May 09, 2020

VIA FEDEX AND EMAIL

Office of the General Counsel
U.S. Department of Homeland Security
2707 Martin Luther King, Jr. Ave. SE
Washington, DC 20528-0485
ogc@hq.dhs.gov

U.S. Customs and Border Protection
Office of the Chief Counsel
1300 Pennsylvania Avenue, NW
Suite 4.4-B
Washington, DC 20229
CBPServicIntake@cbp.dhs.gov

U.S. Citizenship and Immigration Services
Office of the Chief Counsel
20 Massachusetts Ave. NW, Room 4210
Washington, DC 20529-2260
USCIS.serviceofprocess@uscis.dhs.gov

Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
500 12th Street, SW
Mail Stop 5900
Washington, DC 20536-5900
OPLAServicIntake@ice.dhs.gov

U.S. Department of Health and Human Services
Office of the General Counsel
200 Independence Avenue, SW
Room 713-F
Washington, DC 20201
HHS-FTCA-Claims@hhs.gov

Re: Claims for Damages under the Federal Tort Claims Act —

Dear Counsel:

The Lawyers’ Committee for Civil Rights of the San Francisco Bay Area represents [Claimant] and [Claimant] ("Claimants"). Enclosed please find administrative claims we are filing on their behalf under the Federal Tort Claims Act. The claims consist of:

1. A Claim Authorization Form for each Claimant;
2. A Standard Form 95 for each Claimant; and
3. An Attachment to the Standard Form 95s detailing the basis of their claims.
In the attached, we detail how federal government officers and their agents violated [redacted]'s rights by forcibly separating them from each other without notice and detaining them in separate facilities for months.

We are submitting these claims without the benefit of formal discovery. Claimants and their Counsel reserve the right to amend or supplement their claims.

The identity of Claimants is confidential, and we ask that their identity be treated accordingly. Should any U.S. government agency receive a request under the Freedom of Information Act ("FOIA") related to the enclosed claims, or any other information that would reveal the identity of the Claimants, we ask that the government: (1) notify the undersigned before responding to the requestor; and (2) redact any information identifying the Claimants pursuant to the FOIA privacy exemption under 5 U.S.C. § 552(b)(6), or any other applicable statute or regulation protecting the privacy of the Claimants.

Please do not hesitate to contact me if you have any questions or require additional information.

Dated: May 09, 2020

Sincerely,

Hayden Rodarte
Justice Catalyst Fellow—Immigrant Justice
Lawyers' Committee for Civil Rights of the San Francisco Bay Area
131 Steuart Street, Suite 400
San Francisco, CA 94105
Phone: 415-814-7631
Fax: 415-544-0296
Email: hrodrarte@LCCRSF.org

Enclosures:
1. Claim Authorization Form for each Claimant
2. Standard Form 95s for each Claimant
3. Attachment to Standard Form 95s
AUTHORIZATION TO FILE ADMINISTRATIVE TORT CLAIM

I, [redacted], authorize Hayden Rodarte of the Lawyers' Committee for Civil Rights of the San Francisco Bay Area to submit a claim under the Federal Tort Claims Act on my behalf to the U.S. Department of Homeland Security, the U.S. Department of Health and Human Services, and any other government agency, seeking compensation for the unlawful actions of their employees or agents against me and my child [redacted].

In accordance with 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Printed Name: [redacted]
Signature: [redacted]
Dated: [redacted]

CERTIFICATION OF INTERPRETATION

I, Hayden Rodarte, certify under penalty of perjury that I am fluent in the English and Spanish languages and that I read this document to [redacted] in [redacted] who verified that he understood the translation and that its contents are true and accurate.

Interpreter Signature: [redacted]
Interpreter Name: Hayden Rodarte
Dated: [redacted]
AUTHORIZATION TO FILE ADMINISTRATIVE TORT CLAIM

I, [REDACTED], authorize Hayden Rodarte of the Lawyers' Committee for Civil Rights of the San Francisco Bay Area to submit a claim under the Federal Tort Claims Act on my behalf to the U.S. Department of Homeland Security, the U.S. Department of Health and Human Services, and any other government agency, seeking compensation for the unlawful actions of their employees or agents against me and my father [REDACTED].

In accordance with 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Printed Name: [REDACTED]
Signature: [REDACTED]
Dated: [REDACTED]

CERTIFICATION OF INTERPRETATION

I, [REDACTED], certify under penalty of perjury that I am fluent in the English and Spanish languages and that I read this document to [REDACTED] in [REDACTED] who verified that he understood the translation and that its contents are true and accurate.

Interpreter Signature: [REDACTED]
Interpreter Name: Hayden Rodarte
Dated: [REDACTED]
**CLAIM FOR DAMAGE, INJURY, OR DEATH**

**INSTRUCTIONS:** Please read carefully the instructions on the reverse side and supply information requested on both sides of this form. Use additional sheet(s) if necessary. See reverse side for additional instructions.

1. **Submit to Appropriate Federal Agency:**


2. **Name, address of claimant, and claimant's personal representative if any:**

[Redacted] c/o Hayden Rodarte, Lawyers' Committee for Civil Rights of the San Francisco Bay Area, 131 Steuart Street, Suite 400, San Francisco, CA 94606

3. **TYPE OF EMPLOYMENT**

- [ ] MILITARY
- [x] CIVILIAN

4. **DATE OF BIRTH**

5. **MARITAL STATUS**


6. **DATE AND DAY OF ACCIDENT**

May 2018 to August 2018

7. **TIME (A.M. OR P.M.)**

A.M. and P.M.

8. **BASIS OF CLAIM**

(State in detail the known facts and circumstances attending the damage, injury, or death, identifying persons and property involved, the place of occurrence and the cause thereof. Use additional pages if necessary).

See attachment.

**PROPERTY DAMAGE**

**NAME AND ADDRESS OF OWNER, IF OTHER THAN CLAIMANT**

(Number, Street, City, State, and Zip Code).

Not applicable.

**BRIEFLY DESCRIBE THE PROPERTY, NATURE AND EXTENT OF THE DAMAGE AND THE LOCATION OF WHERE THE PROPERTY MAY BE INSPECTED.**

Not applicable.

**PERSONAL INJURY/WRONGFUL DEATH**

**STATE THE NATURE AND EXTENT OF EACH INJURY OR CAUSE OF DEATH, WHICH FORMS THE BASIS OF THE CLAIM. IF OTHER THAN CLAIMANT, STATE THE NAME OF THE INJURED PERSON OR DECEDENT.**

See attachment.

9. **AMOUNT OF CLAIM**

(See instructions on reverse side).

10. **WITNESSES**

<table>
<thead>
<tr>
<th>NAME</th>
<th>ADDRESS (Number, Street, City, State, and Zip Code)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>See attachment.</td>
</tr>
</tbody>
</table>

11. **AMOUNT OF CLAIM** (in dollars)

12a. **PROPERTY DAMAGE**

12b. **PERSONAL INJURY**

12c. **WRONGFUL DEATH**

12d. **TOTAL** (Failure to specify may cause forfeiture of your rights).

I CERTIFY THAT THE AMOUNT OF CLAIM COVERS ONLY DAMAGES AND INJURIES CAUSED BY THE INCIDENT ABOVE AND AGREE TO ACCEPT SAID AMOUNT IN FULL SATISFACTION AND FINAL SETTLEMENT OF THIS CLAIM.

13a. **SIGNATURE OF CLAIMANT**

(See instructions on reverse side).

13b. **PHONE NUMBER OF PERSON SIGNING FORM**

14. **DATE OF SIGNATURE**

CIVIL PENALTY FOR PRESENTING FRAUDULENT CLAIM

The claimant is liable to the United States Government for a civil penalty of not less than $5,000 and not more than $10,000, plus 3 times the amount of damages sustained by the Government. (See 31 U.S.C. 3729).

CRIMINAL PENALTY FOR PRESENTING FRAUDULENT CLAIM OR MAKING FALSE STATEMENTS

Fine, imprisonment, or both. (See 18 U.S.C. 287, 1001.)

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95-109

NSN 7540-00-634-4046

STANDARD FORM 95 (REV. 2/2007)

PRESCRIBED BY DEPT. OF JUSTICE

28 CFR 14.2
INSURANCE COVERAGE

In order that subrogation claims may be adjudicated, it is essential that the claimant provide the following information regarding the insurance coverage of the vehicle or property.

15. Do you carry accident insurance?  
   □ Yes  If yes, give name and address of insurance company (Number, Street, City, State, and Zip Code) and policy number:  
   □ No

16. Have you filed a claim with your insurance carrier in this instance, and if so, is it full coverage or deductible?  
   □ Yes  □ No  
   17. If deductible, state amount.

18. If a claim has been filed with your carrier, what action has your insurer taken or proposed to take with reference to your claim?  (It is necessary that you ascertain these facts).

Not applicable.

19. Do you carry public liability and property damage insurance?  
   □ Yes  If yes, give name and address of insurance carrier (Number, Street, City, State, and Zip Code):  
   □ No

INSTRUCTIONS

Claims presented under the Federal Tort Claims Act should be submitted directly to the “appropriate Federal agency” whose employee(s) was involved in the incident. If the incident involves more than one claimant, each claimant should submit a separate claim form.

Complete all items - Insert the word NONE where applicable.

A CLAIM SHALL BE DEEMED TO HAVE BEEN PRESENTED WHEN A FEDERAL AGENCY RECEIVES FROM A CLAIMANT, HIS DUTY AUTHORIZED AGENT, OR LEGAL REPRESENTATIVE, AN EXECUTED STANDARD FORM 95 OR OTHER WRITTEN NOTIFICATION OF AN INCIDENT, ACCOMPANIED BY A CLAIM FOR MONEY.

Failure to completely execute this form or to supply the requested material within two years from the date the claim accrued may render your claim invalid. A claim is deemed presented when it is received by the appropriate agency, not when it is mailed.

If instruction is needed in completing this form, the agency listed in item #1 on the reverse side may be contacted. Complete regulations pertaining to claims asserted under the Federal Tort Claims Act can be found in Title 28, Code of Federal Regulations, Part 14. Many agencies have published supplementing regulations. If more than one agency is involved, please state each agency.

The claim may be filed by a duly authorized agent or other legal representative, provided evidence satisfactory to the Government is submitted with the claim establishing express authority to act for the claimant. A claim presented by an agent or legal representative must be presented in the name of the claimant. If the claim is filed by a duly authorized agent or other legal representative, it must show the title or legal capacity of the person signing and be accompanied by evidence of his/her authority to present a claim on behalf of the claimant as agent, executor, administrator, parent, guardian or other representative.

If claimant intends to file for both personal injury and property damage, the amount for each must be shown in item number 12 of this form.

 DAMAGES IN A SUM CERTAIN FOR INJURY TO OR LOSS OF PROPERTY, PERSONAL INJURY, OR DEATH ALLEGED TO HAVE OCCURRED BY REASON OF THE INCIDENT. THE CLAIM MUST BE PRESENTED TO THE APPROPRIATE FEDERAL AGENCY WITHIN TWO YEARS AFTER THE CLAIM ACCRUES.

The amount claimed should be substantiated by competent evidence as follows:

(a) In support of the claim for personal injury or death, the claimant should submit a written report by the attending physician, showing the nature and extent of the injury, the nature and extent of treatment, the degree of permanent disability, if any, the prognosis, and the period of hospitalization, or incapacitation, attaching itemized bills for medical, hospital, or burial expenses actually incurred.

(b) In support of claims for damage to property, which has been or can be economically repaired, the claimant should submit at least two itemized signed statements or estimates by reliable, disinterested persons, or, if payment has been made, the itemized signed receipts evidencing payment.

(c) In support of claims for damage to property which is not economically repairable, or if the property is lost or destroyed, the claimant should submit statements as to the original cost of the property, the date of purchase, and the value of the property, both before and after the accident. Such statements should be by disinterested competent persons, preferably reputable dealers or officials familiar with the type of property damaged, or by two or more competitive bidders, and should be certified as being just and correct.

(d) Failure to specify a sum certain will render your claim invalid and may result in forfeiture of your rights.

PRIVACY ACT NOTICE

This Notice is provided in accordance with the Privacy Act, 5 U.S.C. 552a(e)(3), and concerns the information requested in the letter to which this Notice is attached.

A. Authority: The requested information is solicited pursuant to one or more of the following: 5 U.S.C. 552, 28 U.S.C. 501 et seq., 28 U.S.C. 2671 et seq., 28 C.F.R. Part 14.

B. Principal Purpose: The information requested is to be used in evaluating claims.

C. Routine Use: See the Notices of Systems of Records for the agency to whom you are submitting this form for this information.

D. Effect of Failure to Respond: Disclosure is voluntary. However, failure to supply the requested information or to execute the form may render your claim "invalid.”

PAPERWORK REDUCTION ACT NOTICE

This notice is solely for the purpose of the Paperwork Reduction Act, 44 U.S.C. 3501. Public reporting burden for this collection of information is estimated to average 6 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Director, Torts Branch, Attention: Paperwork Reduction Staff, Civil Division, U.S. Department of Justice, Washington, DC 20530 or to the Office of Management and Budget. Do not mail completed form(s) to these addresses.

STANDARD FORM 95 REV. (2/2007) BACK
CLAIM FOR DAMAGE, INJURY, OR DEATH

INSTRUCTIONS: Please read carefully the instructions on the reverse side and supply information requested on both sides of this form. Use additional sheet(s) if necessary. See reverse side for additional instructions.

1. Submit to Appropriate Federal Agency:

- U.S. Department of Homeland Security; U.S. Citizenship and Immigration Services; U.S. Department of Immigration and Customs Enforcement; U.S. Customs and Border Protection; U.S. Department of Health and Human Services (see attachment)

2. Name, address of claimant, and claimant's personal representative if any:

- [Redacted], c/o Hayden Rodarte, Lawyers’ Committee for Civil Rights of the San Francisco Bay Area, 131 Steuart Street, Suite 400, San Francisco, CA 94606

3. TYPE OF EMPLOYMENT

- [Redacted]

4. DATE OF BIRTH

- [Redacted]

5. MARITAL STATUS

- [Redacted]

6. DATE AND DAY OF ACCIDENT

- May 2018 to August 2018

7. TIME (A.M. OR P.M.)

- A.M. and P.M.

8. BASIS OF CLAIM (State in detail the known facts and circumstances attending the damage, injury, or death, identifying persons and property involved, the place of occurrence and the cause thereof. Use additional pages if necessary).

- See attachment.

9. PROPERTY DAMAGE

- NAME AND ADDRESS OF OWNER, IF OTHER THAN CLAIMANT (Number, Street, City, State, and Zip Code).

- Not applicable.

- BRIEFLY DESCRIBE THE PROPERTY, NATURE AND EXTENT OF THE DAMAGE AND THE LOCATION OF WHERE THE PROPERTY MAY BE INSPECTED.

- Not applicable.

10. PERSONAL INJURY/WROGFUL DEATH

- STATE THE NATURE AND EXTENT OF EACH INJURY OR CAUSE OF DEATH, WHICH FORMS THE BASIS OF THE CLAIM. IF OTHER THAN CLAIMANT, STATE THE NAME OF THE INJURED PERSON OR DECEDEENT.

- See attachment.

11. WITNESSES

- NAME

- ADDRESS (Number, Street, City, State, and Zip Code)

- See attachment.

12. AMOUNT OF CLAIM (in dollars)


12a. PROPERTY DAMAGE

- [Redacted]

12b. PERSONAL INJURY

- [Redacted]

12c. WRONGFUL DEATH

- [Redacted]

12d. TOTAL (Failure to specify may cause forfeiture of your rights).

- [Redacted]

I CERTIFY THAT THE AMOUNT OF CLAIM COVERS ONLY DAMAGES AND INJURIES CAUSED BY THE INCIDENT ABOVE AND AGREE TO ACCEPT SAID AMOUNT IN FULL SATISFACTION AND FINAL SETTLEMENT OF THIS CLAIM.

13a. SIGNATURE OF CLAIMANT (See instructions on reverse side).

- [Redacted]

13b. PHONE NUMBER OF PERSON SIGNING FORM

- [Redacted]

14. DATE OF SIGNATURE

- [Redacted]

CRIMINAL PENALTY FOR PRESENTING FRAUDULENT CLAIM OR MAKING FALSE STATEMENTS

- Fine, imprisonment, or both. (See 18 U.S.C. 287, 1001.)

The claimant is liable to the United States Government for a civil penalty of not less than $5,000 and not more than $10,000, plus 3 times the amount of damages sustained by the Government. (See 31 U.S.C. 3729.)

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Previous Edition is not Usable

95-109

NSN 7540-00-634-4046

STANDARD FORM 95 (REV. 2/2007)

PRESCRIBED BY DEPT. OF JUSTICE

28 CFR 14.2
INSURANCE COVERAGE

In order that subrogation claims may be adjudicated, it is essential that the claimant provide the following information regarding the insurance coverage of the vehicle or property.

15. Do you carry accident insurance? □ Yes □ No If yes, give name and address of insurance company (Number, Street, City, State, and Zip Code) and policy number. □ Yes □ No

16. Have you filed a claim with your insurance carrier in this instance, and if so, is it full coverage or deductible? □ Yes □ No 17. If deductible, state amount.

18. If a claim has been filed with your carrier, what action has your insurer taken or proposed to take with reference to your claim? (It is necessary that you ascertain these facts).

Not applicable.

19. Do you carry public liability and property damage insurance? □ Yes □ No If yes, give name and address of insurance carrier (Number, Street, City, State, and Zip Code). □ Yes □ No

INSTRUCTIONS

Claims presented under the Federal Tort Claims Act should be submitted directly to the "appropriate Federal agency" whose employee(s) was involved in the incident. If the incident involves more than one claimant, each claimant should submit a separate claim form.

Complete all items - Insert the word NONE where applicable.

A CLAIM SHALL BE DEEMED TO HAVE BEEN PRESENTED WHEN A FEDERAL AGENCY RECEIVES FROM A CLAIMANT, HIS DUTY AUTHORIZED AGENT, OR LEGAL REPRESENTATIVE, AN EXECUTED STANDARD FORM 95 OR OTHER WRITTEN NOTIFICATION OF AN INCIDENT, ACCOMPANIED BY A CLAIM FOR MONEY.

Failure to completely execute this form or to supply the requested material within two years from the date the claim accrued may render your claim invalid. A claim is deemed presented when it is received by the appropriate agency, not when it is mailed.

If instruction is needed in completing this form, the agency listed in Item 1 on the reverse side may be contacted. Complete regulations pertaining to claims asserted under the Federal Tort Claims Act can be found in Title 28, Code of Federal Regulations, Part 14.

Many agencies have published supplementing regulations. If more than one agency is involved, please state each agency.

The claim may be filed by a duly authorized agent or other legal representative, provided evidence satisfactory to the Government is submitted with the claim establishing express authority to act for the claimant. A claim presented by an agent or legal representative must be presented in the name of the claimant. If the claim is signed by the agent or legal representative, it must show the title or legal capacity of the person signing and be accompanied by evidence of his/her authority to present a claim on behalf of the claimant as agent, executor, administrator, parent, guardian or other representative.

If claimant intends to file for both personal injury and property damage, the amount for each must be shown in Item number 12 of this form.

PRIVATE ACT NOTICE

This Notice is provided in accordance with the Privacy Act, 5 U.S.C. 552a(e)(3), and concerns the information requested in the letter to which this Notice is attached.

A. Authority: The requested information is solicited pursuant to one or more of the following: 5 U.S.C. 301, 28 U.S.C. 501 et seq., 28 U.S.C. 2671 et seq., 28 C.F.R. Part 14.

B. Principal Purpose: The information requested is to be used in evaluating claims.

C. Routine Use: See the Notices of Systems of Records for the agency to whom you are submitting this form for this information.

D. Effect of Failure to Respond: Disclosure is voluntary. However, failure to supply the requested information or to execute the form may render your claim "invalid."

PAPERWORK REDUCTION ACT NOTICE

This notice is solely for the purpose of the Paperwork Reduction Act, 44 U.S.C. 3501. Public reporting burden for this collection of information is estimated to average 8 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Director, OMB Office of Information and Regulatory Affairs, U.S. Department of Health and Human Services, Washington, DC 20503. Do not mail completed form(s) to these addresses.
FTCA Standard Form 95 – Attachment

Claimants: [Redacted] and [Redacted]

Answer 1: Federal Agencies

Office of the General Counsel
U.S. Department of Homeland Security
2707 Martin Luther King, Jr. Ave. SE
Washington, DC 20528-0485
ogc@hq.dhs.gov

U.S. Customs and Border Protection
Office of the Chief Counsel
1300 Pennsylvania Avenue, NW
Suite 4.4–B
Washington, DC 20229
CBPServiceIntake@cbp.dhs.gov

U.S. Citizenship and Immigration Services
Office of the Chief Counsel
20 Massachusetts Ave. NW, Room 4210
Washington, DC 20529-2260
USCIS.serviceofprocess@uscis.dhs.gov

Office of the Principal Legal Advisor
U.S. Immigration and Customs Enforcement
U.S. Department of Homeland Security
500 12th Street, SW
Mail Stop 5900
Washington, DC 20536-5900
OPLAServiceIntake@ice.dhs.gov

U.S. Department of Health and Human Services
Office of the General Counsel
200 Independence Avenue, SW
Room 713-F
Washington, DC 20201
HHS-FTCA-Claims@hhs.gov

Answer 6: Date and Day of Accident

Federal immigration officials forcibly separated [Redacted] and [Redacted] about [Redacted]. The federal government forcibly kept [Redacted] and [Redacted] apart until
Attachment for Claimants: and  

Answer 7: Time (A.M. or P.M.)

The government forcibly separated and detained the named Claimants from approximately \[\text{time}\] to \[\text{time}\], at which time immigration officials transferred them to the immigration detention facility where officials had held them separately. This question is not applicable as to the rest of their forced separation and detention as their experiences were continuous during that period.

Answer 8: Basis of Claim

A. and Flee Rural Guatemala to Seek Asylum in the United States

( is an indigenous Guatemalan man who fled Guatemala with his old son, (" and native language is Q’eqchi’. has very limited Spanish language speech abilities, while has greater, though not complete, Spanish fluency. 

Attachment for Claimants: and  

2
B. After [Name] and [Name] Cross the U.S.-Mexico Border, Immigration Officials Apprehend, Detain, and Forcibly Separate Them

In the very early hours on about [Date], [Name] and [Name] crossed the U.S. Border approximately where San Luis Rio Colorado, Sonora, Mexico meets San Luis, Arizona. They walked a short distance from a fence on the Border when a group of about three or four U.S. Border Patrol agents approached them in two trucks and began to question them about their citizenship.

Border Patrol agents then arrested [Name] and [Name] put them into a truck, and transferred them to what government records reflect was the Border Patrol’s Yuma Station, located at 4151 South Avenue A, Yuma, Arizona 85365.

Within an hour of bringing them to the station, immigration officials forcibly separated [Name] and [Name] remembers immigration officials telling him that they would be separated him from his father for about fifteen days. They were immediately placed into separate holding rooms: [Name] in a room crowded with adults; and [Name] in a room crowded with adolescent children. Officials refused to let [Name] clean himself, change his clothes, or see a medical professional.

Immigration officials’ loud angry voices reverberated in the halls of the station, shouting at mothers that they would take their babies away from them and deport them alone. Families’ screams and cries echoed in the holding rooms, begging officials not to separate them. Immigration officials responded that the “[immigration] laws had changed.”

Numerous government records substantiate [Name] and [Name] separation as forcible and intentional, repeatedly referring to their “separation upon apprehension” under “Zero-Tolerance enforcement efforts.”

C. Following The Separation From His Father, [Name] Is Forcibly Sent to ORR Custody in Texas

Government records demonstrate that on or around the night of [Date], immigration officials initiated [Name] forced transfer from the Border Patrol Yuma Station to Office of Refugee Resettlement (“ORR”) custody in San Antonio, Texas—a distance of over 1,000 miles.

[Name] first time on an airplane in his life consisted of being boarded onto what he believes was a fully-packed commercial flight with approximately six other forcibly separated children. Government officials in civilian clothes accompanied them. [Name] saw many other people on the flight he recognized must be normal commercial passengers by their dress and
demeanor. [redacted] understood that the role of government officials with him and the other children was to physically prevent their movement and force them to stay in custody until they arrived at their next destination.

On about [redacted] [redacted] was placed in ORR custody at St. Peter-St. Joseph Children’s Home (“St. PJ’s”) located at 919 Mission Road, San Antonio, Texas 78210. Government records show that [redacted] spent a significant amount of time or was housed in [redacted] as part of St. PJ’s International Children Program.

Once at St. PJ’s, [redacted] was told that he would never see his father again because there was news that all parents were being separated from their children and deported back to their countries without their children. [redacted] spent his first week at St. PJ’s in quiet sadness.

Upon arrival at St. PJ’s, [redacted] suffered from cough, runny nose, nasal congestion, body ache, sore throat, headache, chills, nausea, and fever. His whole body felt as if it were on fire. He could not eat and he feared he was dying. Government records show that [redacted] was diagnosed with upper/lower respiratory illness shortly after entering St. PJ’s. Clinicians documented that [redacted] was exposed to chicken pox. Clinicians also documented concern for [redacted] mental health because he had been separated from his father [redacted] just days beforehand. The medical professionals did not explain [redacted] conditions to him or the risks to which he was exposed. Even if they had tried to explain these conditions to him, [redacted] native language was Q’eqchi’ and he would not have sufficiently understood the explanation in either Spanish or English. ORR officials or contractors made no attempts to explain [redacted] medical conditions or history to him in his native Q’eqchi’.

Shortly after his arrival at St. PJ’s, [redacted] suffered from a painful skin rash. His skin felt like there were bugs crawling under it. Government records show that [redacted] was diagnosed with scabies and found exposed to lice, mites, and other bodily infestations from his time in Border Patrol custody. Medical staff did not explain to him his conditions, saying to [redacted] understanding that only it was a “rash.” Even if they had tried to explain these conditions to him accurately and fully, [redacted] native language was Q’eqchi’ and he would not have sufficiently understood the explanation in either Spanish or English. ORR officials or contractors made no attempts to explain [redacted] medical conditions or history to him in his native Q’eqchi’. He only knew something else must have been wrong because he was isolated from the other children at St. PJ’s and he saw staff cleaning the area where he once sat and slept.

After [redacted] arrival at St. PJ’s on about [redacted] he was not permitted to speak to his father until over a month later on about —their first opportunity to speak to each other since their forced separated. For the next month [redacted] and [redacted] were only allowed to speak on a 20-minute phone call scheduled once per week. Government records show that [redacted] and [redacted] only spoke to each other over the phone about four or five times during custody at St. PJ’s. These calls were extremely difficult for both [redacted] and [redacted] Their discussions quickly became emotional as they considered whether they would be permanently separated if [redacted] were deported without a chance to seek asylum. DHS and St. PJ’s staff told them that if [redacted] were deported, [redacted] would have had to be placed in long-term foster care as he had no other family in the U.S. capable of caring for him.
During their phone calls, both [redacted] would often cry over the phone with one another, reflecting on the pain they felt by being separated. [redacted] would try to comfort his father by describing that he had been provided clothing and food while in ORR custody. Following these calls, [redacted] would remain emotional.

During his time in ORR custody, [redacted] lived with many other children who had been forcibly separated from their parents upon immigration to the United States. [redacted] cried often, sometimes for extended periods of time without stopping. He would feel so dejected that he could not eat. He suffered constant worry, stress, and anxiety about whether he would be deported back to Guatemala or that his father would be deported without him.

[redacted] saw that, like him, other children carried a great sadness. The children expressed that the hardest thing that had ever happened to them was their immigration experience, being forcibly separated from their family, and not knowing whether they would live or die. One other child in [redacted] group expressed that he wished he could go back in time to undo his experience so that he would never end up in custody. Another child expressed that he wished it were Mother’s Day so he could call his mother and celebrate her.

[redacted] and the other children formed community through their horrific shared experience of being forcibly separated from their parents at the Border and kept detained separately from them. When a child was transferred in or out of St. PJ’s, [redacted] and the other children would become very emotional, crying, holding one another, and attempting to comfort those who had arrived or were about to be forcibly taken away. [redacted] and the other children lived in constant fear of being deported at any moment. Children shared with [redacted] that they suffered from depression. One child was in such anguish that [redacted] and the other children would hear him screaming when he was alone. [redacted] understands that while he was in custody another child attempted to commit suicide by jumping off of a higher-level floor of the facility.

The majority of other children in [redacted] housing group were also originally from Central America, particularly Guatemala, and many spoke indigenous dialects. [redacted] and the children of indigenous backgrounds found it difficult to learn Spanish to be able to communicate with others, let alone face their immersion into a new English-speaking environment. [redacted] education assessments’ at St. PJ’s show his low-level of Spanish-language comprehension.

D. After Being Separated From His Son [redacted] Remains in Various Immigration Custody Locations

After CBP officials separated him from his son at Yuma Station, [redacted] was sent to a holding room overcrowded with about forty or fifty other detained adults. The Border Patrol station’s conditions were filthy and deplorable. At a minimum, these horrific conditions include: severe overcrowding, forcing individuals to sleep under and around filthy communal toilets; stench of human waste and bodily filth; freezing holding room temperatures; disorienting 24-hour bright lighting; lack of sleeping quarters, forcing individuals to lie down on cold concrete floors and benches for

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2 Yuma Sector’s detention conditions are similar to the Tucson Sector, the subject of extensive litigation. See Doe v. Wolf, No. 15-cv-00250-TUC-DCB (D. Ariz.). At a minimum, these horrific conditions include: severe overcrowding, forcing individuals to sleep under and around filthy communal toilets; stench of human waste and bodily filth; freezing holding room temperatures; disorienting 24-hour bright lighting; lack of sleeping quarters, forcing individuals to lie down on cold concrete floors and benches for
because of the trauma of his recent separation, overcrowding, and fear of other individuals in the holding cell who had threatened [redacted] and others. The petitioners begged an CBP officer to move him and others out of fear that he and others in his cell would be harmed. [redacted] was later moved to another cell with individuals from Mexico and Central America. He still could not sleep due to his fear and anxiety, and the unbearably cold temperature, bright lights, overcrowding, and other appalling detention conditions.

[redacted] spent approximately two weeks at the Border Patrol Station. He and other individuals in his holding room were given only thin aluminum blankets to cover themselves. They were forced to sleep directly on the concrete floors. [redacted] and others tried to sleep on concrete benches, but it was difficult or impossible to achieve rest there. There were so many people overcrowded in his holding room that [redacted] had to sleep at the door of the toilet area. Other detained individuals would swing the door to the toilet over him and step over him to use the toilet. The holding room’s temperature was consistently and unbearably cold. The only food that [redacted] and the people around him were given were instant noodles about three times per day. CBP officials never allowed him or others around him to change or clean their clothing. CBP officials never allowed them to bathe or take a shower.

Government records demonstrate that at one point on about [redacted] underwent booking procedures, including fingerprinting, at the Border Patrol’s Wellton Station located at 10888 Avenue 31E, Wellton, AZ 85356.

After about twelve days in Border Patrol custody in Arizona, immigration officials took [redacted] from his holding room without explanation. He and a group of at least eight other individuals were taken in a van to a different detention center. He and others were fearful of where they were going because officials did not inform them. [redacted] spent every moment in fear that he would be deported without his son [redacted] and never be able to see him again.

After arriving at the destination, [redacted] had to ask an immigration official—likely from CBP—where he was, to which they responded, “San Diego.” The detention conditions there were the same as in Arizona therefore it was most likely another Border Patrol station. [redacted] suffered from hunger, cold, inability to bathe or recreate, and lack of access to medical attention. [redacted] asked officers for information about his son [redacted] but they refused him. He spent about eight days in this manner before being moved back to what was likely either Yuma or Wellton Border Patrol Station. [redacted] spent an additional several days in Border Patrol custody there.

During [redacted] time in CBP custody in Arizona and possibly California, he does not recall a single moment in which any CBP official or other person whom he recognized as medical professional asked him about his health or how he was feeling. Even if officials or medical professionals had inquired as to [redacted] health or wellbeing, his native language is

weeks on end; nutritionally deficient and often rotten food; no or wholly inadequate medical screening and attention; lack of access to shower facilities; and lack of access to new clothes or laundry services. In February 2020, federal Judge David Bury found these conditions violated immigrants’ basic human dignity and the Fifth Amendment, and issued a permanent injunction for necessary improvements. See Unknown Parties v. Nielsen, 2020 WL 813774, *19 (D. Ariz. 2020).
spent every day and night thinking about and wondering whether his son was alive or where in the world immigration officials had taken him. He would continue to ask CBP officials to tell him where his son had been taken or whether he was safe, but the officials refused to provide information.

After leaving Border Patrol custody, was taken to ICE custody at Florence Correctional Facility (“Florence”) located at 1100 Bowling Road, Florence, Arizona. He was not told where he was being taken. At Florence, he was permitted to wash himself for the first time since he was apprehended at the Border. learned from other detained individuals that he could ask to have his clothes washed. Only then did receive clean clothes—the first time he had such an opportunity since he was apprehended.

During the approximately month and a half that was held at Florence, he continued to worry day and night about whether his son was alive and, if so, whereabouts and wellbeing. ICE officials refused his requests for information about his son. Despite not being able to read or write, on at least one occasion, desperately attempted to submit a request to ICE officials to reunify him with his son. ICE officials ignored the request. was unable to speak to during the entirety of this period.

By suffered such anguish and desperation that he requested an ICE official write out a statement begging to be reunified with as soon as possible and returned to their country to stop their pain.

Immigration officials forcibly transferred to Eloy Detention Center (“Eloy”) located at 1705 East Hannah Road, Eloy, Arizona 85131. At Eloy, was able to speak to his son for the first time since their separation. When heard his son’s voice, he broke down crying in front of ICE officials. He could hardly bear the pain of not knowing anything about his son for such an extended period of time. Over the course of their separation, CBP, ICE, and ORR officials only allowed to speak to his son approximately four or five times for short periods of time.

expressed to ICE officials and case manager that he felt unwell and disoriented due to the separation and detention away from his son.

During the entirety of his time in CBP and ICE detention, immigration officials and contractors consistently spoke to only in Spanish—from his initial conversations with Border Patrol agents after being apprehended with his son to his reunification with about three months later. He did not hear a government official speak to him in Q’eqchi’, the only language he understood sufficiently to sustain a conversation. He would often not understand what was said to or asked of him, and therefore he often nodded nervously in response or was unable to respond. He would often grow quiet when spoken to due to his lack of understanding. Government documents erroneously state that was a monolingual Spanish-speaker, and could read and write in that language. could not read any
document that any immigration official presented or forced him to read or sign. If such
documents were ever read to him in English or Spanish, [redacted] did not understand them.

E. After Immigration Officials and Contractors Engage in a Chaotic and
Contradictory Removal Process, [redacted] and [redacted] Are Reunified

Between approximately [redacted] and [redacted], government records demonstrate that
immigration officials and their contractors communicated contradictory messages to one other
and [redacted] and [redacted] about their future, wellbeing, and ability to ever see each other again.
At the same time as government records show immigration officials began preparing both [redacted]
and [redacted] for physical removal to Guatemala, records also demonstrate that officials had
received news that removals of separated families had been paused until further notice. Staff at
St. PJ’s where [redacted] was still in ORR custody learned on or around [redacted] that he would not be
removed for the time being, but that his father would be removed without him. By about [redacted],
St. PJ’s staff no longer believed [redacted] would be removed with his father yet at the same time
were unable to prepare documentation to reunify [redacted] and [redacted] at Eloy. During this
period, ICE officials must have threatened to remove at least [redacted] if not also [redacted]
because on about [redacted] told [redacted] over the phone that he was told he would be
deported within a week.

The confusing and chaotic removal process during this period exacerbated
[redacted] and [redacted] already acute trauma, anxiety, fear, stress, and sadness that they could be taken by
immigration officials and forcibly deported at any time, either together or separately.

Obligated under Judge Dana Sabraw’s orders in the Ms. L v. Sessions litigation,3 on about
[redacted] immigration officials began the process of reunifying [redacted] and [redacted] On
about [redacted], the federal government transferred [redacted] over 500 miles by car and bus from St.
PJ’s to a temporary tent complex operated by the private federal-government contractor BCFS
Health and Human Services Emergency Management located at 1400 Lower Island Road,
Tornillo, Texas 79853. Later reports revealed that the federal government operated this facility
from approximately June 2018 to January 2019 as a secret tent city to house migrant children
who had been forcibly separated from their parents.4 Children there suffered a lack of hygienic
conditions and a mosquito infestation. Without functioning air conditioning, [redacted] and the other
children languished in the 100-plus-degree summer heat.

[redacted] spent approximately a week to a week and a half in the tent city before he was
taken on a bus with many other separated children. It was only when [redacted] was boarding the bus
that ORR or ICE officials told him he was being taken to his father [redacted].

In approximately [redacted] immigration officials took [redacted] from Eloy to another location, possibly in or near Phoenix, AZ. It was most likely here that he
was reunited with [redacted] [redacted] cried at the sight of is son. [redacted] felt disoriented and

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4 See, e.g., Tanvi Misra, The Life and Death of an American Tent City, CITYLAB (Jan. 15, 2019),
city/578557/.
confused by what had happened to him and his father over the last three months, trying to focus on his and his father’s relief to be together again.

 and spent an additional few days in detention before being boarded onto a plane with a group of other immigrant families, and taken to an unknown location in Texas. They then spent about another month and a half in ICE custody before being released by ICE. ICE officials took and and left them at a bus station in an unknown location in Texas without explaining what had happened to and over the last three months. Disoriented and afraid, and then took a series of buses through and before arriving in , their new home.

F. and His Son Continue to Suffer From the Psychological Harm Caused by Their Forced Separation and Detention

The federal government’s forcible separation and detention continues to cause ongoing and severe emotional pain. The government’s intentionally cruel policy and practice of physically separating children from their parents, and its failure to track the children once they were separated, violated constitutional right to family integrity. Government officials and their agents instituted and implemented this policy to intentionally inflict emotional distress and trauma on the parents and children whom they separated.

Since being separated from his child, has been diagnosed with depressive and anxiety disorders. He suffers from intense bouts of stress, sadness, crying, and suicidal ideation. He also experiences excessive worry, physical manifestations of stress, and fearfulness. He has been recommended both individual psychotherapy and potential medication for these medical conditions. Under a recent federal class action injunction, both and are entitled to mental services at no cost to them due to the immense trauma they suffered from their separation and detention and the violation of their Fifth Amendment Due Process rights.

G. The Federal Government and Its Employees and Contractors Unlawfully Separated and Detained and His Minor Son as Part of a Concerted Intentional Effort to Traumatize Families and Prevent Them From Seeking Protection Under International and U.S. Laws

 and claims concern an unprecedented policy issued at the highest levels of the federal government to separate parents from their children. The extraordinary trauma inflicted on parents and children alike was no incidental byproduct of the policy—it was

5 Government records indicate this next location may have been the ICE detention facility Karnes County Residential Center located at 409 FM 1144 Karnes City, TX 78118.

6 Ms. L, 310 F. Supp. 3d at 1145-46, 1148.

the very goal. The federal government sought to inflict so much distress and harm on parents and children seeking asylum that other families would be deterred from trying to seek refuge in this country and protection under international and U.S. asylum and refugee laws.

Indeed, while serving as Secretary of the Department of Homeland Security (“DHS”), John Kelly stated that he “would do almost anything to deter the people from Central America” from migrating to the United States, including separating children from their parents. After the forced separations began, former Attorney General Jeff Sessions confirmed that the goal was deterrence. In May 2018, Kelly, who had since become President Donald Trump's Chief of Staff, callously dismissed any concern about the government’s forced separation of a child from her mother, remarking: “[t]he children will be taken care of—put into foster care or whatever.”

Despite widespread condemnation and legal challenges, President Trump continued to defend the policy as a deterrent to migration from Central America when he tweeted, “[I]f you don’t separate, FAR more people will come.”

In total, the U.S. government has admitted to separating more than 2,800 children from their parents or guardians after they crossed the U.S.-Mexico Border. More recent government reports and investigations indicate that the number of families separated may have been much higher, centering around a more accurate total of 4,200 children separated from their parents. Shockingly, families continued to suffer forcible separation in defiance of the federal judge’s

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9 Id.
12 Joint Status Report at 9, Ms. L. v. Immig. & Customs Enforcement, No. 18-cv-428-DMS-MDD, (S.D. Cal. Dec. 12, 2018); see also OFFICE OF THE INSPECTOR GENERAL, U.S. DEP’T OF HEALTH & HUMAN SERVS., OEI-BL-18-00511, SEPARATED CHILDREN PLACED IN OFFICE OF REFUGEE RESETTLEMENT CARE at 11 (Jan. 17, 2019) [hereinafter HHS OIG REPORT]; Order at 2, Ms. L. v. Immigration and Customs Enforcement, No. 18-cv-428-DMS-MDD (S.D. Cal. Mar. 8, 2019) (“Pursuant to the Court’s Orders, 2,816 children were, identified as having been separated from their parents at the border....”).
13 See HHS OIG REPORT, supra note 5, at 1, 6, 13 (reporting that "thousands of children may have been separated during an influx that began in 2017, before the accounting required by [the court in Ms. L. v. Immigration and Customs Enforcement], and HHS has faced challenges in identifying separated children"); Joint Status Report at 11, Ms. L. v. Immigration and Customs Enforcement, No. 18-cv-428 OMS MDD, (S.D. Cal. Feb. 20, 2019) ("Defendants have identified 245 new separations of children and parents that occurred between June 27, 2018 and January 31, 2019, and four cases which require more time to assess."); Leila Rafaei, Family Separation, Two Years After Ms. L, ACLU, Feb. 26, 2020, https://www.aclu.org/news/immigrants-rights/family-separation-two-years-after-ms-l/ ("In all, that means the Trump administration separated over 4,200 children from their parents.").
orders in Ms. L. and his then -old son, are among the victims of this cruel, devastating, and illegal policy.

Independent expert reporting reveals the long-term and severe harm that the federal government’s family separation policies has wreaked on affected parents and children. Children manifest both psychological and somatic effects of the trauma, such as difficulty sleeping, severe worry and anxiety, aggression, loss of language, heightened responses to perceived threats, and excessive fear of separation. Parents have been diagnosed with PTSD, major depressive order, and generalized anxiety disorder.

The federal government’s own reporting since the peak of the family separation policy implementation demonstrates both the orchestrated intention to harm families and the administrative chaos, incompetence, and willful carelessness which magnified the trauma and severity of the consequences for immigrant parents and children.

In addition to the Ms. L class litigation, various other legal actions have reaffirmed the wide-ranging harms and constitutional violations families suffered under the federal government’s unlawful separation policies. Many of these families, including and now have the opportunity to seek asylum and protections from within the United States.


16 Id. See also Johayra Bouza et al., The Science Is Clear: Separation Families Has Long-Term Damaging Psychological and Health Consequences for Children, Families, and Communities, SOC’Y FOR RES. IN CHILD DEV. (June 10, 2018), https://www.srcd.org/briefs-fact-sheets/the-science-is-clear.


In addition, ongoing federal litigation seeks individual reparations for families under the Federal Tort Claims Act.19

**Answer 10: Nature and Extent of Injury**

Please see the facts described above in the Basis of Claim. As a result of the actions of the federal government, its employees, and its contractors, and his then minor son suffered discrimination, prejudice in their immigration cases, humiliation, emotional distress, false imprisonment, negligence, medical negligence, abuse of process, loss of enjoyment of life, loss of consortium, loss of personal property, and damages from their prolonged separation, detention, and restrictions on liberty. The above-described harms suffered are exacerbated by and physical separation and inability to communicate regularly, as well as illiteracy and limited ability to communicate in Spanish—the language immigration officials and their contractors insisted on using to speak to him.

This is not intended to be an exhaustive list of all possible causes of action.

**Answer 11: Witnesses**

Possible witnesses include, but are not limited to, the following:

- Former Secretary Kirstjen Michele Nielsen, Department of Homeland Security (“DHS”)
- Former Acting Secretary Kevin K. McAleenan, DHS
- Acting Secretary Chad F. Wolf, DHS
- [Name Unknown], Acting U.S. Border Patrol Agent in Charge , Yuma Sector Arizona20
- , U.S. Border Patrol Agent, Yuma Sector Arizona21
- , U.S. Border Patrol Agent, Yuma Sector Arizona22

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20 This individual’s name is unknown based on the agent’s signature on a “Notice to Appear” (Form I-862) dated allegedly served on and read to in person by Border Patrol Agent on in Yuma, AZ. This agent also signed the “Warrant for Arrest of Alien” (Form I-200) dated allegedly served on in Yuma. On in Yuma, this agent also signed a “Notice of Custody Determination” (Form I-286) regarding
21 Based on a “Notice to Appear” (Form I-862) dated , this agent allegedly served and read this document on in Yuma, AZ. This agent signed a “Warrant for Arrest of Alien” (Form I-200) dated , and allegedly read its contents to . This agent also signed a Spanish-language “Notice of Rights and Request for Disposition” (Form I-770) dated , and allegedly read it to
22 This individual’s name appears on a “Border Patrol Medical Screening Form” dated regarding
• [First Name Unknown] [Title Unknown], U.S Border Patrol 25
• [Last Name Unknown], ICE Deportation Officer, Eloy Detention Center 26
• [Last Name Unknown], ICE Supervising Deportation Officer, Eloy Detention Center 27
• [Title Unknown], Eloy Detention Center 28
• Staff, National Disaster Medical System 29
• [Title Unknown], Department of Homeland Security 30
• Federal Field Specialist, Administration for Children & Families (“ACF”), Office of Refugee Resettlement (“ORR”) 31
• [Title Unknown], ACF, ORR 32
• [Title Unknown], ACF, ORR 33
• Case Coordinator, General Dynamics Information Technology 34

23 This individual allegedly completed a “Record of Sworn Statement in Proceedings under Section 235(b)(1) of the Act” (Form I-867A) on [redacted] regarding [redacted] at or near Wellton Border Patrol Station in Wellton, AZ.
24 This individual undersigned a “Notice and Order of Expedited Removal” (Form I-860) regarding [redacted] dated [redacted], most likely in Yuma Sector.
This individual’s first name appears only as [redacted] and signed a “Jurat for Record of Sworn Statement in Proceedings under Section 235(b)(1) of the Act” (Form I-867B) as a witness on about [redacted] at Wellton Station.
26 According to ORR records, this individual was a main point of contact for [redacted] case while he was in ICE custody. As of [redacted], this individual’s phone number was [redacted].
27 According to ORR records, this individual was a main point of contact for [redacted] case while he was in ICE custody. As of [redacted], this individual’s phone number was [redacted].
28 According to ORR records, as of [redacted], this individual’s title is abbreviated “ERA” with the phone number [redacted].
29 According to ORR records, this individual contracted with an ICE or ORR detention center to prepare and remove from the United States. His affiliated entity appears only as “NDMS,” which most likely stands for National Disaster Medical System.
30 As of [redacted], this individual’s phone number was [redacted] and email was [redacted].
This individual’s title appears only as “PO” on a “UAC Basic Information” database entry dated [redacted]. As of that date, an associated phone number was [redacted] and email was [redacted].
This individual’s title appears only as “CFS” on a “UAC Basic Information” database entry dated [redacted]. As of that date, an associated phone number was [redacted] and email was [redacted].
As of [redacted], this individual’s phone number was [redacted] and email was [redacted].
• Program Director, International Children Program, St. Peter-St. Joseph Children’s Home (“St. PJ’s”)
• Assistant Program Director, International Children Program, St. PJ’s
• Case Manager, St. PJ’s
• [Name Unknown], Lead Case Manager, St. PJ’s
• Intake Specialist, St. PJ’s
• Licensed Professional Counselor/Clinician, St. PJ’s
• International Children Program, St. PJ’s
• Medical Coordinator, St. PJ’s
• Medical Doctor, Bear Pediatrics PLLC
• Certified Family Nurse Practitioner, Bear Pediatrics PLLC
• Medical Doctor, Baptist M & S Imaging
• [Last Name Unknown], Staff, St. PJ’s
• Licensed Nurse Practitioner, ORR
• [Title Unknown], St. PJ’s
• [Title Unknown], Bear Pediatrics PLLC
• Education Coordinator, St. PJ’s
• Recreation Specialist, St. PJ’s
• Vocational Coordinator, St. PJ’s
• Licensed Professional Counselor, St. PJ’s
• Licenced Professional Counselor, St. PJ’s
• Asylum Officer, USCIS

34 This individual was assigned case manager at St. PJ’s. This individual’s reviewed and signed nearly all of [redacted]’s “Case Management Notes” spanning time in ORR Custody at St. PJ’s.
36 This individual signed an “Initial Intakes Assessment” regarding [redacted] on [redacted]. This individual was assigned clinician at St. PJ’s.
38 This individual completed and signed an “Emergency Discharge/Transfer Form” dated [redacted] regarding [redacted].
39 This individual allegedly accompanied [redacted] from St. PJ’s during a medical exam on [redacted] performed by Dr. [redacted] at Bear Pediatrics PLLC facility located at 7254 Blanco Road, Suite 104, San Antonio, TX 78216.
40 This individual authorized an undated “Treatment Authorization Request” between ORR and medical services vendor Point Comfort Underwriters regarding [redacted] for immunizations.
41 This individual appears on an “Immunization Record” dated [redacted] as allegedly having administered a series of vaccines to [redacted] on [redacted] at St. PJ’s.
42 This individual appears on an “Immunization Record” dated [redacted] as allegedly having administered a series of vaccines on [redacted] on [redacted] at Bear Pediatrics PLLC.
43 This individual’s title appears only as “LPC,” which most likely stands for Licensed Professional Counselor.
44 Id.
45 This individual allegedly completed a Form I-870 (“Record of Determination/Credible Fear Worksheet”) in Karnes, TX on or about [redacted].
Possible additional witnesses include multiple employees of DHS, CBP, USCIS, ICE, and DHHS, and each entity’s agents and contractors who had contact with or reviewed records related to [redacted] and his son [redacted] and [redacted] and their apprehension, separation, and detention; federal government officials from each entity and each entity’s employees and contractors who worked within the facilities in which [redacted] and [redacted] were detained and had contact with [redacted] and [redacted] during detention, and/or oversaw the circumstances and condition of their detention; federal government officials involved in developing and implementing the separation policy; and the many individuals with whom [redacted] and [redacted] were detained in Arizona, California, Texas, and potentially other locations unknown at this time.

Federal government private contractors and their employees who took part in [redacted] and [redacted] forced separation and detention include, but are not limited to:

- St. Peter-St. Joseph Children’s Home in San Antonio, TX, where [redacted] was detained in ORR custody between 47
- Bear Pediatrics PLLC in San Antonio, TX, where medical professionals allegedly attended to [redacted] during his custody at St. PJ’s;
- General Dynamics Information Technology, which provide case work technology services to ORR regarding [redacted] 48
- Point Comfort Underwriters, a vendor through which ORR administered medical services to separated children, including [redacted]
- Baptist M & S Imaging, a consultant that allegedly performed an X-ray chest exam on [redacted] and
- BCFS Health and Human Services Emergency Management which operated a tent city to detain forcibly separated children in Tornillo, TX, where it detained [redacted] for about one to two weeks following his transfer from ORR custody in San Antonio, TX.

This is not intended to be an exhaustive list of all possible witnesses.

46 This individual was most likely based in the Houston Asylum Office given the ID code “ZHN” after the signature.