

U.S. DEPARTMENT OF JUSTICE
IMMIGRATION COURT
FORT SNELLING, MINNESOTA

In the Matter of

File No. A

Respondent

Affidavit of

AFFIDAVIT OF

I, declare, under penalty of perjury under the laws of the United States of America, that the following is true and correct:

1. My name is . I am 15 years old and I was born on 2002 in El Salvador to my mother, . I have one brother, .
2. I lived in El Salvador all my life until I came to the United States in 2015. I currently live at , Minnesota with my mother and brother. We have lived there together since of 2015.
3. I am submitting this affidavit in support of my asylum application and my mother and brother's asylum applications, and to explain why I am afraid to return to El Salvador.
4. Where we lived in , I knew that there were a lot of MS-13 gang members even before they started threatening us. I saw gang members' graffiti staining many of the walls in our neighborhood. I did not understand what most of the letters said, because the letters were painted in a way that only they understood. However, I could see that some of the letters said "MS-13." I was scared to ask anyone I knew if the MS-13 had threatened them. I knew that, if I started asking things like that to people, I would just cause problems for myself and my family. However, my school friend told me that gang members threatened her family with death when her family could not pay them the extortion payments they demanded. In the news, I saw the dead bodies of people whose heads the gang cut off, or people whose hands the gangs had cut off. I avoided speaking with the gang members in my neighborhood whenever I saw them, because I was very scared of them.

5. [REDACTED] and his family came to live in our neighborhood when I was little. I saw that [REDACTED] had on his back a tattoo that said "1, 3," and I had seen him before with a lot with groups of bad people. So, I thought when I saw those things that he was in the MS-13. I knew that the sister of [REDACTED] was probably also in the gang. People said she was involved in bad things. I just tried to avoid [REDACTED] and [REDACTED] and their family, because they made me very scared.
6. In 2014, I started seeing that my mother started to get a lot of calls that made her very worried. She did not tell me who was calling, but just that people were calling from numbers she did not know. Later, I started seeing the papers they would put under our door. When the papers came, my mother started to tell me what they said. The notes said that they were going to kill my mother, me and [REDACTED] and bury us, with just our feet sticking out. Some of the papers said that they would kill me and [REDACTED] while our mother was working, if our mother did not pay the money she owed them.
7. I was so scared and worried when I started seeing those papers. I knew that my mother did not have the money to give the gangs what they demanded. When I started seeing the papers, I did not want to leave the house anymore. I asked my mother if I could stop going to school, but she told me that I needed to keep going to school, so that I could have a good future.
8. On [REDACTED] 2014, [REDACTED] came to our home. My brother and I were sitting outside the house finishing an afternoon meal. [REDACTED] lent a phone to my brother, and my brother started playing games on the phone at the table where we had been eating our meal. My mother had bought some apparatuses to listen to music and [REDACTED] entered the house, saying he wanted to see the apparatuses. I told [REDACTED] to go ahead and take a look at them. I knew he robbed things from people. Because I was scared he would steal the apparatuses, I stayed standing in the door. That was when he grabbed my hand and would not let me go.
9. I told him to let me go. I told him to leave, and that I had nothing to do with him. I told him that if he did not let me go, I would scream. He told me that if I shouted he would kill me. I was really scared. He repeated that threat, that he would kill me if I shouted, several times during the whole time he was assaulting me. He held me by the hands and closed the door. He threw me on a bed and I told him again to let me go. He held my hands with one hand and he tried to pull down my shorts with his other hand. I kept telling him to let me go. I kept fighting him off for about fifteen or twenty minutes. He told me that he was going to kill me and my brother, and leave our bodies buried with our feet sticking out. He tried several times to put his penis inside me, but I moved a lot to avoid him. He told me, "be still!" He did manage to get his penis into me, but only once. As scared as I was, I was not willing to let him do what he was trying to do to me and

kept fighting. My brother [REDACTED] was outside and shouted my name, but could not get in.

10. After about fifteen or twenty minutes, my mother arrived. She saw [REDACTED] outside the door and asked my brother [REDACTED] where I was, and then she banged on the door where he had me locked in the room. She yelled, "[REDACTED], open the door!" I yelled at her, and told her that [REDACTED] wanted to put his "thing" into me. He half let me go when he heard my mother. I struggled away, and was able to get to the door to open it. I remember that he had his pants undone when I opened the door. He tried to get away, but my mother was able to keep him from getting away right away. [REDACTED] tried to grab his bike that he had left outside the house, but my mother pulled his bicycle inside, pushed him into the house and told him he was not leaving. My mother argued a lot with him. My mother hit him in the foot with a piece of wood to try to keep him there. We were so scared. When my mother's boyfriend arrived a little while later, he called the police. Although we tried to keep him in the house, [REDACTED] escaped the house before the police arrived.
11. After that, the police came to [REDACTED] mother's house to ask about him, and his mother said he was not there. While the police were looking for him, his brothers called him to say that the police would not arrest him, but they just wanted to talk to him. The police told his brother that that they should call him, because they just wanted to talk. I heard this because the police had me in their car. They were planning to take me to do some exams. When he heard this, he returned to the house and the police arrested him.
12. I went to many hearings with my mother during the court's process. Every time we went to hearings, I had to see [REDACTED] and I never wanted to see him again. I tried to testify several times, but he was always there and it caused me too much fear and shame to speak about what had happened to me. He would look at me while I was trying to testify with big, angry eyes that made me terrified to say anything. Even though I was scared to testify, I tried many times. However, in the end I fainted several times and could not say anything. I was too scared to see [REDACTED] there and I was too ashamed that the judge and the attorneys could hear me tell the things that happened to me. During the hearings, very many bad people waited for us outside. They would say to us that soon we would see the consequences, and that I was a very sensitive girl.
13. At the last hearing, [REDACTED] was convicted of sexual assault and sentenced to five years in prison.
14. After [REDACTED] was arrested, my mother started to get letters that said that he was just the first, that many more bad people were coming to kidnap and kill us and that the only thing people would find would be our feet sticking out of the ground. We left the house in the [REDACTED] neighborhood. We spent about a week in a house in [REDACTED]. After that,

we went to a house in the [REDACTED] neighborhood, to try to flee from them. However, we still got letters under our door in our new home, threatening to kill me and [REDACTED]. My mother also kept receiving many threatening calls on her phone. There were a lot of walls stained with gang graffiti in the new neighborhood too, from the MS-13 and other gangs too. We tried again to move after that, but the gang members always found us when we moved. I do not remember all the places we moved to try to be safe, but I do remember that we moved to a place in [REDACTED] (which is also called [REDACTED]), where my mother's sister found us a house to rent. We lived there with my mother's sister for a while. However, there too, they kept threatening us. I do not know how they always found us, but I know that they have a lot of contacts.

15. After so many threats, my mother was so scared and she pulled my brother and me out of school. When we got pulled out of school, we were attending the [REDACTED].
16. After this happened to me, I did not want to be anywhere near where we had lived. I wanted to move to a place where there only were animals, and no people. I thought all people were bad after that. It is still very difficult for me to trust people.
17. We decided to come to the U.S., because we felt there was nowhere in El Salvador we could be safe and nowhere where we could trust people, since the MS-13 kept finding us and threatening us.
18. The journey to the United States was very difficult. We slept in puddles and, sometimes, in the streets. Most of the time we did not have food, but sometimes we would receive bread and water from someone.
19. I am content living here in Minnesota. I feel respected here. I want to work as a surgeon or a police officer and live with my mother and my brother in a place where I feel safe. The thought of returning to El Salvador fills me with fear.

My entire statement was read to me in Spanish, which is a language that I speak fluently. I swear under penalty of perjury that my above statement is true and correct to the best of my knowledge.

Signed: [REDACTED]

Dated: [REDACTED] 2017