

Respondent has already submitted his prehearing brief with citations to the caselaw and record, so I will try not to be repetitive and boring

The crux of this case is this – if Mr. LAST is returned to Somalia, he will be labeled a waali, targeted because of his mental illness, and tortured.

Returning to Somalia – the place that caused him so much trauma and suffering...the place he tried so hard for three years to flee – will very likely trigger his PTSD and cause him to decompensate. As Dr. Lockman explained, PTSD and TBIs are an insidious pair, each making the other more severe and harder to overcome. That was true for Mr. LAST. Though he has suffered from PTSD since the war in Somalia, his hallucinations, nightmares, his depression, his anxiety have all skyrocketed since his accident in 2013. If he leaves the structured and orderly conditions of jail – and is forced to not only reenter society but do it in an unstable and violent place, with no support or medication, in which he has so many horrible memories ... the consequences are likely to be disastrous.

His mental illness will be obvious and he will be labelled a waali. And then what? He could live with his grandmother who he does not know. But how is she going to manage his mental illness? Shes not immune from the stigma. The country conditions evidence shows that most families seek out treatment in private and public mental health facilities that use such treatments as chaining and shackling, locking patients in rooms with hyenas, and burning their skin with fire. Or he could end up in an IDP camp. But the records show the mentally ill are not safe there either. They are mistreated and targeted and, more often than not, evicted by government officials who think they are possessed or crazy and beyond repair. He cannot live freely in society because Somali society as a whole so deeply discriminates against waali. He would be targeted wherever he went, especially without the cover of family or clan connections.

Eventually, Mr. LAST is likely to end up in a treatment facility – whether one run by the state or a private, un-regulated healthcare facility. Either way, he will suffer torture at the hands of the state. The government is responsible to regulate its healthcare facilities, and failing to do so, turning a blind eye, breaches its standard of care. Breaches one of the core duties of government. And while the government and healthcare industry certainly suffer for lack of funding...there is no question about that...blaming the

entire problem on funding is missing the forest for the trees. The government doesn't stop private facilities from using hyenas, fire, and chains to treat their patients because the government itself uses those tactics in their own facilities. It is an accepted policy. It's what they do.

Somalia is not the only country that suffers from lack of funding in its mental health facilities. It is a common problem. What is not common, is locking a person up with a hyena. Chaining them to the bed for extended periods of time, burning the evil spirits out of them. Lack of funding does not excuse affirmative torture.

And the torture must be understood in the broader context of discrimination and mistreatment of the mentally ill in Somalia. Those suffering from mental illness, particularly with the tendency for erratic behavior, like Respondent...the waali...are ostracized, mistreated, and seen as outside normal society. In fact, on page 43 of Respondent's country conditions submission, there is a whole chart of terms and phrase in Somali used specifically in reference to people with mental illness. They are not seen by society or the government as vulnerable individuals who need particular care. They are seen as permanently broken. As the 'other.' And that discrimination helps explain how such horrific torture and mistreatment can go unchecked.

Somalia is a dangerous country for virtually everyone...but it is particularly dangerous for Mr. LAST. His PTSD and TBI and the likelihood of decompensation as he returns to Somalia without proper treatment or medication makes returning to Somalia an incredible threat to his safety. Because of this, he should be given the opportunity to stay in the United States, to use the tools he's learned in jail and the treatment suggested for him, now that he's finally been diagnosed, to get his life back on track. He should be given the opportunity to treat his mental illness, not be tortured and punished for it...and for that reason, we ask that you honor the United State's commitment to *nonrefoulement* and grant respondent deferral of removal under CAT.