

ACCESS DENIED

CBP Turnbacks of Asylum Seekers at U.S. Ports of Entry

In October 2018, the SPLC and its partners, the Center for Constitutional Rights and the American Immigration Council, filed an amended complaint in the pending lawsuit, *Al O • Lad• Niel e*, No. 3:17-cv-02366 (S.D. Cal.), which challenges the Trump administration's unlawful policy and practice of turning back asylum seekers who present themselves at ports of entry (POEs) along the U.S.-Mexico border. The filing directly links high-level Trump administration officials to an official "Turnback Policy," ordering U.S. Customs and Border Protection (CBP) to restrict the number of asylum seekers who can access the asylum process.

The "Turnback Policy" compounds other longstanding border-wide tactics that CBP has implemented to prevent migrants from applying for asylum in the U.S., such as lies, intimidation, coercion, verbal abuse, physical force, outright denials of access, unreasonable delay in processing asylum seekers, and the use of force to prevent access to the asylum process.

sought access to the asylum process by presenting themselves at the Laredo POE. When the family subsequently traveled to Reynosa and tried to cross the border, CBP officials intercepted them on the Reynosa bridge and threatened to deport them to Honduras if they did not leave.

Why can't people just apply for asylum or wait in Mexico until the U.S. has more capacity to process them?

Asylum seekers are not safe in Mexico. Mexican authorities regularly detain asylum seekers and subject them to *ef•leme* — deportation to countries where they face persecution — in violation of international law. Although the states in the northern half of Mexico used to be considered the most dangerous, recent reports reveal an increase in violence in the central and southern states of Mexico. Mexico's northern border region is particularly plagued with crime and violence, presenting renewed dangers for asylum seekers just as they approach their destination. Migrants in border towns are regularly subjected to kidnapping, robbery, extortion, trafficking, rape, and murder.

Recently, the situation at the border has worsened: smugglers have raised their prices, cartel members have expanded their surveillance and control of areas around border crossings, and the number of migrants kidnapped and held for ransom has increased. Indeed, all the Mexican states abutting the U.S. southern border are subject to U.S. Department of State travel warnings.

Has there been a significant increase in the number of people attempting to present themselves at the border to apply for asylum?

CBP's own statistics indicate that there has not been a particular surge in the number of asylum seekers coming to POEs. From January through September 2018, the number of people without legal status attempting to enter the United States from Mexico, including asylum seekers, has stayed at roughly the