the specific topic of detention of immigrant children.

HISTORY

In the 1980s, the United States experienced a dramatic increase in numbers of migrant children fleeing Central America as a result of civil wars in those countries.¹⁶ At that time, the Immigration and Naturalization Service (INS), under the Department of Justice, was responsible for enforcing the immigration law and seeking the

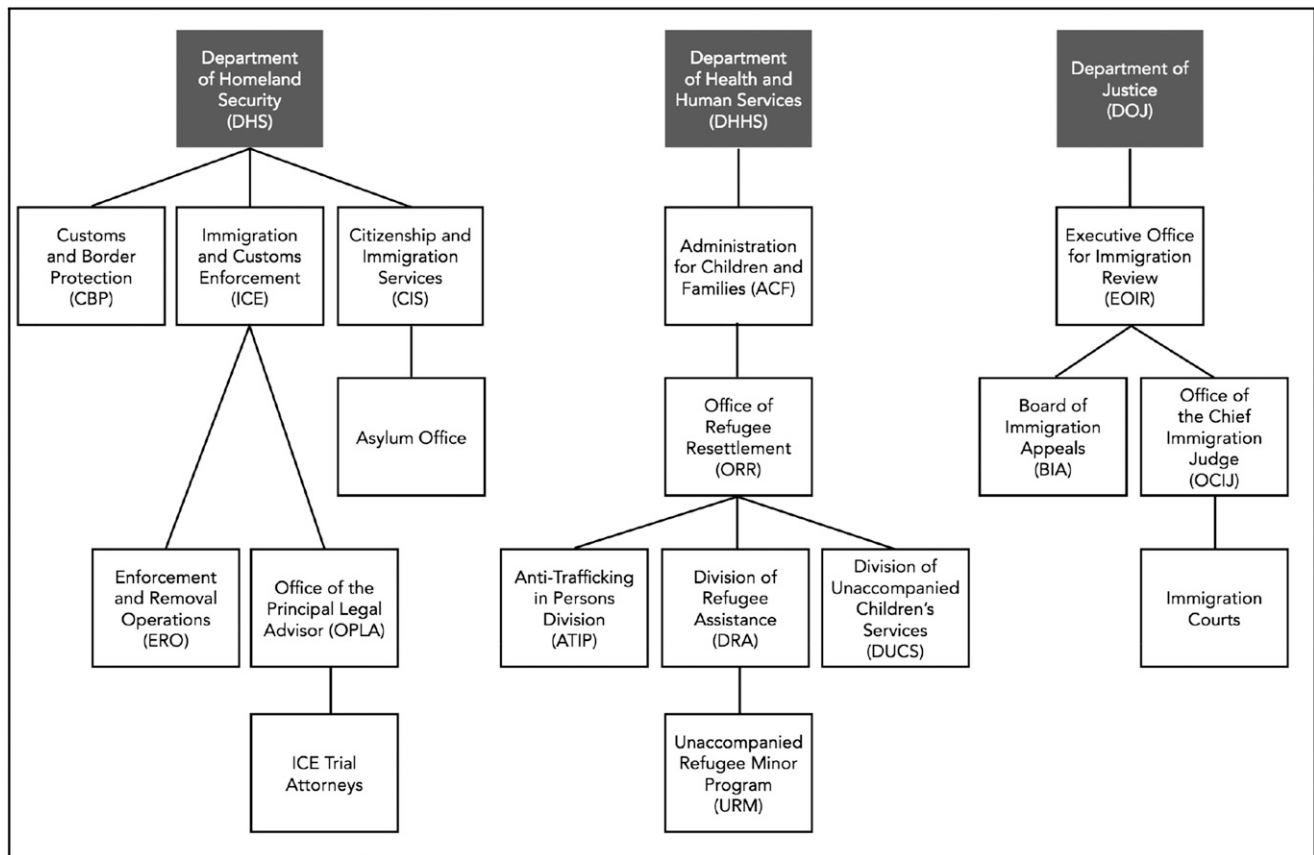
deportation of unaccompanied children and for their care and custody while they were in the United States. In 1997, after more than a decade of litigation responding to unjust treatment of unaccompanied children in the care of the INS, the government entered into a settlement agreement, still in force today, for the care of children.¹⁷ The Flores Settlement Agreement set strict national standards for the detention, treatment, and release of all minors detained in the legal custody of the INS. It requires that children be held in the least restrictive setting appropriate for a child's needs and that they be released without unnecessary delay to a parent, designate of the parent, or responsible adult as deemed appropriate.^{17,18}

After September 11, 2001, the Homeland Security Act of 2002 attempted to resolve the conflict of interest between the dual role of the INS as both a prosecutor and caretaker of unaccompanied children.¹⁹ That law divided the functions of the former INS between the DHS and HHS (Fig 1). Under the DHS, CBP and ICE are charged with border control and homeland security.^{20,21} The care and custody of unaccompanied immigrant children were transferred to the HHS Administration for Children and Families, specifically the ORR. The responsibility of the ORR is to promote the well-being of children and families, including refugees and migrants.²²

CURRENT PRACTICE AND TERMINOLOGY

Noncitizen children younger than 18 years are processed through the immigration system in several ways depending on where they are first detained, whether they are accompanied or unaccompanied by a parent, and whether they come from a contiguous or noncontiguous

*The term safe haven encompasses the diverse immigration statuses that may be pursued and acknowledges the humanitarian needs of those seeking relief.

**FIGURE 1**

Restructuring of INS after September 11, 2001.¹⁹ (The Anti-Trafficking in Persons Organization is now called the Office on Trafficking in Persons, and the Division of Unaccompanied Children's Services is now called the Division of Children's Services.) Reproduced with permission: Byrne O, Miller E. *The Flow of Unaccompanied Children Through the Immigration System*. New York, NY: Vera Institute of Justice; 2012:7

country. An unaccompanied alien child, referred to as an unaccompanied immigrant child in this policy statement, is defined by the Homeland Security Act as a child who “has no lawful immigration status in the United States; has not attained 18 years of age; and with respect to whom—(i) there is no parent or legal guardian in the United States; or (ii) no parent or legal guardian in the United States is available to provide care and physical custody.”^{11,23,24} A parent or legal guardian is considered “not available” if not present at the time of the child’s apprehension.

Accompanied children are those who are detained with their parent or legal guardian, most often the mother. DHS refers to accompanied

children as part of a family unit.¹¹ Most children who come into immigration custody are first detained at the border; a smaller number are apprehended within the country (ie, more than 100 miles away from a border), known as internal apprehensions.¹¹

Lastly, the immigration process is different for children who come from contiguous countries (most from Mexico and smaller numbers from Canada). When the Trafficking Victims Protection Reauthorization Act (TVPRA) was passed in 2008, Congress mandated that CBP screen children from Mexico and Canada for trafficking (child labor or sex) and other harms before allowing them to return to their countries and before they are placed in US immigration proceedings.

Specifically, CBP must screen a child from Mexico or Canada to ensure that the child is not a potential victim of trafficking, has no possible claim to asylum, and can and does voluntarily accept return. If a child from Canada or Mexico does not have authorization to enter the United States and can be returned safely, the child can be repatriated without ever being placed in immigration proceedings. If any of the answers to the aforementioned inquiries into protection concerns are positive, or if no determination of all 3 criteria can be made within 48 hours, the TVPRA mandates that the child shall “immediately” be transferred to custody of ORR. Once transferred to ORR, Mexican and Canadian children are treated like all other unaccompanied children in detention.^{11,19}

Immigration Pathway

CBP Processing Centers

When first detained at or near the border, both unaccompanied children and those in family units are sent to CBP processing centers. Each year, hundreds of thousands of detained people are held in these processing centers along the US southern border.¹⁰ By law, under the Homeland Security Act of 2002 and TVPRA of 2008, unaccompanied immigrant children must be moved to ORR custody within 72 hours.^{24,25} Processing centers are secure facilities of various sizes with locked enclosures to detain children and families; the largest, in McAllen, Texas, currently has a capacity of 1000.[†] Reports by advocacy organizations, including interviews with detainees and the DHS Office of Inspector General,²⁶ have cataloged egregious conditions in many of the centers, including lack of bedding (eg, sleeping on cement floors), open toilets, no bathing facilities, constant light exposure, confiscation of belongings, insufficient food and water, and lack of access to legal counsel,^{10,24,‡} and a history of extremely cold temperatures. At times children and families are kept longer than 72 hours, denied access to medical care and medications, separated from one another, or physically and emotionally maltreated.^{10,24,25} In processing centers, children and families lack a comprehensive orientation process that outlines procedures and possible time of detainment in each facility. To respond to increasing numbers of children and families who are first detained in the Rio Grande Valley, a central processing center in McAllen, Texas has made changes to increase capacity, expedite processing, and address some of these concerns.[§]

[†]Personal observations and notes from authors of this policy from an AAP delegation site visit.

[‡]Personal observations and notes from authors of this policy from an AAP delegation site visit.

[§]Personal observations and notes from authors of this policy from an AAP delegation site visit.

At the time of apprehension by CBP, children pass through 1 or more CBP processing facilities, some of which provide limited medical screening (eg, scabies, lice, varicella); complete medical histories and physical examinations (including vital signs) are not conducted. Screening is performed by a variety of nonmedical and medical personnel, such as border patrol officers, emergency medical technicians, nurse practitioners, or physician assistants.[¶] Children with medical problems beyond the scope of aforementioned personnel are taken to a local hospital emergency department.^{**}

At the time of release from CBP processing centers, the immigration pathway diverges for unaccompanied immigrant children and children accompanied by a parent or legal guardian.

ORR Children Shelters: Unaccompanied Immigrant Children

ORR contracts with a network of child welfare agencies, both nonprofit and government organizations, to care for unaccompanied immigrant children in a variety of facility types that range in size and level of security. A small number of these contracts are with local foster care agencies.²³ With more than 9200 beds located across the country, these shelters have procedures ensuring compliance with federal law regarding the care and custody of immigrant children.²⁷ Children are provided with dormitory-style rooms, shared bathrooms, showers, clothes, hot meals, year-round educational services, recreational activities, and limited legal services. In FY 2015, the average length of stay in the program was 34 days,²⁸ although some children remain in ORR custody for significantly longer

[¶]Personal observations and notes from authors of this policy from an AAP delegation site visit.

^{**}Personal observations and notes from authors of this policy from an AAP delegation site visit.

periods of time, for a number of different reasons.

At the time of entry into an ORR facility, children receive an initial medical and mental health evaluation.²⁹ The ORR is responsible for providing the children with ongoing medical and mental health care, which may be provided on or off site, while in custody. Pediatricians caring for previously detained children released into communities can access the American Academy of Pediatrics (AAP) Immigrant Health Toolkit (<https://www.aap.org/en-us/about-the-aap/Committees-Councils-Sections/Council-on-Community-Pediatrics/Pages/Immigrant-Child-Health-Toolkit.aspx>) for more comprehensive guidelines (eg, universal hearing and sexual health screenings)³⁰ and can ask the child or sponsor for the medical records, provided to each child at the time of release from the shelter, or request records (including vaccinations and tuberculosis testing) from the ORR Web site (<https://www.acf.hhs.gov/orr/resource/unaccompanied-childrens-services>).³¹

Family Residential Centers: Accompanied Children

Some family units are released from CBP processing centers directly into the community to await immigration proceedings, some undergo expedited return to their country of origin, and others are sent to ICE-contracted family residential centers. Three family detention centers exist nationally, including 2 in Texas, operated by for-profit prison corporations (ie, GEO Group and CCA) and 1 in Pennsylvania operated by local government (ie, Berks County); 2 other centers were closed because of “dangerously inadequate” conditions.^{32,33} The present total operating capacity of the detention facilities is 3326 beds.³⁴ Each residential center has staff comprising representatives from their contracting organizations and

ICE employees.³⁴ In general, multiple families stay in dormitory-style rooms. Nearly all the family detention beds are for mothers with children younger than 18 years, and 1 facility (Berks County) accepts fathers.³⁵ An August 2015 ruling by a California US District Court in a case brought against DHS, *Flores v Johnson*, found that family detention centers are in violation of the Flores Settlement Agreement.³⁶ The court did not exclude children in family units from the requirement that children be held in the least restrictive environments. Despite this order, children continue to be detained, and even with shorter lengths of stay, some were still found to suffer traumatic effects.^{32,37}

Care of children held in detention centers is subject to the standards outlined on the ICE Web site.^{38,39} Limited medical, dental, and mental health services are provided by the prison corporations in the Texas facilities and through public health services in Pennsylvania.^{38,39} Detention centers also rely on nearby emergency departments and tertiary care centers for the treatment of medical and mental health conditions beyond their scope. Visits to family detention centers in 2015 and 2016 by pediatric and mental health advocates revealed discrepancies between the standards outlined by ICE and the actual services provided, including inadequate or inappropriate immunizations, delayed medical care, inadequate education services, and limited mental health services.^{40–45}

Alternatives to detention offer opportunities to respond to families' needs in the community as their immigration cases proceed. For most families, release into the community allows families to live their lives as normally as possible.³⁴ In the setting of community-based alternatives to detention, many families are able to comply with immigration proceedings when they are provided information about

rights and responsibilities, referrals to legal services, and psychosocial supports.³⁴ Some families may benefit from case management,³⁴ which is cost-effective¹¹ and can increase the likelihood of compliance with government requirements.³³ Alternatives to detention may better allow families to identify legal services and seek proper medical and mental health care that can importantly contribute to winning asylum cases.⁴⁶

Release of Children Into the Community: Unaccompanied Immigrant Children

Before release, the ORR seeks to reunite an unaccompanied immigrant child with a sponsor, preferably a parent or other family member. Sponsors must be considered suitable for caring for a child and go through background checks, occasionally including home visits.^{11,23,24} Most children are released to parents or other family members; in some cases, the sponsor may be someone the child does not know well or at all. The ORR must approve the child's release, but in almost all cases, the sponsor is financially responsible for transportation and other expenses incurred.⁴⁷ Some children receive limited postrelease services from nongovernment organizations funded by ORR. These services are typically provided only to children whose release followed a home study, required for certain children under TVPRA, including those who have histories of abuse or trafficking or those with disabilities.^{48,49} Most children released from the ORR do not qualify for Medicaid, the Children's Health Insurance Program, or other state and federal public benefit programs. Other important stressors may also arise once the child has been placed with a sponsor, including relationship conflicts between child and sponsor or other household members, school enrollment and other educational challenges, food insecurity, housing insecurity, other financial strain

(eg, clothes, school supplies), and acculturation difficulties.

Release of Children Into the Community: Family Units

Family units arriving together at the US border are currently placed into "expedited removal proceedings," which means that the adult must pass a "credible fear interview" or, in some cases, a "reasonable fear interview" (for families with previous orders of removal from the United States) before a US Customs and Immigration Service officer to establish a basis for the presence of persecution or torture. If the interview is passed, families may be released from the detention center on bond or released under other conditions, such as being required to wear an electronic monitor, but only for the duration of their immigration case. If they do not pass the credible fear or reasonable fear interview or a judge concurs with a negative "fear" decision, they will be removed from the United States.³⁹ Currently, more than 75% of families held in family residential centers pass their "credible fear" or "reasonable fear" interviews or are successful in appealing adverse decisions after retaining an attorney, meaning that most have a right to seek protection in the United States.^{34,50} Families who are granted release into communities pending immigration proceedings may be taken to nearby bus terminals or local churches but must independently navigate reunification with family members across the country. Families must also find attorneys to represent them in their immigration cases, which will continue until they appear for an asylum hearing before an immigration judge or pursue some other immigration benefit (such as a visa for trafficking victims). These families must rely on family members living in the United States for assistance or incur their own travel and legal expenses. Many adult members of family units have been

released into the community with electronic monitors to ensure that their whereabouts can be tracked.³³

Impact of Detention on Child and Family Health

Detention of children is a global issue condemned by respected human rights and professional organizations both within and beyond US borders.^{11,32,33,51} Moreover, the United Nations Convention on the Rights of the Child, an internationally recognized legal framework for the protection of children's basic rights (ratified by every country in the world except for the United States), emphasizes freedom from arbitrary arrest and detention (Article 37), the provision of special protection to children seeking asylum (Article 22), humane and appropriate treatment of children in detention (Article 37), and guidelines regarding maintaining family unity (Article 9).⁵² The AAP has endorsed this human rights treaty as an important legal instrument.⁵³ US state court proceedings and the United Nations Convention on the Rights of the Child underscore the "best interests of the child," including safety and well-being, the child's expressed interests, health, family integrity, liberty, development (including education), and identity.⁵⁴

Studies of detained immigrants, primarily from abroad, have found negative physical and emotional symptoms among detained children,⁵⁵⁻⁵⁷ and posttraumatic symptoms do not always disappear at the time of release.⁵⁶ Young detainees may experience developmental delay⁵⁸ and poor psychological adjustment, potentially affecting functioning in school.⁵⁹ Qualitative reports about detained unaccompanied immigrant children in the United States found high rates of posttraumatic stress disorder, anxiety, depression, suicidal ideation, and other behavioral problems.⁶⁰ Additionally, expert consensus has

concluded that even brief detention can cause psychological trauma and induce long-term mental health risks for children.⁵¹

Studies of adults in detention have demonstrated negative physical and mental health effects that can reasonably be applied to adult members of detained family units. For instance, detained adult asylum seekers suffered from musculoskeletal, gastrointestinal, respiratory, and neurologic symptoms.⁶¹ They also commonly experienced anxiety, depression, posttraumatic stress disorder, difficulty with relationships, and self-harming behavior.⁶²⁻⁶⁶ Detention itself undermines parental authority and capacity to respond to their children's needs; this difficulty is complicated by parental mental health problems.^{56,67} Although data are limited regarding the effects of a short detention time on the health of children, there is no evidence indicating that any time in detention is safe for children.

In the United States, reports from human rights groups and other child advocates, including pediatricians, corroborate the deleterious effects of detention found in the aforementioned studies.^{33,35,41-44} These reports describe prisonlike conditions; inconsistent access to quality medical, dental, or mental health care; and lack of appropriate developmental or educational opportunities.^{11,33,35,62} Parents interviewed for these reports described regressive behavioral changes in their children, including decreased eating, sleep disturbances, clinginess, withdrawal, self-injurious behavior, and aggression.^{33,44} Parents exhibited depression, anxiety, loss of locus of control, and a sense of powerlessness and hopelessness.^{44,68} Parents often faced difficulty parenting their children and subsequently experienced strained parent-child relationships.⁴⁴ Detained families' sense of isolation

and desperation were intensified by detention center practices that created communication barriers with the outside world (eg, expensive telephone service and lack of Internet services). Additionally, detainees reported being anxious about the lack of access to legal advocates.^{33,68}

After almost a year of investigation, the DHS Advisory Committee on Family Residential Centers ultimately made this recommendation³⁴:

DHS's immigration enforcement practices should operationalize the presumption that detention is generally neither appropriate nor necessary for families—and that detention or the separation of families for purposes of immigration enforcement or management are never in the best interest of children.

THE ROLE OF PEDIATRICIANS IN THE COMMUNITY

Awareness of the immigration pathway, conditions in detention facilities, and medical care during detention can help community pediatricians provide sensitive and targeted care based on AAP recommendations (<https://www.aap.org/en-us/about-the-aap/Committees-Councils-Sections/Council-on-Community-Pediatrics/Pages/Immigrant-Child-Health-Toolkit.aspx>) for newly arrived immigrant children³⁰ and Centers for Disease Control and Prevention refugee health guidelines.⁶⁹ Many of these children have never had access to a medical home or regular primary care surveillance. A trauma-informed approach acknowledges the impact of trauma and potential paths for recovery, recognizes signs and symptoms of trauma, responds by integrating knowledge into the system of care, and resists retraumatization.⁷⁰⁻⁷² Trauma-informed care is essential for medical, mental health, and community-based services. Unfortunately, access to postrelease services is limited, because lack of legal status leaves immigrant children ineligible for

most public benefits. Most states do not provide health care benefits to children of undocumented immigration status.^{73,††} However, by law children have the right to a free, public education without regard to immigration status.⁷⁴ Pediatricians can make families aware that newly arrived children are entitled to a free education and direct them to local public school districts for enrollment.

By facilitating access to legal representation through screening and referral, pediatricians may ultimately increase access to health care once the immigrant child has lawful status. Furthermore, pediatricians may provide key evidence used by attorneys to assist in children's immigration cases. By some estimates, nearly 45% of unaccompanied children in deportation proceedings do not have attorneys in immigration court.⁷⁵ Not surprisingly, children without counsel are far more likely to be deported, regardless of the merits of their case or the dangers to which they would return.⁷⁶ The complexity of immigration law makes it all the more imperative for practitioners who care for immigrant children and youth to have a referral network of legal experts (preferably nonprofit or pro bono) with whom they work closely.

A basic understanding of the different forms of legal relief can help pediatricians collect key medical and psychosocial histories and clinical evidence that may be used to support legal claims by children seeking safe haven. The most common legal statuses pursued by previously detained children include special immigrant juvenile status, asylum, and what are often referred to as visas for victims of trafficking (T visa) or serious crimes (U visa).¹¹ Histories

of abuse, neglect, abandonment, persecution, trafficking, or violence may be disclosed to clinicians but not lawyers because of fear or shame. Furthermore, victims of labor or child sex trafficking and commercial sexual exploitation of children rarely self-identify. When assessing the trauma history of previously detained children, pediatricians may identify concerns for trafficking⁷⁷ and subsequently facilitate needed medical and mental health care and initiate referrals to law enforcement, child protective services, and legal services.⁷⁸ Children who are identified as victims of trafficking may be eligible for a T visa, and children who are victims of crimes in this country, including exposure to domestic violence, may be eligible for a U visa if they are willing to cooperate with law enforcement. Trauma-focused treatment can facilitate disclosure of painful histories to children's lawyers and judges, thereby improving chances for winning legal relief. By referring children for legal services and providing affidavits or court testimonies, pediatricians can directly advocate on behalf of children facing immigration proceedings.

RECOMMENDATIONS

Pediatricians have the opportunity to advocate for systems that mitigate trauma and protect the health and well-being of vulnerable immigrant children. Children, especially those who have been exposed to trauma and violence, should not be placed in settings that do not meet basic standards for children's physical and mental health and that expose children to additional risk, fear, and trauma. Until the unprecedented 2014 increase in Central American migration, children detained with a parent or legal guardian were released into the community. The government's decision in 2014 to

place them in family detention was intended, in part, to send a message of deterrence abroad.⁸ It is the position of the AAP that children in the custody of their parents should never be detained, nor should they be separated from a parent, unless a competent family court makes that determination. In every decision about children, government decision-makers should prioritize the best interests of the child.⁵⁴

The following recommendations pertain to handling of immigrant children, including their health care, while they are in custody:

- Treat all immigrant children and families seeking safe haven who are taken into US immigration custody with dignity and respect to protect their health and well-being.
- Eliminate exposure to conditions or settings that may retraumatize children, such as those that currently exist in detention, or detention itself.
- Separation of a parent or primary caregiver from his or her children should never occur, unless there are concerns for safety of the child at the hand of parent. Efforts should always be made to ensure that children separated from other relatives are able to maintain contact with them during detention.
- While in custody, unaccompanied children and family units should be provided with child-friendly orientation and regular updates regarding their current status, expectations, and rights.
- Because conditions at CBP processing centers are inconsistent with AAP recommendations for appropriate care and treatment of children, children should not be subjected to these facilities.
- Processing of children and family units should occur in a child-friendly manner, taking place outside current CBP processing

††At the time of writing this policy statement, only 5 states (New York, Massachusetts, Washington, Illinois, and California) and the District of Columbia provided health care benefits to all children regardless of immigration status.

centers or conducted by child welfare professionals, to provide conditions that emphasize the health and well-being of children and families at this critical stage of immigration proceedings.

- DHS should discontinue the general use of family detention and instead use community-based alternatives to detention for children held in family units.
- Community-based case management should be implemented for children and families, thus ending both detention and the placement of electronic tracking devices on parents. Government funding should be provided to support case management programs.
- Children, whether unaccompanied or accompanied, should receive timely, comprehensive medical care that is culturally and linguistically sensitive by medical providers trained to care for children. This care should be consistent throughout all stages of the immigration processing pathway.
- Trauma-informed mental health screening and care are critical for immigrant children seeking safe haven. Screening should be conducted once a child is in the custody of US officials via a validated mental health screening tool, with periodic rescreening, additional evaluation, and trauma-informed care available for children and their parents.
- When children are in the custody of the federal government, extra precautions must be in place to identify and protect children who have been victims of trafficking and to prevent recruitment of new children into the trafficking trade.
- Children should be provided with language-appropriate, year-round educational services, including special education if needed,

throughout the immigration pathway.

- Recreational and social enrichment activities, such as opportunities for physical activity and creative expression, may alleviate stress and foster resiliency and should be part of any program for detained children. At a minimum, outdoor and major muscle activity should meet the minimum standards set by the Flores Settlement Agreement.
- Children and families should have access to legal counsel throughout the immigration pathway. Unaccompanied minors should have free or pro bono legal counsel with them for all appearances before an immigration judge.
- The AAP encourages longitudinal evaluation of the health consequences of detention of immigrant children in the United States.

Given the complex medical, mental health, and legal needs of these children, the following recommendations pertain to postrelease care of previously detained immigrant children in the community. Children and families need a coordinated system that facilitates access to a medical home that can address the children's physical and mental health needs and facilitates access to education, child care, and legal and interpretation services.

- The AAP advocates for expanded funding for postrelease services to promote the safety and well-being of all previously detained immigrant children and to facilitate connection and access to comprehensive services, including medical homes, in the community. Community-based case management should be implemented for children and families.
- All immigrant children seeking safe haven should have comprehensive

health care and insurance coverage, which includes the right to access qualified medical interpretation covered by medical benefits, pending immigration proceedings.

- Children not connected to medical homes may first present to nonprimary care settings. Pediatric providers and staff in these facilities, particularly urgent care and emergency departments, can support referral to the medical home and access to comprehensive services.
- Pediatric providers can refer to the AAP Immigrant Health Toolkit (<https://www.aap.org/en-us/about-the-aap/Committees-Councils-Sections/Council-on-Community-Pediatrics/Pages/Immigrant-Child-Health-Toolkit.aspx>) as a resource for care of immigrant children.
- Pediatric providers should familiarize themselves with trauma-informed care and promote access to comprehensive mental health evaluation in the community. The AAP Trauma Toolbox for Primary Care (<https://www.aap.org/en-us/advocacy-and-policy/aap-health-initiatives/healthy-foster-care-america/Pages/Trauma-Guide.aspx>) offers an accessible resource for pediatricians to build these skills. Integrated behavioral health in the primary care setting is an optimal model for care of immigrant and other vulnerable children, minimizing the difficulty in navigating the health care system.
- Pediatric providers serving previously detained immigrant children should elicit specific history of abuse, neglect, abandonment, persecution, trafficking, or violence to screen children for legal needs and subsequently refer these children for legal services. Integrated care strategies, such as

medical–legal partnerships, may increase connectivity. Likewise, immigration lawyers should have opportunities to refer children to medical homes if children reach the legal system before seeking medical care.

- Pediatric practices should facilitate children’s enrollment in public educational services, essential to children’s development and future well-being.
- School facilities should be safe settings for immigrant children to access education. School records and facilities should not be used in any immigration enforcement action.
- No child, whether accompanied or unaccompanied, should ever represent himself or herself in court. After release into the community, all previously detained immigrant children should have access to legal services at no cost to the child or his or her sponsor.
- Child trafficking victims and other unaccompanied children should be appointed independent child advocates, pursuant to TVPRA, to advocate for their best interests on all issues, including conditions of custody, release to family or sponsors, and relief from removal.
- Pediatricians everywhere should advocate for comprehensive, high-quality health care in a medical home for all children in the United States, including all immigrant children and those detained or otherwise in the care of the state.

CONCLUSIONS

The AAP supports comprehensive health care in a medical home for all children in the United States, including all immigrant children and those detained or otherwise in the care of the state. Children deserve protection from additional traumatization in the United States and the identification and treatment of trauma that may have occurred in children’s country of origin, during migration, or during immigration processing or detention in the United States. The AAP endorses the humane treatment of all immigrant children seeking safe haven in the United States, whether unaccompanied or in family units, throughout the immigration pathway.

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ABBREVIATIONS

AAP: American Academy of Pediatrics
CBP: Customs and Border Protection
DHS: Department of Homeland Security
FY: fiscal year
HHS: US Department of Health and Human Services
ICE: Immigration and Customs Enforcement
INS: US Immigration and Naturalization Service
ORR: Office of Refugee Resettlement
TVPRA: Trafficking Victims Protection Reauthorization Act

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Detention of Immigrant Children

Julie M. Linton, Marsha Griffin, Alan J. Shapiro and COUNCIL ON COMMUNITY PEDIATRICS

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