



September 26, 2019

VIA ELECTRONIC MAIL

Joseph Cuffari
Inspector General
U.S. Department of Homeland Security
254 Murray Lane SW
Washington, D.C. 20528

Matthew Klein
Assistant Commissioner for Office of
Professional Responsibility
U.S. Customs and Border Protection
1300 Pennsylvania Ave. NW
Washington, D.C. 20229

Cameron Quinn
Officer for Civil Rights and Civil Liberties
U.S. Department of Homeland Security
Building 410, Mail Stop #0190
Washington, D.C. 20528

Re: *Pregnant women returned to Mexico under the “Migration Protection Protocols” (MPP)*

Dear Mr. Cuffari, Ms. Quinn, and Mr. Klein,

The American Civil Liberties Union (ACLU) Border Rights Center and the ACLU of Texas write to demand an immediate stop to the placement of pregnant women and other vulnerable populations in the “Migration Protection Protocols” (MPP) policy and the return of pregnant women who have been held in Mexico under the policy to the United States. While the MPP policy violates the rights of all subjected to it, the adverse effects of this policy is particularly acute among vulnerable populations, such as pregnant women. While we await action by Congress or the courts to end MPP, we seek in the interim an unequivocal commitment from the Department of Homeland Security (DHS) to cease subjecting vulnerable populations, including pregnant women, to the MPP policy, and an immediate investigation by the Inspector General into the treatment of pregnant women in MPP.

The MPP policy unlawfully denies adequate access to the United States asylum system and forcibly returns asylum seekers to Mexico, where they face immediate and ongoing threats

to their security.¹ Asylum seekers, including pregnant women, subjected to the policy have faced rape, kidnapping, assault, extortion, and death after being forced to return to Mexico.² The United States asylum system is in place to ensure our values as a nation of immigrants are reflected in the way we treat those arriving to our country. Returning asylum seekers to such danger is the antithesis of these values and against the law.

Vulnerable Populations in MPP

Since the policy's inception, the DHS has maintained that "individuals from vulnerable populations may be excluded on a case-by-case basis."³ DHS's own "MPP Guiding Principles," maintain that persons with "known physical/mental health issues" are "not amenable to MPP."⁴ Nevertheless, DHS has consistently returned vulnerable populations to Mexico under the policy, including pregnant women.⁵ While each pregnancy requires different forms of medical intervention and monitoring, a pregnant women has heightened physical care and medical needs from those of the general population.

Notwithstanding these needs, DHS officials maintain that "consistent with the policy, migrants with known physical or mental health conditions are not subject to the Migrant Protection Protocols. Pregnancy may not be observable or disclosed and may not in and of itself disqualify an individual from participating in the program."⁶ However, Customs and Border Protection (CBP) does not appear to conduct adequate medical assessment of a person's pregnancy to determine whether they should be disqualified from MPP or provide any guidance

¹ See "Groups File Lawsuit Against Trump Policy that Forces The Return of Asylum Seekers to Mexico," American Civil Liberties Union, Feb. 14, 2019, available at, <https://www.aclu.org/press-releases/groups-file-lawsuit-against-trump-policy-forces-return-asylum-seekers-mexico>

² See "Trump Administration Delivers Asylum Seekers to Grave Danger in Mexico: 200+ Publicly Reported Cases of Rape, Kidnapping, and Assault Just the Tip of the Iceberg," Human Rights First, Sept. 17, 2019, available at <https://www.humanrightsfirst.org/resource/trump-administration-delivers-asylum-seekers-grave-danger-mexico-200-publicly-reported>

³ See *Migrant Protection Protocols*, U.S. Homeland Security, Jan. 24, 2019, available at <https://www.dhs.gov/news/2019/01/24/migrant-protection-protocols>

⁴ See *MPP Guiding Principles*, U.S. Customs and Border Protection, Jan. 28, 2019, available at <https://www.cbp.gov/sites/default/files/assets/documents/2019-Jan/MPP%20Guiding%20Principles%201-28-19.pdf>

⁵ See *Delivered to Danger: Illegal Remain in Mexico Policy Imperils Asylum Seekers' Lives and Denies Due Process*, at pgs. 9-10, Human Rights First, Aug. 2019, available at <https://www.humanrightsfirst.org/sites/default/files/Delivered-to-Danger-August-2019%20.pdf>

⁶ Robert Moore, "Fate of pregnant women at border sparks congresswoman's outrage," June 19, 2019, available at <http://borderzine.com/2019/06/fate-of-pregnant-women-at-border-sparks-congresswomans-outrage/>

regarding what may disqualify a pregnant woman from the program.⁷ The presumption must be that pregnant women should be excluded from the program. CBP officials are simply letting pregnant women—regardless of their physical health or medical needs—languish in Mexico.

DHS has returned a significant number of pregnant women to Mexico under MPP, exposing them to further harm in a particularly dangerous regions.⁸ DHS is returning pregnant women to places that are considered extremely dangerous -- Baja California, Tamaulipas, and Chihuahua, among others.⁹ Tamaulipas has been labeled “the disappearance capital of Mexico,”¹⁰ and a currently effective State Department travel warning puts the state in the same category as Syria.¹¹ Yet time and again, the U.S. government subjects pregnant women to such dangers with limited access to food and healthcare while being forced to survive on the streets, in migrant encampments, such as the makeshift tent community at the foot of the Gateway International Bridge in Matamoros, Tamaulipas, Mexico, or at unsecure shelters across the northern region of Mexico.

United States senators, among others, have raised serious concerns about the return of pregnant women under MPP. “Policies and practices targeting pregnant women at the border are horrific,” wrote Sen. Merkley in an August 2019 letter to the DHS Office of Inspector General. “Forcing pregnant women to wait alone in Mexico for their asylum hearings put them in extreme risk of abuse and extortion [and] creates significant health risks.”¹² Senator Menendez and a group of 23 U.S. senators, said in a letter to DHS and the Department of State, that they were

⁷ Based on interviews conducted by ACLU of Texas and other organizations. Authors’ notes maintained at ACLU offices.

⁸ See Robert Moore, “Fate of pregnant women at border sparks congresswoman’s outrage,” *Borderzine*, June 19, 2019, available at <http://borderzine.com/2019/06/fate-of-pregnant-women-at-border-sparks-congresswomans-outrage/>; See Reynaldo Leños Jr., “Migrant mother and her lawyer refused to take ‘no’ for an answer from U.S. border agents,” *The Texas Tribune*, Sept. 9, 2019, available at <https://www.texastribune.org/2019/09/09/pregnant-migrant-lawyer-border/>; See Robert Moore, “‘I’m in Danger’: Migrant Parents Face Violence in Mexico under New Trump Policy,” *Texas Monthly*, April 25, 2019, available at <https://www.texasmonthly.com/politics/im-in-danger-migrant-parents-face-violence-in-mexico-under-new-trump-policy/>

⁹ Parker Asmann, “Migrants Easy Prey Under US ‘Remain in Mexico’ Program,” *InSight Crime*, July 10, 2019, available at <https://www.insightcrime.org/news/analysis/migrants-prey-us-remain-mexico-program/>

¹⁰ Parker Asmann, “Migrants Easy Prey Under US ‘Remain in Mexico’ Program,” *InSight Crime*, July 10, 2019, available at <https://www.insightcrime.org/news/analysis/migrants-prey-us-remain-mexico-program/>.

¹¹ David Agren, “US ‘do not travel’ advisory puts five Mexican states on same level as Syria,” *The Guardian*, Jan. 10, 2018, available at <https://www.theguardian.com/world/2018/jan/10/us-travel-advisory-mexico-do-not-travel-crime-drug-cartel>

¹² See Letter from Representative Jeff Merkley to Inspector Joseph V. Cuffari (Aug. 16, 2019), available at <https://www.merkley.senate.gov/imo/media/doc/DHS-OIG%20Letter%20re%20Pregnant%20Migrants.pdf>

“deeply disturbed by reports that pregnant women are also being returned to these precarious conditions in Mexico.”¹³

Medical professionals have also raised concerns about pregnant women in the program. During a recent trip to the migrant encampment in Matamoros, Dr. Sondra Crosby, a physician with Physicians for Human Rights, noted conditions that would “greatly increase the risk for largely preventable adverse maternal and newborn outcomes.” These conditions include: insufficient nutrition that could result in anemia and malnutrition; inadequate access to clean, potable water placing pregnant women at increased risk of dehydration and diarrheal diseases; unhygienic living conditions; cramped living conditions in the open air that increase the risk of infectious and mosquito borne diseases; and a “lack of prenatal care and monitoring” that increases the risk of “preterm birth, low birth-weight infants, stillbirths and maternal mortality.” Dr. Crosby emphasized that such “adverse birth outcomes can have long-lasting repercussions on the health and development of the newborn well into adulthood.”¹⁴

Individual Accounts of Pregnant Women in MPP

On September 6, 2019, the Associated Press reported that an eight-and-a-half months pregnant Salvadoran woman experiencing contractions had her labor stopped by medical professionals at a hospital in the United States and was returned by CBP to Mexico under MPP.¹⁵ Since learning of this situation, the ACLU interviewed the woman at the center of this story, as well as 17 other women that were pregnant when returned to Mexico through the MPP program. These interviews referenced in this complaint took place between September 17, 2019 and September 25, 2019. In order to protect the health and safety of these very vulnerable women, we have withheld their names and A-numbers, but can provide those confidentially to officials investigating this matter.

On September 18, 2019, ACLU attorneys met with, G.C.M.G. (A# XXX-XXX-XXX), the 28-year-old subject of the Associated Press article in Matamoros, Tamaulipas, Mexico. ACLU attorneys learned that G.C.M.G. had given birth in Mexico on September 6, 2019—the same day the AP published its article on her ordeal. We learned that G.C.M.G. was initially returned to Mexico on August 25, and that following this return, she had presented herself two more times at the Brownsville port of entry to seek medical attention, as she had preeclampsia in her prior pregnancy. On the first attempt, she was allowed entry at the bridge, held in CBP custody for two days, then returned again to Mexico. On her second attempt, she was denied

¹³ See *Menendez, Colleagues Demand Trump Administration End Remain in Mexico Policy*, U.S. Senate Committee on Foreign Relations, Aug. 28, 2019, available at <https://www.foreign.senate.gov/press/ranking/release/menendez-colleagues-demand-trump-administration-end-remain-in-mexico-policy->

¹⁴ See “Unsafe, Unsanitary, Inhumane”: PHR Medical Expert’s Observations at the Matamoros Migrant Encampment, Physicians for Human Rights, Sept. 26, 2019, available at <https://phr.org/news/phr-statement-on-migrant-protection-protocols/>

¹⁵ See Norman Merchant, “A Heavily Pregnant Migrant Crossed the U.S. Border Experiencing Contractions. American Doctors Stopped Her Labor, then Sent Her Back to Mexico,” *TIME*, Sept. 7, 2019, available at <https://time.com/5671108/us-pregnant-migrants-labor-mexico/>

entry altogether. Following these failed attempts, G.C.M.G. went into labor the evening of September 5 in a tent at the makeshift migrant encampment at the foot of Gateway International Bridge in Matamoros. Women sleeping in the encampment assisted during her labor until Mexican officials finally took her to a hospital the next morning to deliver her baby.

Pregnant migrants like G.C.M.G. live in unsafe and unsanitary conditions upon their return to Mexico after having also endured mistreatment and inadequate medical care during their detention in CBP custody. The ACLU documented conditions that include:

- **Mistreatment and lack of medical care in CBP custody:** pregnant women in CBP custody are denied adequate medical attention, verbally abused by U.S. officials, forced to sleep on the floor, and provided inadequate food and water while in custody.
- **Lack of access to medical care in Mexico:** even when pregnant women report their medical needs to Mexican officials, unless they are in active labor, their needs go unmet. As many of the women interviewed attested, they have little to no access to medical care in Mexico.
- **Inadequate access to food and water:** pregnant women rely almost exclusively on humanitarian aid provided by non-governmental organizations (NGOs) from both sides of the border or on shelters created to house MPP returnees in dangerous border cities like Juarez and Tijuana. In Matamoros alone, there are approximately 700 people living in a migrant encampment, the majority of whom rely on food and water provided twice daily by U.S. based NGOs as their sole source of sustenance.
- **Unsafe living conditions:** most pregnant women report fear of leaving encampments or shelters because of the dangers Matamoros, Ciudad Juarez and Tijuana present. Many sleep on the streets without any protection. In Matamoros, there is no fresh water in the migrant encampment so people wash clothing and bathe in the Rio Grande River/Rio Bravo, which is polluted and dangerous. In fact, drownings have been well documented, especially in recent weeks,¹⁶ and individuals have reported skin infections as a result of bathing in polluted water.¹⁷

¹⁶ See Adolfo Flores, “A Teen Girl Forced to Wait in Mexico Under Trump’s Asylum Policies Nearly Drowned While Waiting to Cross,” BuzzFeed News, Sept. 16, 2019, available at <https://www.buzzfeednews.com/article/adolfoflores/trump-asylum-policy-mexico-mpp-remain-rio-grande-dangers>; See “Migrante hondureña muere ahogada junto con su hijo de 2 años al intentar cruzar el río entre Mexico y EE.UU.,” Actualidad, Sept. 18, 2019, available at <https://actualidad.rt.com/actualidad/327473-migrante-hondurena-muere-ahogada-hijo-mexico-eeuu>; See Reis Thebault, Luis Velarde and Abigail Hauslohner, “The father and daughter who drowned at the border were desperate for a better life, family says,” Washington Post, June 26, 2019, available at <https://www.washingtonpost.com/world/2019/06/26/father-daughter-who-drowned-border-drove-into-river-desperation/>

¹⁷ Based on interviews conducted by ACLU of Texas and other organizations. Authors’ notes maintained at ACLU offices.

Case Examples:¹⁸

G.C.M.G.'s experience and those detailed below represent just a hand full of struggles faced by the over 48,000 migrants subjected to the inhumane MPP policy:

- **Y.C.F.F.** (A# XXX-XXX-XXX) of Honduras is 8 months pregnant and was returned to Matamoros, Tamaulipas, Mexico on or about August 18, 2019. In April 2019, prior to entering the United States, she and her five-year-old daughter were kidnapped in Mexico but managed to escape. While detained in CBP custody, a “white, tall, blue-eyed woman,” wearing a green uniform told her that she should abort her baby because “Trump didn’t want there to be any more pregnant people here.” She was held in overcrowded conditions for three days. She has had no prenatal care in Matamoros.
- **M.E.L.D.D.** (A# XXX-XXX-XXX) of El Salvador is 2.5 months pregnant and was returned to Matamoros, Tamaulipas, Mexico on August 4, 2019. She entered the U.S. through Reynosa on July 30, 2019 and was detained for six days in CBP custody. She was kept in a crowded cell with so many people that she could not lie down. Officials never asked her if she was afraid of being returned to Mexico, “[t]hey didn’t ask us at all if we wanted to be here.” “I became sick, I had fever, a headache...they asked us if we were sick, but if we said we were sick that we would be left there [in CBP custody] even longer.” She has been having trouble finding food and living in the migrant encampment in Matamoros: “It has been very hard to find food because it is dangerous to leave [the encampment] and you can’t eat well. I mean, you sleep on the floor, it is very uncomfortable. That’s how mothers suffer with their children...It’s very hard for us, I mean, we’re all human beings and I believe we have the right to be ok.”
- **C.J.T.** (A#: XXX-XXX-XXX) of Guatemala, age 22, is 5 months pregnant and was returned to Ciudad Juarez, Chihuahua, Mexico on August 6, 2019. After crossing into the United States on August 5, 2019 and expressing fear of return to Mexico to U.S. Border Patrol agents, she was issued MPP paperwork and returned to Juarez the following day. Three days later she was taken to the hospital in Juarez with stomach pains. She was diagnosed and treated for an infection and dehydration. She is now stuck in a shelter in Juarez awaiting her first court date in the United States scheduled for December 4, 2019, with limited access to medical care. She is waiting with her 4-year-old son.
- **G.O.M.P.** (A#: XXX-XXX-XXX) of Honduras, age 22, is 7.5 months pregnant and was returned to Matamoros, Tamaulipas, Mexico on September 6, 2019. She reports that she is RH negative, a condition which requires testing to determine whether the fetus’s blood has RH protein in order to prevent damage to the fetus’s red blood cells should RH protein be present in the fetal blood. G.O.M.P. states she needs to receive an injection but reports that no medical care has been provided to her in Mexico.

¹⁸ All referenced stage of pregnancy is at the time of interview, which were conducted from September 17, 2019 to September 25, 2019.

- **F.Y.C.H.** (A#: XXX-XXX-XXX) of Honduras, age 28, is 2.5 months pregnant and was returned to Tijuana, Baja California, Mexico on May 25, 2019, along with her husband and two small children. Upon return to Mexico, F.Y.C.H. and her family suffered threats and extortion from smugglers in Tijuana. The family fled to Mexicali, where she experienced bleeding due to her pregnancy and received limited emergency medical care. In her past two pregnancies, F.Y.C.H. endured medical difficulties, including preeclampsia and a hernia that required surgery. She has lost weight during this pregnancy as she cannot eat regularly and suffers from high blood pressure. In early September 2019, when in CBP custody during her initial immigration court hearing, F.Y.C.H. informed CBP officers of her pregnancy but was ignored. She also requested diapers for her three-year-old child. CBP agents told her she should potty train her son and did not provide diapers. Due to ongoing threats against the family in Baja California, F.Y.C.H. and her family have fled south to another state in Mexico.
- **M.C.C.M.** (A# XXX-XXX-XXX) of El Salvador is 6 months pregnant and was returned to Matamoros, Tamaulipas, Mexico on August 25, 2019. She was held in overcrowded conditions for four days while in CBP custody. It was so overcrowded that they could not lie down on the floor and when she asked for medical treatment, she was told she had to put up with it because there was no doctor. As in other cases documented, when M.C.C.M. was being transported to Matamoros, along with five other pregnant women, a CBP official told them “it was a shame they were pregnant because Trump had passed a law that pregnant women, that we no longer had any possibility of staying [in the U.S.] because they no longer wanted to give papers [citizenship] to children born there [in the U.S.] and that the best option was to abort.” After her return to Mexico, she attempted to re-enter the U.S. out of desperation born of fear of living in Mexico and of being kidnapped but was returned to Mexico again.
- **I.M.H.** (A# XXX-XXX-XXX) of Honduras, age 25, is 6 months pregnant and was returned to Ciudad Juarez, Chihuahua, Mexico on August 14, 2019, along with her husband and 4-year-old daughter. After crossing into the United States and seeking out Border Patrol agents to seek asylum, she and her family were held in a CBP holding facility for one night and provided no medical screening. When informed they would be returned to Juarez, her husband expressed concern for the safety of his pregnant wife. The officers took no action and returned her anyway. They now live in a migrant shelter in Juarez. I.M.H. is afraid to go outside because shootings have occurred outside the shelter and other migrants have been followed by feared kidnappers. She has been warned to not leave her child alone or she risks abduction. She has no access to medical care in Mexico. Her first court hearing in the United States is December 10, 2019. She is due on December 22, 2019.
- **K.R.G.** (A#: XXX-XXX-XXX) of Honduras, age 32, is 3 months pregnant and was returned to Matamoros, Tamaulipas, Mexico on September 2, 2019, along with her husband and 8-year-old daughter. She informed Mexican officials that she needs an ultrasound, but they responded that she needs to go to a private clinic for one. K.R.G. has no money for a private clinic: she has been sleeping on the floor since her arrival in

Matamoros and only obtained a tent, as a gift, the day before ACLU staff interviewed her to protect her from the elements. She is due March 30, 2020.

- **M.M.R.** (A#: XXX-XXX-XXX) of Honduras, age 24, was nearly full term when returned to Matamoros, Tamaulipas, Mexico on September 6, 2019. She was held in CBP custody for seven days in a crowded cell with other pregnant women and recently born children. Her water broke and labor pains began the same day CBP returned her to Matamoros. M.M.R. did not report her pains for fear her child would be taken from her because another woman in her cell told M.M.R. that she hadn't seen her baby in the two months following the birth of her child by cesarean section while in CBP custody. M.M.R. continued labor in Mexico until Mexican officials took her to a hospital to deliver.
- **Y.G.T.A.** (A#: XXX-XXX-XXX) of Peru, age 20, is 8 months pregnant and was returned to Matamoros, Tamaulipas, Mexico on July 22, 2019. She fled her country due to death threats by her child's father and is afraid to be in Matamoros because he knows she is there. She has not been able to receive medical care while in Matamoros to even determine how her pregnancy is developing, "Right now, I don't even know if my baby is okay."
- **A.B.E.X.X.** (A#: XXX-XXX-XXX) of Guatemala, age 25, is currently 6 months pregnant and was returned to Matamoros, Tamaulipas, Mexico on August 16, 2019. She was detained in CBP custody for nearly five days, during which she was held with three other pregnant women in a cell with more than 20 people. She slept on the floor with the others, absorbing the cold from the floor. Agents told her that the President didn't want them in the country and is why they were being sent to Mexico. After CBP returned her to Matamoros, with no money or support, she was forced to live at the migrant encampment on the street. She had been sleeping in the open air until being gifted a tent two weeks prior to ACLU staff interviewing her, however, she had already developed backpain and a cough. She fears living in the encampment, "I don't know the people here...I sometimes don't sleep until three [am] because I'm watching out for myself...I don't want anything to happen to me."
- **A.G.G.V.** (A# XXX-XXX-XXX) of El Salvador, age 31, is 7 months pregnant, and was returned to Matamoros, Tamaulipas, Mexico on September 1, 2019. Entering the U.S., she spent a total of seven days in Border Patrol custody, during which Border Patrol held her in an over-crowded cell for three days, fed her frozen sandwiches and only a single bottle of water with each meal. Border Patrol agents marked her with a red bracelet indicating she was pregnant when she was first placed into custody but at no point after being designated did she receive any care or attention concerning her pregnancy. She had been told that if she asked for asylum, she would be sent to Matamoros to wait and expressed fear of being returned to Mexico. Since being forced to Matamoros, she had been living and sleeping outside in the open air in the migrant encampment in Matamoros until a tent was gifted to her. She is afraid and does not leave the camp because a woman she knew from the camp was being followed. She relies on humanitarian groups that

bring food to the encampment twice a day for nourishment. She hasn't been able to receive any further medical care for her pregnancy.

- **T.Y.P.G.** (A# XXX-XXX-XXX) of Honduras, age 28, is approximately 2 months pregnant and was returned to Matamoros, Tamaulipas, Mexico on August 28, 2019, with her 8-year-old daughter. They were in Border Patrol custody for a total of eleven days. After CBP returned them to Matamoros, her daughter was diagnosed with dengue fever by a medical aid worker that visited the migrant encampment. Her daughter was not given any medication to help her recover and has been sleeping under a tree near the migrant encampment in Matamoros.
- **G.M.H.M.** (A# XXX-XXX-XXX) of Honduras, age 25, is 5.5 months pregnant and was returned to Matamoros, Tamaulipas, Mexico on September 3, 2019. She along with her two young daughters, ages 5 and 2, were victims of an attempted kidnapping in Mexico prior to their entering the United States at the end of August 2019. She and her children were held in CBP custody for a total of four days. CBP officials were aware of her pregnancy--CBP officers asked who was pregnant and how far along they were when they turned themselves in—but as with other cases, knowledge of her pregnancy failed to trigger any appropriate medical care in the U.S. or in Mexico. She was not told by CBP officials about the decision to return her to Mexico: “They gave us papers, and when I asked where we were going, they told me ‘Don’t worry, you’re going somewhere close, to a safe place.’ I thought we were being sent to another *perrera* [CBP holding facility] until I saw that we were being left in Mexico.”
- **C.J.G.E.** (A#: XXX-XXX-XXX) of Honduras, age 16, is 6 months pregnant and was returned to Tijuana, Baja California on May 22, 2019, along with her mother **M.E.E.P.D.A.** (A# XXX-XXX-XXX). After crossing into the United States on May 18, 2019, C.J.G.E. and her mother were detained for five days, not provided adequate medical care and returned to Mexico despite informing officers that C.J.G.E. was pregnant. In Mexico, C.J.G.E. became very ill and sought medical assistance. Doctors in Mexico determined that she has very low blood pressure and sugar levels but only suggested that she consume sweets. C.J.G.E. and her mother currently rent a room in Tijuana with two other families returned under MPP. Approximately two weeks ago, armed men forced their way into their home to hide from the police. C.J.G.E. and her mother fear remaining in Mexico due to threat of kidnapping, discrimination against migrants, and their lack of family to provide support.
- **L.E.L.P.** (A# XXX-XXX-XXX) of Ecuador, age 18, is 4 months pregnant and was returned to Nuevo Laredo, Mexico on September 23, 2019 for a second time under MPP. Despite repeated attempts by U.S. advocates to intervene, Border Patrol sent her back to Mexico. Previously returned to Nuevo Laredo under MPP, the young woman was subsequently kidnapped, and her family extorted for her release. Upon re-entering the United States, she expressed her fear of return to Mexico to Border Patrol officers, who failed to refer her for a screening interview. Once back in Mexico, her and other returned women could not leave the Mexican side of the port of entry due to known cartel scouts waiting to identify returning migrants for kidnapping. After extensive efforts by U.S.

advocates, a local contact was able to transport the women to a local church. Despite not sharing their location with anyone, unknown individuals identifying themselves as local journalists appeared at the church the following day demanding to speak with the women. L.E.L.P. feels fleeing into the Mexican interior is her only option to find temporary safety.

- **B.Y.C.A.** (A# XXX-XXX-XXX) of Honduras, age 35, is 8 months pregnant and was returned to Tijuana, Baja California, Mexico on July 2, 2019. B.Y.C.A. crossed into the United State near Hidalgo, Texas with her husband and 10-year-old son. The family was flown from the Rio Grande Valley to California and returned to Mexico via MPP. When apprehended Border Patrol officers forced B.Y.C.A. to throw away medication that she was taking for her pregnancy. Her pregnancy is high risk and she cannot access needed medication in Mexico. B.Y.C.A. and her family are currently living in an abandoned home in Tijuana, which she describes as rat and cockroach infested and simply uninhabitable. Her next hearing date in the United States is not until January 31, 2020.

CBP is violating the rights of thousands of asylum seekers through MPP. The harms of this program are felt even more acutely by vulnerable populations like pregnant women. This program places them directly in harm's way and denies their right to seek protection in the United States. The brutalization of asylum seekers must end. At a minimum, DHS must cease the forced return of pregnant women and other vulnerable populations to Mexico under the MPP policy.

We request an immediate end to these practices and demand a full investigation.

Sincerely,

Adriana Piñon

Policy Counsel & Senior Staff Attorney
American Civil Liberties Union of Texas

Rochelle Garza

Staff Attorney
American Civil Liberties Union of Texas

Shaw Drake

Policy Counsel
Border Rights Center
American Civil Liberties Union of Texas