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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

Jenny Flores, *et al.*,

Plaintiffs,

v.

Pamela Bondi, Attorney General of the
United States, *et al.*,

Defendants.

Case No. CV 85-4544-DMG-AGRx

**PLAINTIFFS' RESPONSE TO DECEMBER
1, 2025 SUPPLEMENTAL JUVENILE
COORDINATOR CBP REPORT AND
DATA [DOC. # 1692-1]**

Judge: Hon. Dolly M. Gee

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I. INTRODUCTION

In its August 15, 2025 Order regarding Plaintiffs’ Motion to Enforce as to CBP, this Court noted that “extended times in custody . . . seem particularly unnecessary given extremely low census,” but that the JC’s “recent report shows that the average TIC times for family units have been going down.” Order re Plaintiffs’ Motion to Enforce [1575], Aug. 15, 2025 at 7 [Doc. # 1638] (“MTE Order”). The Court held that the decreasing length of detention “indicates that CBP is aware of the issue and is working to resolve it” and that “[o]nce the Court has the benefit of” Defendants’ supplemental reporting, “it will be better able to assess whether further enforcement of the Agreement is warranted.” *Id.* at 8. The Juvenile Coordinator (“JC”) for U.S. Customs and Border Protection (“CBP”) has now filed its supplemental 2025 annual reports. CBP Juvenile Coordinator Suppl. Report, Doc. # 1692-1 (“JC CBP Report”). It demonstrates that, after a temporary dip in June and July, time in custody has once again risen disproportionate to the low numbers of encounters, and that CBP’s blanket policy against releasing children, if left unchecked, threatens to continue escalating the frequency and severity of *Flores* violations.

The rising lengths of detention warrant the Court’s continued monitoring of CBP practices for several reasons. First, Defendants’ data confirms that they routinely detain children in CBP custody for far longer than 72 hours. Second, as Defendants have conceded, class member declarations confirm, and this Court recently reiterated, “CBP facilities are intended only for short-term use” and should detain minors “only for the amount of time DHS reasonably requires to process the minor.” MTE Order at 14-15. Third, Defendants’ justification for lengthy CBP detention—that they need additional time to arrange removal for difficult-to-deport children—has been expressly rejected by this Court as inconsistent with the requirements of the *Flores* Settlement Agreement (“FSA”).

II. PLAINTIFFS' RESPONSE TO REPORT

a. Defendants' data reveals ongoing, nationwide violations of the FSA.

Defendants' own data show widespread violations by CBP of the FSA. *See* FSA ¶¶ 11, 12, 18. The JC CBP Report states that the "percentage of minors in CBP custody over 72 hours for August was 2.61%, and for September it was 4.87%." JC CBP Report at 2. However, because this includes both accompanied and unaccompanied minors, and because Defendants move unaccompanied minors out of CBP custody more quickly, it is likely that far greater than 4.87% of children *in families* were detained over 72 hours in September.¹ For example, during Plaintiffs' Counsel's December 3, 2025 visit to Chula Vista Border Patrol Station, there were four unaccompanied children present, each of whom had been there approximately 24 hours. The two families present, however, had each been detained over 72 hours, and one of the families had been detained for six days. Kahn Decl. ¶ 8.

Although Defendants attempt to minimize the import of its no-release policy by presenting it as a percentage of the whole, 4.87% represents a staggering 154 children detained in squalid CBP conditions for over 72 hours in September alone, with the highest time in custody reaching over a month. Kahn Decl. ¶ 3. This is despite continued low numbers of border encounters. The JC CBP Report indicates that only approximately 105 children crossed the border each day of September, on average. *Id.*

October data is just as troubling, with 115 children detained in CBP custody over 72 hours. Kahn Decl. ¶ 4. As detailed in the table below, the longest detention in October was 29 days. *Id.* Based on this data, at least one child spent nearly a *month* in the barren, jail-like conditions of CBP. Thirty-six children were detained for over five days, eighteen of whom were detained over a week, five of whom were detained for over ten days, and

¹ Once in ORR custody, unaccompanied children are now routinely experiencing prolonged detention due to policies that prevent placement with sponsors, in likely violation of the APA and Foundational Rule. *Angelica S. v. U.S. Dep't of Health & Hum. Servs.*, 786 F. Supp. 3d 158, 175 (D.D.C. 2025) (holding new ID and income requirements for sponsors likely violate the APA).

three of whom were detained for over two weeks. Given the low numbers of children crossing the border, Defendants provide no reasonable justification for forcing any child to stay detained in the harsh conditions of a windowless CBP cell for weeks or a month.

	Total over 72	3-5 days	5+ days	7+ days	10+ days	14+ days	20+ days	Longest TIC days
October	115	82	33	18	5	3	3	29
September	154	118	36	23	9	3	3	32
August	109	75	34	5	3	1	0	14
July	95	63	32	17	3	0	0	12
June	78	38	40	19	13	7	1	38
May	162	86	76	46	16	6	0	19
April	213	90	123	88	37	24	14	24
March	157	62	95	63	29	16	4	23

Even during periods of “influx,” the FSA requires that Defendants must place minors “as expeditiously as possible.” FSA ¶ 12.A.3. The JC reported in July 2025 that Southwest Border encounters with unaccompanied minors were down 67.96% and encounters with family units were down 80.08% compared to FY 2024. Juvenile Coordinator July 1, 2025 Report at 10 [Doc. # 1599-1]. Defendants continue to have at their disposal the infrastructure and budget developed for over one million more individuals than they are encountering.² Nothing in their report explains why, given these low numbers and massive capacity, Defendants are suddenly unable to accomplish expeditious release or transfer of children out of CBP custody within 72 hours.

² See American Immigration Council, *What’s in the Big Beautiful Bill? Immigration and Border Security Unpacked* (July 14, 2025), available at <https://www.americanimmigrationcouncil.org/fact-sheet/big-beautiful-bill-immigration-border-security/>; see also U.S. Customs and Border Protection, Budget Overview FY 26, available at https://www.dhs.gov/sites/default/files/2025-06/25_0613_cbp_fy26-congressional-budget-justificatin.pdf.

1 *b. CBP facilities are not intended for long-term care of children.*

2 It is clear that detention in CBP facilities for longer than 72 hours, and certainly for
3 weeks, cannot comport with the requirement to provide conditions appropriate for the
4 particular vulnerability of children. As CBP's Chief Medical Officer states, "CBP
5 facilities" are "generally designed to be temporary, short-term holding facilities pending
6 onward disposition." Declaration of Margaret Isaacs ("Isaacs Dec.") ¶ 5 [Doc. # 1606-5].
7 Similarly, ports of entry are not suitable for children. "POEs are not designed or intended
8 for long-term custody" and "CBP hold rooms generally do not have windows." Mejia
9 Dec. ¶¶ 7, 29.

10 This Court has issued many clear and detailed orders finding violations of the FSA
11 and providing Defendants with clear guidelines for minimum standards of conditions of
12 confinement for children. *See, e.g., Flores v. Bondi*, No. CV 85-4544-DMG (AGRX),
13 2025 WL 2995478, at *4 (C.D. Cal. Aug. 15, 2025) ("The FSA's requirement that minors
14 be held in 'facilities that are safe and sanitary' encompasses 'a commonsense
15 understanding' of what 'safe and sanitary' means, and includes access to toilets and
16 sinks, drinking water and food, soap, towels, showers, dry clothing, toothbrushes, and
17 adequate temperature control and ventilation.") (citing FSA ¶ 12A; *Flores v. Sessions*,
18 394 F. Supp. 3d 1041, 1057 (C.D. Cal. 2017); *Flores v. Barr*, 934 F.3d at 916.). Yet
19 children report that Defendants continue failing to meet the standards, resulting in this
20 Court recently finding violations in the RGV, El Paso, and San Diego sectors. Order re
21 Plaintiffs' Motion to Enforce [1575], Aug. 15, 2025 at 14 [Doc. # 1638] ("MTE Order").
22 During September and December 2025 visits to Chula Vista Border Patrol station,
23 Counsel confirmed that many of these conditions violations persist. Kahn Decl. ¶ 8.

24 Further, the FSA requires that even if DHS facilities meet those minimum
25 standards, Defendants must *still* expeditiously process children for release. As this Court
26 stated in its Order regarding Plaintiffs' Motion to Enforce as to CBP, "[b]ecause CBP
27 facilities are intended only for short-term use, CBP shall hold minors in its custody only
28

1 for the amount of time DHS reasonably requires to process the minor for release.” Dkt
2 No. 1638 at 14-15.

3 *c. Defendants’ justifications for violating the FSA’s expeditious processing*
4 *requirement are impermissible and suggest that prolonged CBP detention will*
5 *continue for children in routine circumstances.*

6 Defendants’ justifications for violating time in custody requirements directly
7 contravene this Court’s previous orders. The CBP JC explains that “the majority of times
8 in custody (TICs) over 72 hours in both OFO and USBP custody occurred for one of two
9 reasons: (1) families were being held together by CBP pending transfer to ERO for
10 housing at a family residential center; or (2) families were being held by CBP pending
11 repatriation together as a family.” JC September 8, 2025 Suppl. Report at 1-2 [Doc. #
12 1648-1]. These are two extremely common scenarios which Defendants must find a way
13 to address without prolonging class members’ detention in CBP’s facilities. CBP’s
14 explanation echoes their earlier briefing in which Defendants similarly attempted to
15 justify unlawful prolonged detention by citing delays in “repatriation,” including
16 “[s]ecuring flights” when there are “a limited number of flights to a particular country;”
17 “medical issue[s];” and delay caused by “credible fear determination.” Defendants’
18 Opposition to Plaintiffs’ Motion to Enforce Settlement at 7 [Doc. # 1606].

19 However, this Court has repeatedly rejected lengthy repatriation processes as an
20 adequate justification for prolonging a child’s detention. *See, e.g., Flores v. Barr*, No.
21 CV854544DMGAGRX, 2020 WL 2758792, at *10, *12 (C.D. Cal. Apr. 24, 2020)
22 (detention pending deportation arrangements is only permissible “for a limited period if
23 the government is working as quickly as it can toward completing the expedited removal
24 process or executing a final order of removal when removal is ‘imminent’ or ‘ready to
25 take place.’”); *Flores v. Sessions*, 394 F. Supp. 3d 1041, 1070 (C.D. Cal. 2017)
26 (Defendants may not prolong detention of minors because “they (1) are in mandatory
27 detention and are seeking to establish a credible fear claim; (2) have been denied a
28 credible fear finding and are awaiting removal; or (3) are part of a family unit where the

parent has been deemed a flight risk” because “the expedited removal procedure does not automatically render the Agreement’s preference-for-release provision inapplicable”).

The CBP JC explains that one family held in CBP custody for over a month in September presented “a unique circumstance that reflects precisely the type of complicated scenario” that CBP alleges justifies prolonged detention. JC CBP Report at 2. The “circumstance” was “the advanced stage of the mother’s pregnancy,” which CBP addressed by keeping her and her children in custody until and during the birth of her child, then deporting her within days of giving birth with her newborn baby and other children. *Id.* at 1-2. Rather than justifying prolonged CBP detention, this explanation describes a particularly chilling instance of a family that fell victim to CBP’s blanket no-release policy. Unfortunately, this example is not unique or unlikely given CBP’s current policies and practices.

CBP has the ability to transfer or release pregnant mothers and their families quickly. However, in May 2025, CBP rescinded its prior policies protecting pregnant women from lengthy CBP detention. Kahn Decl. Ex. A. As CBP acknowledged in its prior policy, medical care for people in CBP custody is not designed for medically vulnerable individuals or for acute, complex, or long-term conditions including pregnancy. Kahn Decl. Ex. B (prior CBP policy was to “[e]nsure that individuals in CBP custody for whom extended time-in-custody may have greater adverse impacts, such as family units containing minors under the age of 12, pregnant individuals or the elderly[,] have been considered for processing via a pathway that appropriately limits the amount of time they may spend in custody” and “should not be processed in a pathway where their time in custody may exceed 120 hours.”).³

³ See also CBP National Standards on Transport, Escort, Detention, and Search, §§ 4.1, 5.1, 5.6 (requiring that at-risk individuals, which explicitly includes expectant mothers, “will be expeditiously processed to minimize the length of time in CBP custody,” which should presumptively not last longer than 72 hours).

1 A class member's 19-year-old mother, LGCG, described the way a pregnant
2 woman with her children in her pod was treated in March 2025:

3 There was a woman in our pod who is 35 weeks pregnant. Her heart began racing
4 and her head hurt and she began asking the guard to go to the hospital. They told
5 her to wait, but I saw she was not doing well and I encouraged her to ask again.
6 When they finally came to get her from the pod she was rushed to the hospital on a
7 gurney because she was already giving birth. The woman who gave birth is here
8 with a seven-year-old son. She could not care for her son because she is so
9 pregnant . . . Another woman who was very pregnant was deported. I don't know
10 whether she is ok or whether she had her kid.

11 LGCG Decl. ¶¶ 22-23 [Doc. # 1575-10]; *see also, e.g.*, Declaration of GAD ¶ 29
12 [Doc. # 1575-9].

13 Thus, far from presenting a "unique" and "complicated" scenario justifying
14 prolonged CBP detention, pregnancy is a common condition that, before 2025, resulted in
15 release from CBP custody along with any accompanying class members. Kahn Decl. Ex.
16 A-B. Rather than presenting an acceptable exception to the FSA's prompt processing
17 requirements, CBP's new policy of not releasing pregnant women is a perfect example of
18 the problem that has prolonged the CBP custody of so many class members: CBP's
19 refusal to release *anyone*, even medically vulnerable people and tender-age children.
20 Indeed, as time in custody again routinely exceeds 72 hours, CBP boasted in a recent
21 press release that it has "delivered another month of historic results – the lowest border
22 crossings of any October in history" and "[s]ix straight months of zero releases at the
23 border." CBP National Media Release, *Trump Administration delivers 6 straight months*
24 *of zero releases at the border* (Nov. 13, 2025), Kahn Decl. Ex. C. Based on this no-
25 release policy, children are increasingly trapped and suffering in prolonged CBP custody.

26 III. CONCLUSION

27 Because CBP no longer considers release an option, time in CBP custody has
28 predictably ballooned and will continue to do so. CBP's supplemental reporting
underscores that the relief Plaintiffs sought in their June 2025 Motion to Enforce as to
CBP remains necessary.

1
2 Dated: December 8, 2025

/s/ Sarah Kahn

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CHILDREN'S RIGHTS

Leecia Welch

Eleanor Roberts

CERTIFICATE OF SERVICE

I hereby certify that on December 8, 2025, I caused a copy of Plaintiffs' Response to Supplemental Juvenile Coordinator Reports and Data to be served to all counsel through the Court's CM/ECF system.

Dated: December 8, 2025

/s/ Sarah Kahn

Sarah Kahn

One of the attorneys for Plaintiffs

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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
10 **WESTERN DIVISION**

11 Jenny Flores, *et al.*,

12 Plaintiffs,

13 v.

14 Pamela Bondi, Attorney General of
15 the United States, *et al.*

16 Defendants.
17

Case No. CV 85-4544-DMG-AGRx

**EX. 1 DECLARATION OF SARAH
KAHN**

Status Conference: December 15,
2025

Additional Counsel for Plaintiffs:

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Declaration of Sarah Kahn

I, Sarah Kahn, declare as follows:

1. I am a staff attorney at the Center for Human Rights & Constitutional Law. I am counsel of record for the Plaintiffs in the above-captioned case. I execute this declaration as an attachment to Plaintiffs' response to the Juvenile Coordinator's December 1, 2025 Supplemental Report.

2. This declaration is based on my personal knowledge and if called to testify in this case, I would testify competently about these facts.

3. In order to ascertain approximately the average number of children who crossed the border daily, I took the total number of children detained over 72 hours in September 2025, according to Defendants' data – 154 – and divided it by the percentage of total children detained in CBP custody that those children represent according to Defendants (4.87%). In other words, Defendants reported that 154 children were detained over 72 hours by CBP which represents 4.87% of *total* children detained by CBP in September 2025. Therefore, approximately 3,162 children were detained by CBP in September and 154 of those children were detained for more than 72 hours. 3,162 divided across the 30 days in September, that indicates that approximately 105 children crossed the border and were detained by CBP each day in September 2025.

4. Under the Court's August 21, 2015 order [Doc. # 189], Defendants Immigration and Customs Enforcement ("ICE") and Customs and Border Protection ("CBP") are required to provide Plaintiffs' counsel with monthly statistical reports on all class members in their custody collected under Paragraph 28A of the Flores Settlement Agreement. In order to populate the following table of time in custody data, I used the monthly data provided to Plaintiffs' Counsel by Defendants on excel sheets. I used the "Countiff" function in excel to count the number of children with time in custody of fewer than 120 hours; more than 120

hours; more than 168 hours; more than 240 hours; more than 336 hours; and more than 480 hours. I did this calculation for each month's data indicated in the chart below. To identify the longest time in custody, I used the "Max" function in excel.

	Total over 72	3-5 days	5+ days	7+ days	10+ days	14+ days	20+ days	Longest TIC days
October	115	82	33	18	5	3	3	29
September	154	118	36	23	9	3	3	32
August	109	75	34	5	3	1	0	14
July	95	63	32	17	3	0	0	12
June	78	38	40	19	13	7	1	38
May	162	86	76	46	16	6	0	19
April	213	90	123	88	37	24	14	24
March	157	62	95	63	29	16	4	23

5. Attached as Exhibit 1 to this declaration is a true and correct copy of CBP's May 2025 Policy rescinding existing protections for medically at risk individuals, including pregnant individuals, in CBP custody. CBP Memo *Rescission of Legacy Policies Related to Care and Custody* (May 5, 2025), available at https://www.cbp.gov/sites/default/files/2025-05/intc-45073_-_ac1_signed_distribution_memo_5.5.25_rc_0.pdf.

6. Attached as Exhibit 2 to this declaration is a true and correct copy of CBP's rescinded 2023 policy regarding medically at risk individuals, including pregnant people. CBP Memo *Custodial Considerations for Medically At-Risk Individuals* (May 19, 2023), previously available in CBP's document library at <https://www.cbp.gov/document/directives/cbp-memorandum-custodial-considerations-medically-risk-individuals>.

1 7. Attached as Exhibit 3 to this declaration is a true and correct copy of
2 CBP National Media Release, *Trump Administration delivers 6 straight months of*
3 *zero releases at the border* (Nov. 13, 2025), available at
4 [https://www.cbp.gov/newsroom/national-media-release/trump-administration-](https://www.cbp.gov/newsroom/national-media-release/trump-administration-delivers-6-straight-months-zero-releases)
5 [delivers-6-straight-months-zero-releases](https://www.cbp.gov/newsroom/national-media-release/trump-administration-delivers-6-straight-months-zero-releases).

6 8. During Plaintiffs' Counsel's December 3, 2025 monitoring visit to
7 Chula Vista Border Patrol Station, there were four unaccompanied children
8 present, each of whom had been there approximately 24 hours. The two families
9 present, however, had each been detained over 72 hours, and one of the families,
10 including one sixteen-year-old girl, one twelve-year-old girl, and one ten-year-old
11 boy, had been detained for six days. During Plaintiffs' Counsel's September 3,
12 2025, and December 3, 2025 monitoring visits to Chula Vista Border Station, class
13 members described FSA violations including difficulty sleeping because of bright
14 lights, cold temperatures, lack of access to the outdoors, family separation,
15 inadequate medical care, and being forced to use the cell's exposed toilet. *See Ex.*
16 *2 – 5.*

17
18 I declare under penalty of perjury that the foregoing is true and correct. Executed
19 December 8, 2025, Anaheim, California.

20
21 
22 Sarah Kahn

EXHIBIT A

1300 Pennsylvania Avenue, NW
Washington, DC 20229




**U.S. Customs and
Border Protection**

Commissioner

MAY 05 2025

MEMORANDUM FOR: See Distribution

FROM: Pete Flores 
Acting Commissioner

SUBJECT: **Rescission of Legacy Policies Related to Care and Custody**

Upon review it has been determined that the following policies are either obsolete or misaligned with current Agency guidance and immigration enforcement priorities. As such, the following policies are hereby rescinded, effective immediately:

1. *Processing of Pregnant, and Postpartum Noncitizens and Infants*, January 28, 2022.
2. *Custodial Considerations for Medically At-Risk Individuals*, May 19, 2023.
3. *Additional Guidance on Custodial Considerations for Medically At-Risk Individuals*, October 12, 2023.
4. *Monitoring of Vulnerable Individuals in CBP Custody*, March 19, 2024.

Agency personnel are to continue processing aliens in custody in accordance with the requirements of CBP's *National Standards on Transport, Escort, Detention and Search* and the *Clarification of At-Risk Population and Hold Room Monitoring Provisions in TEDS* while working to transfer aliens from CBP custody as quickly as possible. This rescission does not change the requirement for regular and frequent hold-room checks in accordance with each operational office's policies and procedures. CBP personnel must also continue to follow all established policies and procedures regarding medical care and the requirements set forth within the *Flores Settlement Agreement*, related to juveniles and including infants.

The safety of all who we encounter during operations remains a top priority. All CBP personnel are expected to treat those in Agency custody in a professional and respectful manner.

Questions related to the guidance above shall be directed to the Office of the Commissioner-Policy Directorate at CBPPolicy@cbp.dhs.gov.

Rescission of Legacy Policies Related to Care and Custody

Page 2

Distribution: Acting Deputy Commissioner
Chief Operating Officer
All Executive Assistant Commissioners
Chief, U.S. Border Patrol
Chief Counsel
Chief Financial Officer
Assistant Commissioner, Congressional Affairs
Assistant Commissioner, Office of Professional Responsibility
Assistant Commissioner, Public Affairs
Assistant Commissioner, Office of Intelligence
Executive Director, Policy Directorate
Executive Director, Trade Relations
Executive Director, Privacy, FOIA, and EEO
Executive Director, Intergovernmental Public Liaison
Director, Executive Secretariat
Chief of Staff
Deputy Chiefs of Staff

EXHIBIT B

1300 Pennsylvania Avenue, NW
Washington, DC 20229



U.S. Customs and Border Protection

Commissioner

May 19, 2023

MEMORANDUM FOR: Raul Ortiz
Chief
U.S. Border Patrol

Pete Flores
Executive Assistant Commissioner
Office Of Field Operations



FROM: Troy A. Miller 
Acting Commissioner

SUBJECT: Custodial Considerations for Medically At-Risk Individuals

The safety of U.S. Customs and Border Protection (CBP) employees, individuals in our custody, and the public is the top priority during all aspects of CBP operations. CBP's National Standards on Transport, Escort, Detention, and Search (TEDS) guidance directs that individuals should generally not be held for longer than 72 hours in CBP holding facilities. Every effort must be made to hold individuals for the least amount of time required for their processing, transfer, release, or repatriation as appropriate and as operationally feasible.

At-risk or medically fragile individuals, which includes but is not limited to individuals with a chronic illness; infants or elderly; minors with an acute injury, medical or mental health condition; pregnant women or post-partum mothers with complications; and individuals with a disabling mental disorder, should be expeditiously processed to minimize the length of time in CBP custody. While such individuals are in our custody, it is imperative to ensure timely medical assessments, recurring wellness checks, and follow up assessments by medical providers are conducted pursuant to CBP policies and documented via appropriate systems.

It is appropriate for CBP to take steps to consider the impact of custodial conditions, including the length of time-in-custody, the number of individuals in custody, and medical issues for individuals in its custody. As a result, I direct that all Sectors and Field Offices should immediately:

1. Ensure that at-risk or medically fragile individuals in CBP custody, as determined in consultation with medical providers, are considered for processing or reprocessing 
- 

2. Ensure that individuals in CBP custody for whom extended time-in-custody may have greater adverse impacts, such as family units containing minors under the age of 12, pregnant individuals or the elderly have been considered for processing via a pathway that appropriately limits the amount of time they may spend in custody. Such individuals should not be processed in a pathway where their time in custody may exceed 120 hours. CBP will continue to follow the requirements of the *Flores* Settlement Agreement.

In making these decisions, particular consideration shall be given to whether individuals have been or are likely to be in custody for more than 72 hours or the facility is over capacity. All Unaccompanied Children should continue to expeditiously be transferred to HHS as obligated under the law and CBP policies. Moreover, Sectors and Field Offices are reminded to ensure all current laws and policies are followed, including requirements with respect to family unit separation and family group unity.

Finally, it is critical that all monitoring systems in holding facilities used for at-risk individuals, such as Closed-Circuit Television and Incident Driven Video Recording Systems, are fully functioning and used appropriately to enhance transparency and documentation of events.

CC: Executive Assistant Commissioner, Enterprise Services
Executive Assistant Commissioner, Operations Support
Chief Council
Executive Director, Policy Directorate

EXHIBIT C



[Home](#) » [Newsroom](#) » [National Media Release](#) »

Trump Administration delivers 6 straight months of zero releases at the border

Trump Administration delivers 6 straight months of zero releases at the border

Release Date: Thu, 11/13/2025

Nationwide crossings remain 92% lower than the peak under the Biden administration

WASHINGTON — U.S. Customs and Border Protection released operational statistics today for October 2025 under President Donald Trump's border security policies.

"The dedicated men and women of CBP have delivered another month of historic results – the lowest border crossings of any October in history," said CBP Commissioner Rodney Scott. "Six straight months of zero releases at the border. That's real enforcement, real consequences. And with record tariff collections safeguarding America's economic sovereignty, we're operating the most secure border this nation has ever seen."

Below is a snapshot of October's key figures. Full monthly reporting can be viewed on CBP's [Stats and Summaries](#) webpage.

Border Enforcement at Historic Levels

Illegal crossings in October remained historically low:

- **30,573 total encounters nationwide** — 92% below the peak of the Biden administration's 370,883
- **7,989 Border Patrol apprehensions on the southwest border** — 95% lower than the monthly average of the Biden administration, and less than what was apprehended in **five days** in October 2024
- **258 USBP apprehensions per day on the southwest border** — 95% lower than the daily average under the Biden administration, and less than the number apprehended every **two hours** under the

Biden administration

- **Zero parole releases** — compared to **10,009** released by the Border Patrol under the Biden administration along the southwest border in October 2024

Visit for more [encounter statistics](#).

Drug Interdictions That Save Lives

As the nation's border security agency, CBP is on the frontline against foreign terrorist organizations that threaten the safety and well-being of Americans by attempting to smuggle dangerous drugs into our country. CBP is uniquely positioned to detect, identify, and seize illicit drugs like fentanyl before they enter our communities.

Nationwide in October, seizures of cocaine, methamphetamine, heroin, fentanyl, and marijuana (combined, by weight) increased **6%** from September.

In October, CBP seized **968** pounds of fentanyl – a **50%** increase from September. CBP seizures of marijuana increased **61%** from September and seizures of heroin increased **188%**.

Additional CBP drug seizure statistics can be found on the [Drug Seizure Statistics](#) webpage.

Tariff Enforcement & Economic Security

CBP plays a central role in executing the President's tariff policy as trade enforcement and revenue collection authorities. This has included the implementation of 35 presidential tariff actions directed by the Trump administration. In October 2025 alone, CBP:

- Processed **\$254 billion** in imports
- Identified **\$29 billion** in duties owed

From Jan. 20 through Oct. 31, CBP collected:

- **\$238 billion** from all tariffs, taxes, and fees

Through audits, targeting, and frontline import reviews, CBP is enforcing trade law and safeguarding America's economic sovereignty.

Visit our [Trade Remedies](#) page for more.

U.S. Customs and Border Protection (CBP) is America's frontline: the nation's largest law enforcement organization and the world's first unified border management agency. The 67,000+ men and women of CBP protect America on the ground, in the air, and on the seas. We enforce safe, lawful travel and trade and ensure our country's economic prosperity. We enhance the nation's security through innovation, intelligence, collaboration, and trust.

Topics

- Border Encounters
- Border Security
- Commissioner Rodney Scott
- Drug Seizure
- Enforcement
- Statistics
- Tariffs
- Trade Enforcement

Last Modified: Nov 14, 2025



Media Contacts

Office of Public Affairs

EXHIBIT 2

**REDACTED VERSION OF DOCUMENT PROPOSED TO
BE FILED UNDER SEAL**

1 I, J [REDACTED] E [REDACTED] R [REDACTED] V [REDACTED], declare as follows:
2

3 1. This testimony is based on my personal knowledge and the following facts
4 are true to the best of my understanding and recollection.

5 2. I am 37 years old. I am from [REDACTED].

6 3. I am detained with my two minor children, [REDACTED]
7 [REDACTED] (age 11) and [REDACTED] undo (age 6), after we entered
8 the United States seeking asylum.

9 4. I speak Spanish.

10 5. We were apprehended by Border Patrol agents on Sunday, November 30,
11 2025, about three days ago. We crossed the border near a bridge in Tijuana, and I
12 searched for Border Patrol agents to turn ourselves in.

13 6. That day, Border Patrol took us to a border patrol station that night and
14 stayed there two nights. On December 2, 2025, we were transferred to another Border
15 Patrol station.

16 7. When they processed us in the first station, they searched each of us. My son
17 put his hands on his head while they were searching him and said, "Look, it's like we are
18 prisoners."

19 8. In the first place, we were inside the whole time and never allowed to leave
20 our cell. They only gave us granola bars, burritos, and water. We haven't had any fresh
21 fruit or other warm food since arriving. They didn't give the children anything to play
22 with or let them go outside to play. They gave the children some coloring pages, but the
23 crayons were broken, so my son just made paper airplanes. Other than that, my son only
24 play with the water bottle cap, because that's all he has to play with.

25 9. The lights were always on, day and night. We didn't know what time it was.
26 It was freezing. They only gave us aluminum blankets.
27
28

1 10. In the first location, we were kept in a cell with three other women and two
2 other children. It was crowded and there was no privacy to use the toilet in the same
3 room.

4 11. We slept on thin mattresses on the floor.

5 12. We have not been allowed to bathe in either station.

6 13. My children and I did not sleep well. We woke up often because agents
7 yelled loudly, because the lights were constantly on, and because agents would enter the
8 room.

9 14. We were transferred to the second location on December 2, 2025. In the
10 second location, the room is bigger, there's a closed window, and the toilet is partly
11 covered by a half wall, but it only is about as high as the waist.

12 15. My children cry here. They feel like caged birds. They wished there were
13 toys or some way to play. The journey and reason for coming were already hard, and then
14 the children being locked up without being able to be kids makes things really hard.

15 16. Since arriving in the first Border Patrol station, my son developed an allergic
16 reaction on his chest. He has been scratching it and it bleeds. But they haven't allowed us
17 to change clothes or bathe. He also has large scars on one of his arms from an accident
18 earlier this year, and I have to put a special cream on his scars so that he doesn't scratch
19 them and open old wounds, but the officials in the Border Patrol stations don't let us use
20 the cream, and he has been scratching them again. My daughter has also started
21 scratching her skin and seems to be experiencing some kind of allergic reaction. I
22 explained the problem to a doctor when we arrived, but they only applied some medicine
23 directly to the irritated skin once and did not give us anything to apply later.

24 17. In neither station have officials told us whether we can ask for help. They
25 only told us only that we have to follow the rules.

26 18. They took our phones. In the first location, I asked several times to be able
27 to make a phone call, and they told me that it was not permitted. Eventually, they told us
28

1 that we can use the phone that is there, but it does not work. It seems to be disconnected.
2 They said, "That's all we have."

3 19. In the second place, we have not been able to make a phone call. Others who
4 have been detained here longer said that they have been told that they are not allowed to
5 make phone calls either. As a result, our family has not known where we are for three
6 days and counting. I want to be able to call my children's fathers to let him know that we
7 are safe and alive. We have not been able to call a lawyer either.

8 20. We were asked to sign documents in the first station, but I did not sign,
9 because they said it was not required. When I said that I don't want to sign, the official
10 got mad and asked why. I explained that he said that it was not obligatory. It was in
11 Spanish, but he did not take the time to explain the document to me, and I did not feel
12 comfortable signing it. The official told me, "Sign it or don't sign it. We're going to
13 deport you anyway."

14 21. We have not been given any information of free attorneys to call.

15 22. An official interviewed me for about half an hour about why I left [REDACTED]
16 [REDACTED]. I am not sure if it was a credible fear interview, but he did not mention that I
17 had the right to an attorney. (I have not been able to use a phone to call an attorney since
18 we were detained, so there is no way I could have gotten a lawyer.)

19 23. My children have seen the officials in the first location yell at me. I can tell
20 that it scares them. They cry. I tell them that they have to be strong, even though we are
21 scared and do not feel safe.

22 24. My children have been crying more since arriving in Border Patrol custody.
23 I tell them to trust in God and that everything will be okay.

1 I declare under my duty to tell the truth and penalty of perjury that to the best of my
2 knowledge, all the information I have here given is correct and complete and I understand
3 the legal consequences of testifying falsely to the authorities. Executed on this 3rd day
4 of December 2025, at Chula Vista.

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CERTIFICATE OF TRANSLATION

My name is ^{Natalie}~~Cadwalader-Schultheis~~ and I swear that I am fluent in both the English and Spanish languages and I translated the foregoing declaration from English to Spanish to the best of my abilities.

Dated: Dec. 3, 2025



[Name]

EXHIBIT 3

**REDACTED VERSION OF DOCUMENT PROPOSED TO
BE FILED UNDER SEAL**

1 I, L [REDACTED] R [REDACTED] B [REDACTED], declare as follows:

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3 1. This testimony is based on my personal knowledge and the following facts
4 are true to the best of my understanding and recollection.

5 2. I am from [REDACTED].

6 3. I speak [REDACTED].

7 4. I came with my husband [REDACTED], my daughter [REDACTED], and my daughter [REDACTED]
8 [REDACTED] is 13 years and [REDACTED] 7 years old.

9 5. We came September first, two days ago.

10 6. We came through the wall and took a road and encountered border patrol
11 agents. We walked about an hour and then asked for help. I called police and about an
12 hour and a half later they came for us.

13 7. They took us first to another station where were from 12:30am to about 8am.

14 8. They took our fingerprints and asked some questions. From there they took
15 us here. We arrived yesterday morning.

16 9. I am staying with my girls in a room, but my husband was separated from
17 us.

18 10. We have not been allowed to use a phone since we were apprehended.

19 11. At the first location, they asked why we came and we told them, but they
20 didn't ask if we feared returning.

21 12. In the first location, we signed some forms. They did not read the form to us
22 in [REDACTED] they did not explain anything they just directed us to sign as part of the
23 processing. We do not know what we signed.

24 13. They only told us that if we came back in the next five years, we would be
25 put in a prison for a long time and it would be much worse than this.

26 14. We have not been told we can call a lawyer or given a list of free legal
27 service providers.
28

1 15. The officer told us that there was no way we could stay here. They didn't
2 explain why or explain anything to us.

3 16. The temperature is cold, we try to stay warm with the mylar blanket.

4 17. Yesterday we saw my husband once, and today again for this interview.

5 18. There is no soap, but they gave us shampoo and we are using this as soap.
6 They have not allowed us to brush our teeth. They gave us a toothbrush when we
7 showered, but they didn't give us toothpaste.

8 19. The lights are on all night.

9 20. What is difficult here is not physical – it is psychological.

10 21. We are separated from family, we miss them, we don't know what is
11 happening. We have no information about the process. We are afraid to return, and our
12 children are very afraid.

13 22. We think only about what will happen. We don't know if we can speak to a
14 lawyer.

15 23. My oldest daughter cries constantly. She doesn't know if we are ever leaving
16 this place.

17 24. We thought that because we surrendered ourselves, that the process would
18 be easier and we would be able to ask for asylum here. But they have not helped us, they
19 have not told us anything, we cannot make a phone call to anyone.

20 25. The kids are suffering. Especially because they are separated from their
21 father.

22 26. Especially [REDACTED], the seven-year-old, because she has never been away
23 from my husband before and she misses him. It is scary for the children.

24 27. We would like to call my husband's brothers, he has four brothers who live
25 in the U.S.

26 28. We have not been able to call them. Ever since we surrendered ourselves we
27 have no access to a phone, no one knows where we are or how we are doing. I imagine
28 how much they must be worrying, like we are.

1 I declare under penalty of perjury that the foregoing is true and correct. I understand that
2 I have to tell the truth in this declaration. The interviewer read the declaration to me and
3 everything in it is true and accurate. Executed on this 3rd day of Sept. 2025, at
4 Chula Vista.

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CERTIFICATE OF INTERPRETATION

My name is Dionizio Gomes da Silva Neto and I swear that I am fluent in both the
English and [REDACTED] languages and I interpreted the foregoing declaration from
English to [REDACTED] on September 3, 2025, to the declarant to the best of my abilities.

Dated: 09-11-2025

Dionizio Gomes da Silva Neto

EXHIBIT 4

**REDACTED VERSION OF DOCUMENT PROPOSED TO
BE FILED UNDER SEAL**

1 I, O [REDACTED] C [REDACTED] P [REDACTED], declare as follows:

2
3 1. This testimony is based on my personal knowledge and the following facts
4 are true to the best of my understanding and recollection.

5 2. I came with my husband [REDACTED] and my 9-year-old daughter [REDACTED]. I am
6 from [REDACTED]. We came also with my husband's uncles.

7 3. I speak Spanish.

8 4. I traveled her with my daughter and husband and his uncles. When we
9 crossed we encountered border agents immediately. They took us to another station. I
10 was detained there with my daughter and my husband, and his uncles were held
11 separately. We were there two days, Friday and Saturday. We were taken to Chula Vista
12 on Sunday and today is Wednesday.

13 5. We were detained in a cell. We slept on a mat on the floor.

14 6. We were not allowed to make a call, and still now have not been able to
15 make any calls. We asked to make a call but they said in both stations that this was not
16 allowed.

17 7. We haven't been able to speak to anyone, not even a lawyer.

18 8. We have family in the U.S. we want to call, my husband's cousin, the
19 daughter of my husband's uncle who is traveling with us, is waiting for us in North
20 Carolina. She must be so worried about us, she doesn't know what happened to us since
21 Friday.

22 9. My daughter has neurological paralysis. She cannot speak. She cannot walk.
23 At home she uses her tablet for games and to communicate with us. She knows colors,
24 numbers, animals in English. She learned through her tablet, she has never been to
25 school.

26 10. She was able to keep the tablet to try to speak with us.

27 11. Because of her condition, my daughter eats a special diet, rice, banana,
28 powdered milk.

1 12. In the first station I asked for food for my daughter and they told me, "This
2 is not a hotel."

3 13. They gave us only burritos, beans and tortilla, morning, noon, and night we
4 had the same meal, bean burrito. My daughter cannot eat this. She became very hungry,
5 she could not eat anything for two days and she just ate the granola bars and milk.

6 14. I begged them at least to give salt crackers but they would only give flour
7 tortilla. I had brought formula and tried to give it to my daughter, but I ran out.

8 15. There were no snacks for the children, nothing for them.

9 16. At this station, they only gave sandwiches but my daughter cannot eat bread
10 everyday.

11 17. Here they do provide some snacks between meals, she is able to eat some
12 cookies and they give chicken that she can eat for dinner, but again it's the same meal
13 every day and it is very hard for her.

14 18. I have been detained at this facility since Sunday morning. It is Wednesday
15 today. We crossed about one week ago.

16 19. There was nowhere to shower at the first station. We had only the clothes we
17 crossed in. My daughter could not change or shower. I had some diapers that I brought
18 and I used these, but they did not provide any.

19 20. When we got here, they gave our daughter pants and a shirt when I asked for
20 them. I was also able to ask for diapers here.

21 21. We have been able to shower our daughter once, but only once this week.
22 And we also could shower only once.

23 22. At the first station, there was an exposed toilet. We had to use it in front of
24 everyone. There was no soap to wash our hands.

25 23. There were about ten in the cell at the first station. The mats were lined up
26 on the cement floor. There were long metal benches between us where we slept.

27 24. There were no toys, nothing for the children to do. We saw children in a cell
28 nearby with their moms. The conditions were the same, the children had nothing to do, no

1 comfort. They could only sleep and wait. The children were only 4 to 5 years old. There
2 were four children in these conditions, all in the same cell.

3 25. In the first station my husband and his uncles were separated from my
4 daughter and me.

5 26. We couldn't see him at all in the first station.

6 27. They brought us here on Sunday. We left my husband's uncles behind. They
7 are 86 and 79. His aunt has a broken leg. We are so worried about them, what is
8 happening to them, and if they are ok.

9 28. We only know where they are because they were brought here one night at
10 midnight to shower.

11 29. We have only met one other family here at Chula Vista. Here the women are
12 held with our children, and the men are separated. My daughter and I can finally see my
13 husband during this interview – they have missed each other so much. She cannot speak
14 to him but she won't take her eyes off of him, I can tell by the way she stares at him how
15 much she missed him, he dotes on her and understands her.

16 30. In the first station we could not go out, we could not see the sun. The lights
17 were on all night. In the first station there was a window where we could see the officers
18 watching us, but we could not see outside.

19 31. Here we are able to go out once or twice a day for a very brief time to see
20 my husband.

21 32. The lights are on all night here.

22 33. In the first station it was freezing. We were all so cold, we had only a mylar
23 blanket for our daughter. She had the sweater that we brought with us. I would hug my
24 daughter to try to warm her, but I could not keep her warm.

25 34. In the first station she was terrified. It was so loud all the time. Officers
26 would slam the doors, and this noise is very difficult for my daughter. The agents would
27 scream, "door" and my daughter would cover her ears trying to block the noise. The
28 slamming made her so afraid, she did not sleep for two days.

1 35. Yesterday, we got an interview on the phone about our country and whether
2 we are afraid to return. Today, we had a call with a judge who asked the same questions.

3 36. Before our interview, we were not allowed to call a lawyer. We wanted to
4 call a lawyer, but we were not given access to a telephone. There is one in my husband's
5 cell but it is disconnected, it doesn't work. They tell us it is only to call the embassy.
6 Other people have tried to call the embassy but no calls go through, the phone is not
7 working. We cannot call our embassy.

8 37. We were never given a list of free lawyers or any information about
9 attorneys. We were not allowed to have a lawyer with us in our interview.

10 38. In the first station the agents were cruel, they yelled constantly, they were so
11 rude, they would not help with my daughter or even my aunt who has a broken leg. I
12 offered to help her walk but they told us, "no, she can get up on her own." She is 79, her
13 leg is broken, she needs help. They would not allow me to help her. On one occasion she
14 had to stand to get her fingerprints but she was having a hard time so I offered to get her a
15 chair and the officer yelled at me that she could stand on her own.

16 39. Even when the SUV picked us up to transport us to take us to this station
17 they would not let me help her get into the car. She could not get in, it was very tall and
18 she couldn't get in with her broken leg, but they wouldn't let me help her. All this
19 happened in front of children who were watching.

20 40. After they took us here, we asked if they could bring my husband's aunt, but
21 they told us no. My aunt was only able to stay in this station while she showered then she
22 was transported back to the other station.

23 41. Our daughter is having a hard time eating. She doesn't have the formula she
24 is used to. She is not used to the milk they have, the taste is very strong and she is having
25 a hard time eating.

26 42. The toilet here in the cell is exposed, but we are the only two in the cell. Her
27 mat is on the floor right next to the toilet. It is difficult for her to sleep so close to the
28 toilet.

1 43. She cries because she is locked up. She is bored, she doesn't have her toys or
2 her books, and she is so scared. She points at the door and wants to go outside, but I am
3 not allowed to take her. It hurts me that she is suffering and I cannot help her.
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1 I declare under penalty of perjury that the foregoing is true and correct. I understand that
2 I have to tell the truth in this declaration. The interviewer read the declaration to me and
3 everything in it is true and accurate. Executed on this 3rd day of September 2025, at
4 Chula Vista.

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CERTIFICATE OF TRANSLATION

My name is Lilian A. Serrano and I swear that I am fluent in both the English and Spanish languages and I translated the foregoing declaration from English to Spanish to the best of my abilities.

Dated: 9/3/2025


[Name]

EXHIBIT 5

**REDACTED VERSION OF DOCUMENT PROPOSED TO
BE FILED UNDER SEAL**

1 I, T [REDACTED] H [REDACTED], declare as follows:

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3 1. This testimony is based on my personal knowledge and the following facts
4 are true to the best of my understanding and recollection.

5 2. I am from [REDACTED].

6 3. I speak Spanish.

7 4. I came with my daughter [REDACTED], who is six, my son [REDACTED], who is 10, and my
8 husband [REDACTED].

9 5. We crossed the border Sunday, and today is Wednesday.

10 6. We crossed during the night and walked all night, all of the next day, and
11 only past midnight Monday we were detained by border patrol.

12 7. They took us here Tuesday morning before the sunrise, to Chula Vista.

13 8. We asked if we could shower and they told us no. We begged them for a
14 shower and they just made a disrespectful face at us and waved us away. I asked for soap
15 and towels and they only waved me away.

16 9. Since yesterday, when we arrived, we have had access to a shower but it
17 doesn't have soap or shampoo, so I can only rinse the children.

18 10. They have not given us fresh clothes.

19 11. I saw a sign that told us we had a right to soap, to showers, to garments, and
20 I pointed to this poster and asked an agent, "aren't these our rights? Please can we
21 shower?" Someone who is in our cell told me that when she pointed out the poster, the
22 agent ripped the poster off the wall and threw it away.

23 12. He told her, "here, you do what I tell you to do."

24 13. Today when a new agent came, we asked for a shower and eventually we
25 were allowed and we got clean clothes.

26 14. Our daughter goes to the window of the cell and tries to see my husband,
27 and the officers yell at her.
28

1 15. She is little, she doesn't know better. They treat her like a criminal and she
2 doesn't even understand.

3 16. When we first arrived, my husband was separated from me. He says he slept
4 on the bench for the first night.

5 17. It is very cold in the cell where we sleep.

6 18. We are in a large cement cell. There was a woman who slept there with us,
7 but she was taken today.

8 19. The windows face inwards, so we cannot see out.

9 20. The lights are on all night.

10 21. We saw my husband only once, when they asked us to sign something. We
11 haven't seen each other to visit, and this is the first time we have been outside since we
12 arrived.

13 22. I have been asking if we can brush our teeth and they told us no, we cannot.
14 I told them I brought toothpaste but they won't let me access my bag to get our
15 toothbrush.

16 23. There is no soap to wash our hands, we just wish to be clean again.

17 24. The burritos are undercooked. I had never had food like this before. The kids
18 won't eat it. The kids are always hungry. They eat only the chips.

19 25. It is very cold in the cell and the kids have only a mylar blanket to try to stay
20 warm.

21 26. The toilet is exposed in the room so we cannot get any privacy, even though
22 there are others also locked in the room.

23 27. We have not been given a phone call. I kept pointing at the sign that says we
24 have a right to make a call, but they said they would not allow a call.

25 28. We want to talk to a lawyer but they have not allowed us to use a phone.
26 They told us it doesn't matter if we want to talk to a lawyer or not.
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1 29. This morning they brought a sheet of paper saying something about a
2 lawyer. The agent said that he had to show her the paper, but that it does not matter what
3 I say, I will not actually speak with a lawyer.

4 30. We want to call our family. They are afraid for us, they don't know where
5 we are or what happened to us.

6 31. There is nothing for the children to do. They just stare at the ceiling. My
7 daughter tried to make a castle with the mat and the mylar blanket, but it kept falling
8 apart.

9 32. The kids have started to bicker because there is nothing else to do.

10 33. They constantly ask us to sign various documents on a computer. They force
11 us to sign, paper after paper, but they are in English, they give us nothing in Spanish and
12 they explain nothing. It is possible that we just signed an agreement to go to prison and
13 we don't know it.

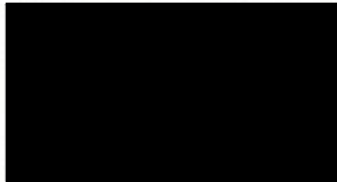
14 34. Nobody is able to tell us what's next, what is happening, although we keep
15 asking. They told my husband there is no asylum for us. One officer gave us a paper to
16 fill out, but the other refused to even accept it.

17 35. We were in [REDACTED] and my husband was here in the U.S. working. He
18 started getting messages from the cartel with pictures of me and our children, telling my
19 husband they would hurt us if he didn't send money. So my husband left the U.S. to come
20 get us and bring us to safety. But even though we ask, even ask to show them the
21 messages threatening my children, the agents only tell us there is no asylum for us.

22 36. Some staff are respectful and some are not. Most of them are racist. They
23 scold the children, even though they are too young to understand the rules.

24 37. My son misses school so much, he likes school. He is very proud of his
25 grades and wants to continue with his education. We came here because we thought we
26 might be able to keep them safe, we are desperate just to keep my children safe.

1 I declare under penalty of perjury that the foregoing is true and correct. I understand that
2 I have to tell the truth in this declaration. The interviewer read the declaration to me and
3 everything in it is true and accurate. Executed on this 3rd day of Sept 2025, at
4 Chula Vista.



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CERTIFICATE OF TRANSLATION

My name is Lilian A. Serrano and I swear that I am fluent in both the English and Spanish languages and I translated the foregoing declaration from English to Spanish to the best of my abilities.

Dated: 9/3/2025


[Name]