

Record of Negative Credible Fear Finding and Request For Review by Immigration Judge

Alien File Number: [REDACTED]

1. To be explained to the alien by the asylum officer:

U.S. Citizenship and Immigration Services (USCIS) has determined that you do not have a credible fear of persecution or torture pursuant to 8 CFR 208.30 for the following reason(s):

- A. You have not established a credible fear of persecution in your country of nationality, country of last habitual residence, or a country to which you have been ordered removed because:
- You have not indicated that you were harmed in the past and you have not expressed fear of future harm.
 - There is no significant possibility that you could establish in a full hearing that the harm you experienced and/or the harm you fear is on account of your race, religion, nationality, political opinion, or membership in a particular social group.
 - You have not indicated that you were harmed in the past, and there is no significant possibility that you could establish in a full hearing that the harm you fear is well founded.
 - There is no significant possibility that you could establish in a full hearing that the harm you experienced or fear was/is sufficiently serious to amount to persecution.
 - There is no significant possibility that you could establish in a full hearing that the entity that harmed you or would harm you was/is an agent of the government or an entity the government was/is unable or unwilling to control.

AND

- You have not established a credible fear of torture in a country to which you have been ordered removed because you have not established that there is a significant possibility that:
- You would suffer severe physical or mental pain or suffering.
 - The harm you fear would be specifically intended to inflict severe physical or mental pain or suffering.
 - The harm you fear would be inflicted by or at the instigation of, or with the consent or acquiescence of, a public official or other person acting in an official capacity.
 - The harm you fear would be inflicted while you are in the custody or physical control of the offender.
 - The harm you fear would not arise only from, would not be inherent in, and would not be incidental to, lawful sanctions.
- B. Considering the totality of the circumstances and all relevant factors, you have not established that your testimony is credible.

Therefore, you are ordered removed from the United States. You may request that an Immigration Judge review this decision.

If you request that an Immigration Judge review this decision, you will remain in detention until an Immigration Judge reviews your case. That review could occur as long as 7 days after you receive this decision.

If you do not request that an Immigration Judge review the decision, you may be removed from the United States immediately.

2. To be completed by the alien:

- Yes, I request Immigration Judge review of the decision that I do not have a credible fear of persecution or torture.
 No, I do not request Immigration Judge review of the decision that I do not have a credible fear of persecution or torture.

[REDACTED]
Applicant's Last Name/ Family Name (Print)

[REDACTED]
Applicant's First Name (Print)

[REDACTED]
Applicant's Signature

[REDACTED]
Asylum Officer's Last Name (Print)

[REDACTED]
Asylum Officer's First Name, (Print)

[REDACTED] /2021
Date

The contents of this form were read and explained to the applicant in the English language

Interpreter used:

By telephone (list interpreter service /ID number used N/A).

In person (I, _____, certify that I am fluent in both the _____ and English languages. I interpreted the above information completely and accurately to the alien.)

Interpreter's Signature

Date

Name [REDACTED] DENVER CONTRACT DETENTION FACILITY 3130 NORTH OAKLAND STREET AURORA, CO 80010 303-361-6612	Date [REDACTED] 2021
	A-File [REDACTED]
	Country of Citizenship [REDACTED]
Place and Manner of Arrival [REDACTED]	Date of Arrival [REDACTED]

To immigration judge:

- 1. The above-named alien has been found inadmissible to the United States and ordered removed pursuant to section 235(b)(1) of the Immigration and Nationality Act (Act). A copy of the removal order is attached. The alien has requested asylum and/or protection under the Convention against Torture and the matter has been reviewed by an asylum officer who has concluded the alien does not have a credible fear of persecution or torture. The alien has requested a review of that determination in accordance with section 235(b)(1)(B)(iii)(III) of the Act and 8 CFR § 208.30(g).
- 2. The above-named alien arrived in the United States as a stowaway and has been ordered removed pursuant to section 235(a)(2) of the Act. The alien has requested asylum and/or withholding of removal under the Convention against Torture and the matter has been reviewed by an asylum officer who has concluded the alien does not have a credible fear of persecution or torture. The alien has requested a review of that determination in accordance with section 235(b)(1)(B)(iii)(III) of the Act.
- 3. The above-named alien arrived in the United States in the manner described below and has requested asylum and/or withholding of removal under the Convention against Torture. The matter is referred for a determination in accordance with 8 CFR § 208.2(c).
 Arrival category (check one):

<input type="checkbox"/> Crewmember/applicant	<input type="checkbox"/> Crewmember/refused	<input type="checkbox"/> Crewmember/landed
<input type="checkbox"/> Crewmember/violator	<input type="checkbox"/> VWP/applicant	<input type="checkbox"/> VWP/violator
<input type="checkbox"/> 235(c) order	<input type="checkbox"/> S-visa nonimmigrant	<input type="checkbox"/> Stowaway: credible fear determination attached
- 4. The above-named alien has been ordered removed by an immigration officer pursuant to section 235(b)(1) of the Act. A copy of the removal order is attached. In accordance with section 235(b)(1)(C) of the Act, the matter is referred for review of that order. The above-named alien claims to be (check one):

<input type="checkbox"/> a United States citizen	<input type="checkbox"/> a lawful permanent resident alien
<input type="checkbox"/> an alien granted refugee status under section 207 of the Act	<input type="checkbox"/> an alien granted asylum under section 208 of the Act.
- 5. The above-named alien has been ordered removed pursuant to section 238(b) of the Act, or the Department of Homeland Security (DHS) has reinstated a prior exclusion, deportation, or removal order of the above-named alien pursuant to section 241(a)(5) of the Act. A copy of the removal order and, if applicable, the notice of reinstatement, are attached. The alien has expressed fear of persecution or torture and the claim has been reviewed by an asylum officer who has concluded the alien **does not** have a reasonable fear of persecution or torture. The alien has requested a review of that determination in accordance with 8 CFR §§ 208.31(f) and (g).
- 6. The above-named alien has been ordered removed pursuant to section 238(b) of the Act, or the DHS has reinstated a prior exclusion, deportation, or removal order of the above-named alien pursuant to section 241(a)(5) of the Act. A copy of the removal order and, if applicable, the notice of reinstatement, are attached. The alien has expressed fear of persecution or torture and the claim has been reviewed by an asylum officer who has concluded the alien has a reasonable fear of persecution or torture. The matter has been referred for a determination in accordance with 8 CFR § 208.31(e).
- 7. The Secretary of Homeland Security has determined that the release from custody of the above-named alien who is under a final order of removal would pose a special danger to the public according to the standards set in 8 CFR § 241.14(f)(1). The DHS has therefore invoked procedures to continue the alien's detention even though there is no significant likelihood that the alien will be removed from the United States in the reasonably foreseeable future. The matter is referred to the immigration judge for a review of this determination in accordance with 8 CFR § 241.14(g).

NOTICE TO APPLICANT

You are ordered to report for a hearing before an immigration judge for the reasons stated above. Your hearing is scheduled on

[Redacted] 2021 at 10:00 am You are to appear at [Redacted]
(Date) (Time)

IMMIGRATION JUDGE, 3130 NORTH OAKLAND STREET AURORA, CO 80010
(Complete office address)

- [X] You may be represented in this proceeding, at no expense to the government, by an attorney or other individual authorized and qualified to represent persons before an Immigration Court. If you wish to be so represented, your attorney or representative should appear with you at this hearing. In the event of your release from custody, you must immediately report any change of your address to the Immigration Court on Form EOIR-33, which is provided with this notice. If you fail to appear for a scheduled hearing, a decision may be rendered in your absence.
[X] You may consult with a person or persons of your own choosing prior to your appearance in Immigration Court. Such consultation is at no expense to the government and may not unreasonably delay the process.
[X] Attached is a list of recognized organizations and attorneys that provide free legal service.

[Redacted Signature] SUPERVISORY ASYLUM OFFICER
(Signature and title of immigration officer)

CERTIFICATE OF SERVICE

- [X] The contents of this notice were read and explained to the applicant in the English language.
[X] The original of this notice was delivered to the above-named applicant by the undersigned on [Redacted] 2021 and the alien has been advised of communication privileges pursuant to 8 CFR 236.1(e). Delivery was made:
[] in person [] by certified mail, return receipt # [Redacted] requested [X] by regular mail

[Redacted Signature]

Attachments to copy presented to immigration judge:

- [] Passport [X] Form I-860
[] Visa [X] Form I-869
[] Form I-94 [] Form I-898
[] Forensic document analysis [] Asylum Officer's reasonable fear determination worksheet (I-899)
[] Fingerprints and photographs [X] Asylum officer's credible fear determination worksheet (I-870)
[X] EOIR-33
[] FOR 8 CFR 241.14(f) CASES ONLY: Written statement including summary of the basis for the Secretary's determination to continue the alien in detention, and description of the evidence relied on in finding the alien specially dangerous (with supporting documents attached).
[] FOR 8 CFR 241.14(f) CASES ONLY: Written notice advising the alien of initiation of proceedings and informing alien of procedures governing the Reasonable Cause Hearing at 8 CFR 241.14(h).
[X] Other (specify): Officer's notes

Instructions: To complete this form, fill out all blanks below, including the proof of service, which certifies that you have provided a copy of this form to the Department of Homeland Security (DHS). After filling in the blanks and signing both the declaration and proof of service, you must submit the form in person or by mail. If submitting the form by mail, follow the mailing instructions on page two. You must submit a separate copy of this form for each individual in immigration court proceedings (i.e., you must submit a form for each person who has a case pending in immigration court and whom the change of address or phone number affects).

You must file this form with the immigration court within five working days of the change to your address or phone number, or your receipt of a charging document (e.g., a Notice to Appear) with incorrect contact information. The immigration court will send all official correspondence (e.g., date, time, and place of hearings) to the address you provide. The immigration court will only make any change(s) to your address and phone number in EOIR's records upon receipt of this form; the immigration court will not change your address or phone number based on a different address or phone number on pleadings, motions, or other communications with the court.

If you fail to appear at any hearing before an immigration judge when notice of that hearing or other official correspondence was served on you or sent to the address you provided, the Department of Homeland Security (DHS) may take you into custody. In addition, the immigration court may conduct your hearing in your absence and enter an order of removal, deportation, or exclusion against you. If the court enters such an order, you may be ineligible for certain forms of relief from removal under the Immigration and Nationality Act as follows:

If you are in *removal* proceedings: You will be subject to an order of removal for a period of ten years after the date of entry of the final order.

You may also become ineligible for voluntary departure, cancellation of removal, and adjustment of status or change of status.

If you are in *deportation* proceedings: You will be subject to an order of deportation for a period of five years after the date of the entry of the final order. You may also become ineligible for voluntary departure, suspension of deportation or voluntary departure, and adjustment of status or change of status.

If you are in *exclusion* proceedings: Your application for admission to the United States may be considered withdrawn.

Name (Last, First, Middle): _____	Alien Registration Number: _____
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My FORMER address and phone number were:	My CURRENT address and phone number are:
_____ "In care of" other person, (if any)	_____ "In care of" other person, (if any)
_____ Number; Street; Apartment (if any)	_____ Number; Street; Apartment (if any)
_____ City, State, and ZIP Code; Country (if other than U.S.)	_____ City, State, and ZIP Code; Country (if other than U.S.)
_____ Phone Number	_____ Phone Number

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that I am the person named above associated with the alien registration number listed above, and that the information contained in this form is true and correct to the best of my knowledge.

SIGN HERE ➡ X _____
Signature Date

PROOF OF SERVICE

I, _____, mailed or delivered a copy of this Change of Address Form on, _____,
(Name) (date)

to the Office of the Chief Counsel for DHS, Immigration and Customs Enforcement-ICE, located at: _____

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

SIGN HERE ➡ X _____
Signature

MAILING INSTRUCTIONS

1. Mail or deliver a copy of the completed form to the DHS-ICE Office of the Chief Counsel at the address you inserted in the PROOF OF SERVICE above.
2. Fold the page at the dotted lines marked "Fold Here" so that the address is visible. (**Important:** Ensure the address section is visible after you fold the page.)
3. Staple, or otherwise secure, the folded form along the open end marked "Fasten Here."
4. Place appropriate postage stamp in the area marked "Place Stamp Here."
5. Write your return address in the area marked "PUT YOUR ADDRESS HERE."
6. Mail the original form to the immigration court.

Fold Here

PUT YOUR ADDRESS HERE

Place
Stamp
Here

U.S. Department of Justice
Immigration Court
1961 Stout Street
Suite 3101
Denver, CO 80294

Fold Here

Privacy Act Notice

The information on this form is required by 8 U.S.C. § 1229(a)(1)(F)(ii) and 8 C.F.R. § 1003.15(d)(2) in order to notify EOIR's immigration court of any change(s) of address or phone number. The information you provide is mandatory. Failure to provide the requested information limits the notification you will receive and may result in adverse consequences noted above. EOIR may share this information with others in accordance with approved routine uses described in EOIR's system of records notice EOIR-001, Records and Management Information System, and EOIR-003, Practitioner Complaint-Disciplinary Files.

Fasten Here

* Non-Profit Organization
** Referral Service
*** Private Attorney

List of Pro Bono Legal Service Providers
<http://www.justice.gov/eoir/list-pro-bono-legal-service-providers>
Denver Immigration Court

Updated April 2020

Denver, Colorado	
Rocky Mountain Immigrant Advocacy Network (RMIAN)* 7301 Federal Blvd., Suite 300 Westminster, CO 80030 Tel: (303) 433-2812 Fax: (303) 433-2823 www.rmian.org <ul style="list-style-type: none">• Individuals in immigration detention• Children's immigration matters• Detention facility speed dial code: 1880	American Bar Association Detention and LOP Information Line** Detention Facility Speed Dial 2150# immcenter@americanbar.org https://www.americanbar.org/groups/public_interest/immigration/ <ul style="list-style-type: none">• Pro se case assistance for detained respondents only

Disclaimer: As required by 8 C.F.R. § 1003.61, the Executive Office for Immigration Review (EOIR), Office of Policy, Office of Legal Access Programs maintains a list of organizations and attorneys qualified under the regulations who provide pro bono or free legal services. The information posted on the list is provided to EOIR by the Providers. EOIR does not endorse any of these organizations or attorneys. Additionally, EOIR does not participate in, nor is it responsible for, the representation decisions or performance of the organizations or attorneys.

DEN	ZOL		
District Office Code	Asylum Office Code	Alien's File Number	Alien's Last/ Family Name
Asylum Officer's Last Name	Asylum Officer's First Name	Alien's Nationality	

All statements in italics must be read to the applicant

SECTION I:

INTERVIEW PREPARATION

- 1.1 2021
Date of arrival [MM/DD/YY]
- 1.2 Los Angeles International Airport
Port of arrival
- 1.3 2021
Date of detention [MM/DD/YY]
- 1.4 DENICDF
Place of detention
- 1.5 /2021
Date of AO orientation [MM/DD/YY]
- 1.6 N/A
If orientation more than one week from date of detention, explain delay
- 1.7 2021
Date of interview [MM/DD/YY]
- 1.8 ZOL - Telephonic
Interview site
- 1.9 Applicant received and signed Form M-444 and relevant *pro bono* list on 2021
Date signed [MM/DD/YY]
- 1.10 Does applicant have consultant(s)? Yes No
- 1.11 If yes, consultant(s) name, address, telephone number and relationship to applicant

1.12 Persons present at the interview (check which apply)

- 1.13 Consultant(s)
- 1.14 Other(s), list: _____
- 1.15 No one other than applicant and asylum officer

1.16 Language used by applicant in interview:

English

- 1.17 Yes No
Interpreter Service, Interpreter ID Number. Interpreter Has Forms Time Started Time Ended
- 1.18 Yes No
Interpreter Service, Interpreter ID Number. Interpreter Has Forms Time Started Time Ended
- 1.19 Yes No
Interpreter Service, Interpreter ID Number. Interpreter Has Forms Time Started Time Ended

1.20 Interpreter was **not** changed during the interview

1.21 Interpreter was **changed** during the interview for the following reason(s):

- 1.22 Applicant requested a female interpreter replace a male interpreter, or *vice versa*
- 1.23 Applicant found interpreter was not competent
- 1.24 Applicant found interpreter was not neutral
- 1.25 Officer found interpreter was not competent
- 1.26 Officer found interpreter was not neutral
- 1.27 Bad telephone connection

1.28 Asylum officer read the following paragraph to the applicant at the beginning of the interview:

The purpose of this interview is to determine whether you may be eligible for asylum or protection from removal to a country where you fear persecution or torture. I am going to ask you questions about why you fear returning to your country or any other country you may be removed to. It is very important that you tell the truth during the interview and that you respond to all of my questions. This may be your only opportunity to give such information. Please feel comfortable telling me why you fear harm. U.S. law has strict rules to prevent the disclosure of what you tell me today about the reasons why you fear harm. The information you tell me about the reasons for your fear will not be disclosed to your government, except in exceptional circumstances. The statements you make today may be used in deciding your claim and in any future immigration proceedings. It is important that we understand each other. If at any time I make a statement you do not understand, please stop me and tell me you do not understand so that I can explain it to you. If at any time you tell me something I do not understand, I will ask you to explain.

Alien's File Number: [REDACTED]

SECTION II:

BIOGRAPHIC INFORMATION

2.1 [REDACTED]
Last Name/ Family Name [ALL CAPS]

2.2 [REDACTED]
First Name

2.3 [REDACTED]
Middle Name

2.4 [REDACTED]
Date of birth [MM/DD/YY]

2.5 Gender Male Female

2.6 N/A

Other names and dates of birth used

2.7 [REDACTED]
Country of birth

2.8 [REDACTED]
Country (countries) of citizenship (list all)

2.9 [REDACTED]
Address prior to coming to the U.S. (List Address, City/Town, Province, State, Department and Country).

2.10 [REDACTED]
Applicant's race or ethnicity

2.11 [REDACTED]
Applicant's religion

2.12 [REDACTED] English; [REDACTED]
All languages spoken by applicant

2.13 Marital status: Single Married Legally separated Divorced Widowed

2.14 Did spouse arrive with applicant? Yes No

2.15 Is spouse included in applicant's claim? Yes No

2.16 If currently married (including common law marriage) list spouse's name, citizenship, and present location (if with applicant, provide A-Number):

2.17 Children: Yes No

2.18 List any children (Use the continuation section to list any additional children):

Date of birth (MM/DD/YY)	Name	Citizenship	Present location (if w/PA, list A-Numbers)	Did child arrive with PA?		Is child included in PA's claim?	
				<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Alien's File Number: [REDACTED]

2.19 Does applicant claim to have a medical condition (physical or mental), or has the officer observed any indication(s) that a medical condition exists? If YES, answer questions 2.20 and 2.21 and explain below. Yes No

Nose congestion causing breathing problems; muscle pain.

2.20 Has applicant notified the facility of medical condition? Yes No

2.21 Does applicant claim that the medical condition relates to torture? Yes No

2.22 Does the applicant have a relative, sponsor or other community ties, including spouse or child already listed above? Yes No

2.23 If YES, provide information on relative or sponsor (use continuation section, if necessary):

[REDACTED]	[REDACTED]
Name	Relationship
[REDACTED]	[REDACTED]
Address	Telephone Number
<input checked="" type="checkbox"/> Citizen <input type="checkbox"/> Legal Permanent Resident <input type="checkbox"/> Other	

SECTION III:

CREDIBLE FEAR INTERVIEW

The following notes are not a verbatim transcript of this interview.

These notes are recorded to assist the individual officer in making a credible fear determination and the supervisory asylum officer in reviewing the determination.

There may be areas of the individual's claim that were not explored or documented for purposes of this threshold screening.

The asylum officer must elicit sufficient information related to both credible fear of persecution and credible fear of torture to determine whether the applicant meets the threshold screening. Even if the asylum officer determines in the course of the interview that the applicant has a credible fear of persecution, the asylum officer must still elicit any additional information relevant to a fear of torture. Asylum officers are to ask the following questions and may use the continuation sheet if additional space is required. If the applicant replies YES to any question, the asylum officer must ask follow-up questions to elicit sufficient details about the claim in order to make a credible fear determination.

3.1 a. Have you or any member of your family ever been mistreated or threatened by anyone in any country to which you may be returned? Yes No

See Notes

b. Do you have any reason to fear harm from anyone in any country to which you may be returned?

Yes No

See Notes

c. If YES to questions a and/or b, was it or is it because of any of the following reasons? (Check each of the following boxes that apply).

Race Religion Nationality Membership in a particular social group Political Opinion

See Notes

3.2 At the conclusion of the interview, the asylum officer must read the following to applicant:

If the Department of Homeland Security determines you have a credible fear of persecution or torture, your case will be referred to an immigration court, where you will be allowed to seek asylum or withholding of removal based on fear of persecution or withholding of removal under the Convention Against Torture. The Field Office Director in charge of this detention facility will also consider whether you may be released from detention while you are preparing for your hearing. *If the asylum officer determines that you do not have a credible fear of persecution or torture, you may ask an Immigration Judge to review the decision. If you are found not to have a credible fear of persecution or torture and you do not request review, you may be removed from the United States as soon as travel arrangements can be made. Do you have any questions?*

- 3.3 At the conclusion of the interview, the asylum officer must read a summary of the claim, consisting of the responses to Questions 3.1 a-c and information recorded in the Additional Information/Continuation section, to applicant.

****Typed Question and Answer (Q&A) interview notes and a summary and analysis of the claim must be attached to this form for all negative credible fear decisions. These Q&A notes must reflect that the applicant was asked to explain any inconsistencies or lack of detail on material issues and that the applicant was given every opportunity to establish a credible fear.

SECTION IV: CREDIBLE FEAR FINDINGS

A. Credible Fear Determination:

Credibility

- 4.1 ~~There is a significant possibility that the assertions underlying the applicant's claim could be found credible in a full asylum or withholding of removal hearing. Applicant found credible.~~
- 4.2 Applicant found **not** credible, because (check boxes 4.3-4.5, which apply):
- 4.3 Testimony was internally inconsistent on material issues.
- 4.4 Testimony lacked sufficient detail on material issues.
- 4.5 Testimony was not consistent with country conditions on material issues.

Nexus

- 4.6 Race 4.7 Religion 4.8 Nationality 4.9 Membership in a Particular Social Group
(Define the social group): _____
- 4.10 Political Opinion 4.11 Coercive Family Planning [CFP] 4.12 No Nexus

Credible Fear Finding

- 4.13 Credible fear of **persecution** established.
OR
- 4.14 Credible fear of **torture** established.
OR
- 4.15 Credible fear of persecution **NOT** established and there is not a significant possibility that the applicant could establish eligibility for withholding of removal or deferral of removal under the Convention against Torture.

B. Possible Bars:

- 4.16 Applicant could be subject to a bar(s) to asylum or withholding of removal (check the box(es) that applies and explain on the continuation sheet):
- 4.17 Particularly Serious Crime 4.18 Security Risk 4.19 Aggravated Felon
- 4.20 Persecutor 4.21 Terrorist 4.22 Firmly Resettled
- 4.23 Serious Non-Political Crime Outside the United States
- 4.24 Applicant does **not** appear to be subject to a bar(s) to asylum or withholding of removal.

A Number: [REDACTED]	Interview Date: [REDACTED] 2021	
Name: [REDACTED]	Asylum Officer: [REDACTED]	
Country: [REDACTED]	Interpreter: NA	
Asylum Office: ZOL	Start: 8:42 a.m. CST	Stop: 11:27 a.m. CST

INTRODUCTION

Officer	Applicant
I understand you speak English, is that correct?	Yes.
What would you say is your best language?	Well English, but there might be a few lines that don't translate, my native language is [REDACTED]
Ok, one second let me see if we have access to a [REDACTED] interpreter just in case.	Okay thank you sir.
Is there another name for [REDACTED]	Well [REDACTED] it's the same thing.
We do have access to [REDACTED] interpreters, I can get one on at no cost to you.	I would feel better doing it in English.
Hello, my name is Officer [REDACTED] I am an asylum officer. I am going to be asking you some questions to determine if you are eligible to have an asylum hearing before a judge.	I'm sorry one second there's like a sound going off. I cant hear you very well.
I hear it as well, it's like a siren. Lets give it a second.	Okay
[Connection to applicant lost 8:47 a.m. – Reconnected at 8:48 a.m. CST]	Yes it's like the fire alarm, she says they cant do anything about it.
Could you please state your name?	[REDACTED]
You previously indicated that you were afraid to return to your country. Are you still afraid to return?	Yes I'm having a lot of problems back there so I think it would be wise to not go. I think the U.S. is safe.

CONFIDENTIALITY

Officer	Applicant
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Everything you say today is confidential, which means it will not be shared outside the U.S. government.	Okay
You have a right to speak to me alone and in confidence. Are you alone in your interview room?	Yes I'm alone and the door is closed.
And there's nobody that would be able to hear you.	No I don't think so.

M-444

Officer	Applicant
When you entered detention, you should have received a form called <i>Information About Your Credible Fear Interview</i> (Form M-444) that describes your rights as an applicant. The form describes your right to seek an attorney to represent you during this interview. Did you receive this information and a list of free attorneys?	I received it from Officer Diaz at the airport. Then I was sent to Denver CO, I don't know why. They took all my property. They didn't let me contact my relatives in the U.S.
Do you have any questions about the information in the form?	Yes. They asked if I thought I would face harm if I was sent back and I said yes. He said in that case we aren't going to send you back. An interview with an asylum officer and if there's a positive I can go to the judge and if its negative I can appeal. But I'll be in the facility.
That's pretty accurate.	

REPRESENTATION

Officer	Applicant
Do you have an attorney or a consultant helping you with your case?	No if you think it's important I can get one.
During this interview, you have the right to be represented by an attorney or to consult with any person. Do you feel comfortable speaking to me today without an attorney or consultant?	I just have to tell what's my problems correct? It's okay, I'll just answer to your questions.
Just to confirm, you would like to proceed now without your attorney?	Yes

SECTION 1.28

The purpose of this interview is to determine whether you may be eligible for asylum or protection from removal to a country where you fear persecution or torture. I am going to ask you questions about why you fear returning to your country or any other country you may be removed to. It is very important that you tell the truth during the interview and that you respond to all of my questions. This may be your only opportunity to give such information. Please feel comfortable telling me why you fear harm. U.S. law has strict rules to prevent the disclosure of what you tell me today about the reasons why you fear harm. The information you tell me about the reasons for your fear will not be disclosed to your government, except in exceptional circumstances. The statements you make today may be used in deciding your claim and in any future immigration proceedings. It is important that we understand each other. If at any time I make a statement you do not understand, please stop me and tell me you do not understand so that I can explain it to you. If at any time you tell me something I do not understand, I will ask you to explain.

Officer	Applicant
Do you understand this information?	Yes
Do you have any questions about it?	What kind of circumstances would you disclose.
Honestly I'm not sure, I'm not aware of a time where we have done that.	Okay.

APPLICANT OATH

Officer	Applicant
Before we begin, I will place you under oath. Please raise your right hand.	Okay.
Do you swear or affirm that all the statements you are about to make will be the truth, the whole truth, and nothing but the truth?	Yes I swear on allah that whatever I say is the truth.
Thank you. You may lower your hand.	Okay.

Al Otro Lado (Metering)

Officer	Applicant
What day did you last enter the United States?	██████████ 2021. I took a flight to LAX and arrived around 4:45 p.m.
Have you ever attempted to cross the border from Mexico to the US?	No.
Just so I understand, this is what you have told me that you arrived via air to Los Angeles International Airport on ██████████, 2021. You did not cross the border between Mexico and the United States, nor have you ever attempted to cross the border between Mexico and the U.S.	
Is this information correct?	Yes.
Do you want to make corrections to this information?	No
Just to confirm you were provided a summary of your responses, the opportunity to make any corrections, and confirmed the accuracy of the summary, correct?	yes.

THIRD COUNTRY TRANSIT QUESTIONS

Officer	Applicant
Government records indicate you entered the US by/through LAX. Is this correct?	Yes
Exception C (Non-Party Transit): Just to confirm, you did not enter the US through Mexico?	Correct
What countries did you travel through to reach the United States?	I had a transfer in [REDACTED]
Exception A (Protection): Did you seek protection in any of those countries?	No.
Exception B (Trafficking): Did anyone force you to leave your country and travel to the US?	No
Were you harmed/threatened on your way to the US?	No I wasn't harmed. But CBP sent officers to be there for the journey to LAX to Denver. They were rude and disrespectful.
Are you supposed to work on behalf of anyone in the US?	No.

BACKGROUND INFORMATION

Officer	Applicant
[see I-870 for additional biographic information]	
How have you been treated while at the detention center?	Everybody was fine. Everybody was fine. It was just that I feel a lack of information or suggestion, like suddenly I was brought here. I wasn't instructed about a lot of things about what I had to do. A minimum of instructions should have been given to me. I really didn't understand what was going to happen. It was very scary. They could have just said this is why this is happening. They just put shackles and handcuffs on us and took us to the detention center. I'm all alone.
Do you feel healthy/well enough to interview today?	I do
Did you enter the US with any family members?	No, not this time. But the last three times I came with my family.

PAST PERSECUTION

Officer	Applicant
Now I am going to ask you some questions about why you do not want to return to your country. Who do you fear in your country?	The police and gangs.
Besides the police and gangs, are you afraid of anyone else?	In general, the people, the way they think is dangerous. Like they don't value if you're ordinary, and treat you like an animal. But living in [REDACTED] is more like that.
Other than the police, gangs, and general public, is there anyone else?	I'm thinking just give me a minute. Well, I'm afraid some people are hacking me but I don't

	know who they are. Cybersecurity in [REDACTED] is weak. I would say people who are in business backgrounds have arrangements to hack people not just me and use the information for their benefit. I learned about it in [REDACTED] Its anonymous and they don't even care.
Have you been physically harmed by these groups?	For the last time years, there's not been a single year that I haven't been attacked. At first I was going to fight back but I'm losing myself.
Who attacked you?	These gangs of people. They have a history of violence. I've been brutalized by the police. They took me to the police station and I got out by bribing them. There were allegations that they made up.
When were you detained by the police?	The [REDACTED] It could be the [REDACTED] but I'm pretty sure it was the [REDACTED]
Why did they detain you?	There was this incident in the road. A guy was putting his motorcycle over a richer driver. A lot of people got crowded and I went there. A lot of people were saying why are you doing it. I tried calling the police. The rich driver got away.
I don't understand, were you involved?	I was just passing, I was going to my classes. I was walking. It was like 2:30 p.m.
What happened that the police detained you?	The guy later came to me and attacked me, more people came and they took me to the police station and put allegations on me. The guy was a police officer in city dress. They took mem to the CID office. They kept hitting me and wanted to take me to the underground garage and hit me before putting charges on me. They were just hitting me. My parents came and we had to ask for help. The police kept me in their control. After that they took bribes from us and then let us go.
Based on what you said there was a lot of people there, correct?	Yes.
Why did they single you out in particular?	They didn't arrest and beat me. They hit me on the road, then people came. Then they took me to the police office. Oh you said why. I don't know why me. He came up to me and started attacking me. I said I'm going to call the cops and he said okay do that but he was a cop.
One second.	If you need documentation, maybe you can contact the police station, CID office. They wrote the statement and forced us to sign it. He just freaked on it and said just sign it don't talk to me.

What else did the officers say to you during that encounter?	My name, where do I live.
Did they call you any names or make any threats?	They threatened me, look this incident happened 2-3 years back and right now there's been a lot more. So everything? I have to go inside that day and tell you everything that happened.
And they've continued to threaten you since then?	No, no. But we totally lost confidence over the enforcement. If the police are against you then who is going to protect you? You are very afraid. I won't be able to make you understand. When police themselves come up and your problem is the police you have nowhere else to go. As a citizen, I cannot seek help. My parents can't help me against the police. How will I fight against the law enforcement of the country. What would I do at that time. Your brain stops working you would be scared.
Did they physically harm you on any other occasions?	No. I didn't get to meet anybody like that.
How many times have you been attacked by the gangs?	So many times, look. I'll tell you, everything started in [REDACTED] but into this year. I have got attacked a few times. These gangs, you can say gangs, or to be political parties. The country doesn't have good systems. They later join the student wings or wing political parties. The people you would call gangs, they are the people who become part of the ruling party. This is how they are being recruited.
My question was how many times, can you estimate?	In [REDACTED] I was doing my classes, December. I was hungry. Right in front of my institutions, [REDACTED] guys came up and started hitting me in my face. I lost control of my body, it feels so bad. It gives you social and mental trauma.
Is there a particular gang that's doing this to you?	I can't say. Some live locally and some work in the student wings and are famous and know a lot of people. They have access to so many people. It's not just [REDACTED] I was just walking with my school friend and this guy came up and started dragging me away and when I hit the ground they leave and people came to check on me. [REDACTED] look what has happened, I'm recalling past five years history so it's going to take me
Is this the same gang or different gangs?	Yes [REDACTED] are different people but they are related at the top. All these gangs and hitting and fighting are all part of politics to subvert

	<p>some people. There's this group who don't want people to be normal, it's not just me. They do it with a lot of people They wont let them function properly in society. I don't want to brag but my family holds good influence in the city. I have grown up to be a good leader. These things are tied to a leader. They are envious, they don't like me having a good reputation in society and to live with goodness happiness. It's a political agenda. People who might have a future or power and just remove those people and culture fear in their hearts to submit to their dominance.</p>
Why did they attack you in particular as opposed to somebody else?	Well like what do you mean [REDACTED]
Is there a reason they are attacking you as opposed to somebody else?	I'm not saying they aren't attacking other people, all I can say is me.
What is it about you that makes them attack you?	I have a good reputation. I have a lot of commanding powers. If I tell a person something from my society. I have a certain influence. They want to damage my influence and take away my authority. I have my authority of being good and people trust me. If I get hit and cannot protect myself it means I don't belong to a higher authority.
If I'm understanding they want to take you down because people listen to you because you are good?	People think I'm truthful and speaking for good. We have lived in that area for 100 years. To be a member of parliament from that area, to be the voice of our people. If they destabilish our authority. I don't know who it is but they want to take me away from my position. My uncle was supposed to be the councilor but he died. Two family members have been councilors
Sir as I've said multiple times, I really need you to make your answers more concise and focus on the question that I'm asking.	I'm just trying to make you understand that some people are trying to take the good out of it and we have been in that area for so long.
	Yes, so I wanted to explain to you that my family members are quite influential, so being their descendent people would target me naturally. My mom's eldest brother was supposed to be the commissioner of the station of [REDACTED] most commercial area. I'm his nephew. A lot of people would know me naturally as his nephew. My mom's cousins have been members of parliament. One was also the deputy mayor the city. If I just say his name, people from the entire country

	<p>recognize it. We have road in my uncle's name. My grandfather had his own hotels and was quite influential but he died 20 years back. In that way, people would target me naturally. Everybody has known me or my family, by doing this it demoralizes my name. If you are fighting or attacked, you are not perceived as a good person. We would get socially isolated.</p>
<p>What was said or done that makes you think you were attacked for those reasons?</p>	<p>I just think it's natural. If you talk to people from our country, it's not legal but it's a natural thing of our place. Different countries have different cultural norms and nobody has stopped it.</p>
<p>Can you tell me specifically why you think that was done in this case? Was there something they said or did?</p>	<p>If you listen to the rest, maybe you will understand. Can I tell you those? The most precise reason in [REDACTED] nobody would have the courage to do that to me. It was to prove a point, that we are more powerful than you.</p>
<p>What was said or done that makes you think that was the case?</p>	<p>The guys who attacked me, they attacked me in [REDACTED] and it was more severe. I lost control of myself [REDACTED] months in my home. I was really traumatized. It's just so said, I felt helpless. I felt very bad. It was like [REDACTED] something like that. I experienced police brutality. It came like two weeks after, I called the emergency number and they asked why would they hit you? And they don't even believe me and said I should complain it.</p>
<p>Did you ever go to the police about the attacks by the gangs?</p>	<p>Just one minute, everybody is running away and I don't know is there a fire? Everybody is getting out.</p>
<p>Are you asking me that?</p>	<p>Yes.</p>
<p>You should consult the guards to see what is going on.</p>	<p>Okay. I'm sorry everything is fine.</p>
<p>Did you ever go to the police about the attacks by the gangs?</p>	<p>I tried to I felt like but I didn't because I felt like I'm not going to find help. Because of the experience with the police, and being told after that if I try to report it, I know the police won't help. I lost the belief. My parents too. You're telling me if I went to the police or sought help, everybody knows it's useless. Police will only help if you are significant, like a current member of parliament. Police can't even help. Very rich businessmen. Police are supposed to provide help automatically.</p>
<p>Just to clarify, you're saying you didn't go to the police about the gangs?</p>	<p>I called once but it was later.</p>

When did you call?	I don't remember. I called the officer in charge and that some guys are threatening me calling me on the phone, they hit me and they are standing outside my home and he said I should come in but I needed their name, their address, their number. If you don't know, they don't take your request. One time I went and they called my dad and said he doesn't have any information what do you want us to do?
This time they called your dad, is that separate from the time the guys were outside your house?	Yes.
When did you call the police?	I called in [REDACTED] The last months of the year. No, no, it was earlier. A bit earlier, like some months earlier but I don't remember exactly.
Did you call the police any other time?	No, but there was one more time I went. I didn't remember but I went. But at that time I couldn't get help because they said to get a GD but the police wouldn't cooperate because I studied in English and they don't respond in that. According to police you need to have the name, address, phone number for the complaint. Generally they don't even do anything. I didn't even know anything. How am I supposed to know where he lives? I don't have the details.
When did this happen?	If I'm not wrong, last year. I don't remember which month, but last year I tried going to the police station. I couldn't provide them details.
Did you ever call or go to the police station any other time?	No, just that time. Maybe other times I've called to report what I've seen in the road, like violence that I reported to police. Once last year I saw a guy with a knife trying to fight with another guy. I tried to save the police number in case they can help. I called and told them the incident.
Earlier you said that you didn't contact the police because you had lost faith in them as a result of your incident with the police officer in [REDACTED] [REDACTED] You then testified that you didn't go to police about incidents that occurred in [REDACTED] and [REDACTED] because you had lost faith in police. You then said you went to police as recently as last year, but they didn't help you because you couldn't identify the person for the complaint. Can you help me understand?	Yes, yes, yes. Look, as time goes by, I have to just get used to it. I could do nothing, even if the police are not going to help, I would still try to seek help because if I hide I would feel weird. I tried and it didn't work so what can I do? The police are supposed to protect you.
One second please, I have something else I'd like you to clarify.	On thing I also want to note is this gang is able hack, like if you seek protection.

<p>Hang on, we will get to that, but I have something to address first. You said that you were attacked because you are recognized, and are related to important people like former members of parliament, deputy mayors, and businessmen. You also said that the police won't help you because they don't help people who aren't important. Can you help me understand?</p>	<p>Yes because I wouldn't use their credentials to get help from police.</p>
<p>You started to talk about the hacking, and if I'm understanding that was also the gangs you're talking about?</p>	<p>Yes I believe so</p>
<p>Why do you think it's the same people?</p>	<p>Its part of the political agenda, a new technology. It's a syndicate. There are places where the cameras around the buildings and in my apartment, they're all tied together. They can be hacked. Mobile sim cards we use, a lot of posts are filled by important people related to the gangs. They would also use their access to get encryptions and the police have the authority to listen to all calls. They would use it go through people's private stuff for their political agenda.</p>
<p>Which party?</p>	<p>██████████ the current ruling party</p>
<p>Why do you think you are being hacked?</p>	<p>Because, well not just me, its everybody. I just know it. I got to know about it very slowly. In my schoolings, we were more advanced. There were gangs in these people too. Somehow these kids would get to know about all the other kids and people, they would be connected to them. There's a lot I need to say. They would use backgrounds or movements, like where can you find a person. They would get to the know the person, what they do at a given time, or their character. Then they get in touch with those people. They do better recognition. I'm at a certain restaurant, these people would be able to redirect your coordinates and hack your camera or send somebody to that place to pass by. Their asserting and putting ideas into your mind that they can find you wherever you are going. A signal to those individuals that we know what is happening or going on. I investigated personally more about it and I felt they are able to hack me. I investigated a lot more. The easy way I can tell you is the lock servers. My dad has an internet company so I can tell you. ISPs that are sold to the general public, they create a lock server.</p>

	<p>It keeps track of the website. They have to do this by order of the government. These servers tell you at what time which person went to which site. The address of the website. You cant see what they did once there, but just what website they went to. They can use that information to see what you're going to do. Maybe they have other ways, but that's some of the ways I know. I'm not saying exactly the way they do things, but it's easy for a person whose resourceful to put someone else on surveillance. When they want to find one individual, they can do it. If I don't make you understand, you wont understand.</p>
<p>You also testified that you fear the general public because they would harm you because you are ordinary. You also testified that you have been threatened and harmed because you are well-known by virtues of your family ties. Can you help me understand?</p>	<p>I wasn't harmed because I was ordinary. I wouldn't be able to protect myself because I am ordinary but I would be attacked because my family is important. Even if I want to be prepared, I would need time or training. My life is coming to a stop. It's at risk most of the time.</p>

FUTURE PERSECUTION

Officer	Applicant
What do you fear will happen if you return to your country?	I fear that my every day is going to be spoiled. And one day I'll be killed.
Who do you think would kill you?	The gang people.
That are affiliated with the ruling party?	Well when you say that, that's a lot of people.
Which gang people then?	As much as I feel that it's people from the governing party or they wouldn't have the power but I also think it's the syndicate. Police are a part of it.
Why would the gang people of the syndicate want to harm you now?	It's the political agenda to demoralize me and to keep me from power, to prevent ruling power in the country or the city because I am better off. I'm sorry if I am arrogant or prideful, it's just that I'm trying to save myself.
Any other reason why the gang and the syndicate would harm you?	Because I want to help my people. I don't want them to be oppressed. I would expose the corruption. If I am too much powerful, one day I would expose their corruptions. They want to destroy me before I would expose the corruptions. It would affect their political agenda. They would not be able to run things the way they run them now.
When you say you would expose their corruption, who are you referring to?	Rapists, money launderers, all these people. Rioters. Like how do you say, torturers, these

	people are the ones who want to stay in power and want to stay there by wrong means. This is how it ends up in the wrong causes, like illegal trade.
Any other reason why you fear returning?	As in.
Anyone else or anything else you feel relevant to your fear if returned.	Let me think and answer you. I also haven't shared one part which I think it important. Amongst these people, abuses against women. Women are not safe. The same people I would speak up. They don't want me to be in the place. That's injustice. I would protest against it.
How would they be aware of your political opinions?	I'm someone with whom a lot of people feel safe. There's a lot of sexual abuse, insecurity. If you're just reading the news, you see there are protests in [REDACTED] and nothing being done. When we live somewhere for a time, when a woman comes to me and asks for help, with my community ties. I can go and solve it. When this woman has problems, if they go to the police, the police don't solve it. The person who is alleged bribes the police and the police don't support the woman. Most of the women stay low of their voice and don't want to report stuff.

FEAR OF TORTURE

Other than what we have discussed, have you ever had any problems with the government of your country? By government I mean police, any public official, or any person associated with the government.	[Pause] Basically these gang people, you can consider them a part of the government. Boys from the student league, they're part of the ruling party.
Other than what we have discussed.	There was [REDACTED] During the last election, police came to our house two days at night to look for my uncle. He was going to be the councilor of [REDACTED] station. These police didn't have anything, they came on orders of the party. They altered the election results.
Why were they looking for your uncle?	Because my uncle was part of [REDACTED] an opposition.
What did the police do when they were there?	Took search of the home, interrogated my mom and dad. They stayed there the whole night. They came suddenly without notice, very disrespectful. They spoke in a very abusive manner. My mom's sister was hit.
Where were you when this happened?	I was in the house.
What happened to you?	Nothing to me, they just questioned me. They asked about my uncle, they wanted my uncle as if they were going to take me in if we didn't tell them

	where he was. This happened 2-3 times and we left the city for [REDACTED] We came back after the election.
Why do you think the police came at the order of the ruling party?	The party system of our country is a two party coalition. Basically, the ruling party [REDACTED] they didn't leave the government and the election was done under surveillance. Every candidate was charged down.
Hang on, why do you think the police came at the order of the ruling party?	Because the police came...I don't think they came from the orders of the party. The current party would not have let him stand as an opposition candidate. It happened with all the candidates, not just him. If the police came not wearing the uniforms...Police are not supposed to be part of the ruling party. But police support both sides. But they don't investigate the [REDACTED] Police are biased.
If they weren't wearing uniforms how do you know they were police	Even if they are wearing the uniform, they are not doing justice, that's what I said. The prime minister rules everything...
Sir please, hang on. I need to stick to the question.	These police were assigned, because they support the ruling party.
What are you afraid the police or government would do to you if you were to return?	They would keep on torturing me like this and deprive me of my rights or demoralize me. They might also prosecute me for speaking against the government.
Earlier you said that you had an incident with the police on [REDACTED] where you were detained and beaten, but that you were not otherwise threatened or harmed by the police. Now you're saying that the police came to your family's home on [REDACTED] occasions the same year, holding your family overnight, questioning you about your uncle. Can you help me understand?	As in what? In this case, they didn't harm me, just my aunt.
Why do you think that they would then harm you in the future?	I would speak about the corruption and they would harm and prosecute me. I cannot see injustice. It's a human right. I cant let it happen.

RELOCATION

Do you believe you can be safe if you lived in another part of your country? Why/why not?	Well, where would I go and feel safe?
You mentioned Cox'bazar, would you be able to go there for example?	We didn't go to [REDACTED] to seek protection. The police are everywhere. It's not a state where changing states to avoid harm. We went for recreation. We were scared and depressed. We

	went for 1-2 days to refresh our mind.
How can they find you if you lived elsewhere?	It's everywhere. You take air or bus. Air if you take air you have 2-3 airports in the country and your name is there. Customs. They would know where you are going. They have your information. As soon as I pass through [REDACTED] going back, they'll have my passport and question me.
Other than your fear of harm, are there other reasons why you could not live in another part of your country?	[REDACTED] is a very underdeveloped country. [REDACTED] is a mega-city. But outside [REDACTED] there's not much.

MANDATORY BARS

Officer	Applicant
Other than your current detention, have you ever been arrested in any country including your own?	No.
Have you ever been accused of committing any crime in any country, including your own?	No
Have you ever done anything to harm or injure another person or helped anyone to harm or injure another person?	No
Have you ever served in the police or the military?	No
Have you ever had permission to live in any country other than your own?	No.
Have you ever been a member of or supported a group which promotes violence or uses weapons?	No
Have you ever done anything that anyone might consider a terrorist activity?	No.

CASE SUMMARY

I will now read you a brief summary of what you told me today. Please wait until I have read the entire summary before you make any comments.

You testified that you have been attacked on numerous occasions by gangs in [REDACTED] which you believe to be extensions of the ruling [REDACTED]. You believe you were harmed because of your family ties, which make you a recognized and influential person, and the gangs were attempting to keep you down. You believe they would kill you if returned as a show of force. You were also detained and beaten by police in [REDACTED] following an incident where you were hit by an off-duty policeman. You bribed the police to drop charges against you. You do not believe the police or government would help you because you are ordinary and you have lost faith in them. You attempted to report the gangs, but were not helped because you didn't have enough information on the perpetrators.

Officer	Applicant
Is this summary correct?	Yes. I just want everything to be considered. The summary is nice but I want to make sure that

	it's everything and not just the summary.
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SECTION 3.2

Officer	Applicant
Those are all my questions If the Department of Homeland Security determines you have a credible fear of persecution or torture, your case will be referred to an immigration court, where you will be allowed to seek asylum or withholding of removal based on fear of persecution or withholding of removal under the Convention Against Torture. The Field Office Director in charge of this detention facility will also consider whether you may be released from detention while you are preparing for your hearing. If the asylum officer determines that you do not have a credible fear of persecution or torture, you may ask an Immigration Judge to review the decision. If you are found not to have a credible fear of persecution or torture and you do not request review, you may be removed from the United States as soon as travel arrangements can be made.	[Interpreter reads 3.2]
Do you understand this information?	Yes

Conclusion

- This is the end of the interview. You can hang up and let the officer know you are done.
- Interpreter, thank you for your service today. You may disconnect.

INTERVIEW CONCLUDED: 11:27 a.m. CST