

Extending Title 42 Would Escalate Dangers, Exacerbate Disorder, and Magnify Discrimination

In April 2022, the Centers for Disease Control and Prevention (CDC) determined that as of May 23, 2022, it would [terminate](#) the Title 42 [order](#), which the Department of Homeland Security (DHS) has for more than two years used to [illegally](#) block and expel to danger people requesting asylum at the southern U.S. border. Yet now, some members of Congress are seeking to force the administration to keep the Title 42 policy in place to deter people fleeing for their lives from attempting to seek refuge at the U.S. border—effectively abandoning the pretense that the policy was, or is, a public health measure. The administration should follow through on [plans](#) to restore asylum and should heed the [recommendations](#) of [humanitarian](#), [human rights](#), and legal services [organizations](#) to build a more humane, timely, and accurate asylum system.

The Title 42 policy was never justified as a public health measure. Senior CDC experts [objected](#) to the policy from its inception. [Epidemiologists](#) and [medical experts](#) have [repeatedly confirmed](#) that the Title 42 policy undermines public health responses to COVID-19 and that the pandemic, including emerging [variants](#), can be addressed through existing precautions, such as offering vaccinations, testing, masking, and avoiding the use of congregate detention. In its April 2022 [order](#), the CDC acknowledged that the Title 42 policy is not needed given “numerous tools for disease prevention, mitigation, and treatment which have become available over the past two years.”

Customs and Border Protection (CBP) continues to deny requests for asylum and humanitarian processing at southern border ports of entry and to use Title 42 to expel people to grave danger in Mexico who cross the border in search of refuge. Since taking office, the Biden administration has returned nearly [22,000](#) Haitian families and adults, including many asylum seekers [expelled](#) under Title 42, to [escalating violence and political turmoil](#) in Haiti, despite designating Haitians in the United States for [Temporary Protected Status](#) due to the “deteriorating political crisis, violence, and a staggering increase in human rights abuses.” Expulsion flights also continue to return asylum seekers [directly](#) to the dangers they fled in El Salvador, Guatemala, Honduras and other countries without an opportunity to apply for U.S. asylum.

The welcome recent processing at the southern border of thousands of people fleeing [Ukraine](#) and [Russia](#) through [exemptions](#) to Title 42 has demonstrated that—with the political will—the U.S. government has the capacity to process asylum seekers, including at ports of entry. Yet, at the same time DHS took some steps to restore and ramp up asylum and humanitarian processing for individuals from Europe, asylum seekers from Africa, the Americas, the Caribbean and elsewhere—many of whom have been waiting in danger in Mexico for years for an opportunity to exercise the right to seek asylum under U.S. law and treaty obligations—continue to be blocked under Title 42. This discriminatory double standard must be rectified by restoring asylum and upholding refugee law for all people seeking asylum—without discrimination as to race, religion, or nationality—rather than shifting to deny entry to Ukrainian refugees under Title 42.

Extending the Title 42 policy would be a disastrous mistake. Every day that the policy continues to be used, more refugees will be sent to life-threatening dangers—in violation of the D.C. Circuit Court of Appeals [ruling](#) that the U.S. government “cannot expel [asylum seekers] to places where they will be persecuted or tortured” under Title 42. In an April 2022 interview, former senior State Department legal advisor Harold Koh again confirmed that the Title 42 policy is “[illegal](#).” The proponents of extending Title 42 are pushing the administration to continue to ignore and [violate](#) U.S. immigration and refugee law at the border, a [counterproductive](#) approach that—as is well [documented](#) now—has caused [repeat crossings](#), [inflated](#) border statistics, and [undermined security](#) at the border. Prolonging the use of Title 42 will spur yet more disorder—as asylum seekers are pushed

to [deadly](#) crossings of the border between ports in search of refuge—and magnify the already immense discriminatory harm of this policy on people seeking asylum at the border, who are overwhelming Black, Brown, and Indigenous.

This research update on Title 42 focuses on refugees blocked from U.S. asylum and stranded in danger in the Tijuana area. Its key findings include:

- ☑ **The devastating human rights travesty of the Title 42 policy continues to mount. Human Rights First has now tracked at least [10,250](#) reports of murder, kidnapping, rape, torture and other violent attacks against migrants and asylum seekers blocked in or expelled to Mexico due to Title 42 since the Biden administration took office.** Recent attacks include: a lesbian asylum seeker from El Salvador raped after being expelled to Mexico under Title 42; a Haitian asylum seeker attacked with a bat and subjected to racist abuse after DHS used Title 42 to expel him and his family to Mexico; a transman from Honduras and his girlfriend blocked from requesting asylum due to Title 42 who were raped by men who said they were “going to teach them how to be women;” and a Nicaraguan woman kidnapped with her four-year-old child and raped, who remain stranded in danger in Mexico.
- ☑ **DHS continues to use Title 42 to discriminatorily block primarily Black, Brown, and Indigenous people from seeking asylum at ports of entry**, including asylum seekers from Africa, Central America, and Haiti as well as many LGBTQ people. At the same time, government data shows that the 135 percent increase in processing of inadmissible individuals, including asylum seekers, at San Diego ports of entry in March 2022 was made up entirely by the increase in Ukrainian and Russian nationals at those ports.
- ☑ **People blocked from protection at ports of entry due to Title 42 and stranded in Tijuana include asylum seekers from Cameroon, Côte d’Ivoire, El Salvador, Guatemala, Ghana, Haiti, Honduras, Mali, Mexico, Mauritania, Nigeria, and Somalia.** They include Haitians fleeing political and gender-based persecution, Indigenous Honduran human rights defenders, and Mexican families fleeing brutal cartels that executed their family members. These asylum-seeking adults and families often face dire conditions in Tijuana while blocked from U.S. asylum—without adequate or safe housing and unable to access urgent medical care, often because of discrimination based on their race and nationality.
- ☑ **Asylum seekers blocked from ports of entry due to Title 42 and facing imminent threats and medical emergencies continue to be denied humanitarian exemptions by CBP.** Those recently denied exemptions to the Title 42 order include: a Nigerian man with glaucoma and hand tremors who was beaten by police in Mexico; a gay Venezuelan man living with HIV who is partially deaf; a Mexican woman fleeing threats by a cartel who murdered the woman’s husband and whose 12-year-old son has a pacemaker and urgently needs specialized medical treatment; and a 14-year-old with a traumatic brain injury he incurred from falling from a two-story building to escape kidnappers.

This report is based on interviews with 29 asylum seekers in late March and early April 2022 conducted by a Human Rights First researchers with interpretation and other assistance from Haitian Bridge Alliance staff; additional information from legal services and humanitarian aid providers; observations of asylum processing outside the San Ysidro port of entry by Human Rights First and legal monitors from Al Otro Lado; reports of attacks drawn from an ongoing survey of asylum seekers in Mexico conducted by Al Otro Lado; review of U.S. government data; as well as media and other human rights reporting.

The report updates prior research on the Title 42 policy by Human Rights First in [March 2022](#), [February 2022](#), [January 2022](#), [December 2021](#), [November 2021](#) (with Florence Immigrant and Refugee Rights Project), [October 2021](#), [August 2021](#), [July 2021](#) (with Hope Border Institute), [June 2021](#), [May 2021](#) (with RAICES and Interfaith Welcome Coalition), [April 2021](#) (with Al Otro Lado and Haitian Bridge Alliance), [December 2020](#), and [May 2020](#).

Horrendous Violence Against Asylum Seekers Blocked in / Expelled to Mexico Due to Title 42 Continues

The Biden administration's continued use of Title 42 to block and expel asylum seekers to Mexico is causing mounting human rights abuses. Individuals and families blocked from protection by Title 42 are targeted for attacks in Mexico by powerful cartels that exercise control throughout large swaths of the country and profit from kidnapping, torturing, and extorting asylum seekers turned away by the United States. They are seen as easy prey by these cartels, including because of their status as migrants, race, nationality, gender identity, and sexual orientation. Mexican government officials are often responsible for, or complicit in, this violence. In April 2022, the U.N. Committee on Enforced Disappearances issued a scathing [report](#) implicating Mexican government officials in widespread kidnappings of migrants in the country.

Between January 21, 2021 and April 25, 2022, Human Rights First tracked at least [10,250](#) reports of kidnapping, murder, torture, rape, and other violent attacks against migrants and asylum seekers blocked in or expelled to Mexico during the Biden administration. This count is likely just the tip of the iceberg since few asylum seekers have spoken with investigators, journalists, or attorneys. New reports of attacks include cases identified through Human Rights First interviews, responses to an ongoing survey of asylum seekers conducted by Al Otro Lado between mid-March and mid-April 2022, and recent media reporting.

Recent attacks on asylum seekers, including many Black and LGBTQ people, blocked from U.S. asylum due to Title 42 include:

- **A lesbian asylum seeker from El Salvador, who is stranded in Tijuana due to Title 42, was kidnapped and repeatedly raped after DHS expelled her to Mexico.** She reported the attack to Al Otro Lado in late March 2022.
- **Because Title 42 is blocking access to asylum at ports of entry, a Haitian asylum seeker is stranded in danger with his wife and two-year-old child in Tijuana, where he was robbed at gunpoint in February 2022.** He told Human Rights First that he is afraid to ask for asylum while Title 42 is still in place because he is terrified to be returned to Haiti, where he was shot at by an organized criminal group that was hired to kill him.
- **A Nicaraguan asylum seeker was raped in Reynosa by men who kidnapped her and her four-year-old daughter and threatened to harm the girl.** The woman reported to Al Otro Lado in April 2022 that she is not safe in Ciudad Juárez where police have repeatedly robbed and extorted her when she leaves her shelter to purchase food.
- **An asylum-seeking woman from Guatemala and her six-year-old son were kidnapped by police in Ciudad Juárez who held them at gunpoint and sexually abused the woman.** The family reported to Al Otro Lado in March 2022 that they remain stranded there unable to seek asylum due to Title 42.
- **A Honduran family expelled to Mexico under Title 42, where they had been kidnapped at knifepoint, remains in danger in Tijuana unable to request asylum.** After DHS expelled the family to Mexico under Title 42 in January 2022, the woman saw armed men watching her daughters. Fearing they planned to kidnap the girls, the family fled the area and now remains in hiding in a Tijuana shelter, terrified of going outside.
- **A transman from Honduras and his girlfriend, who have been unable to seek U.S. asylum due to Title 42, were raped in Mexico “by men who [targeted](#) them for their queerness and gender expression.”** The man told [Human Rights Watch](#) in April 2022 that the attackers taunted the couple by asking “who is the man and who is the woman” and said that they were “going to teach them how to be women.”

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- **A Salvadoran woman and three-year-old son, who are unable to seek asylum due to Title 42, were twice abducted in Mexico, denied food, and both were beaten by the kidnappers.** The family reported through the Al Otro Lado survey that they remain stranded in Ciudad Juárez.
 - **An asylum-seeking family from the Afro-descendent Garifuna community of Honduras, who are stranded in Piedras Negras due to Title 42, reported that their cousin was abducted.** The rest of the family escaped the kidnappers by hiding in a store. They reported to Al Otro Lado that as of late March 2022 his abductors were demanding \$18,000 for his release.
 - **A Haitian man who fled death threats in Haiti remains in danger in Tijuana, where he was attacked with a bat in February 2022 outside the Tijuana shelter where he is staying with his teenage daughter.** The man told Human Rights First that people in the streets in Tijuana have made racist remarks to him and his daughter, including calling them “monkeys” and telling them to go back to their country. The family was previously expelled to Haiti under Title 42 in December 2021 and fears seeking U.S. asylum while Title 42 remains in place.
 - **In March 2022 a Salvadoran mother and daughter, DHS expelled to Tijuana under Title 42 the prior month, were robbed, extorted, and threatened by Mexican officers in black uniforms.** The woman told Human Rights First that the officers threatened to turn the family over to a cartel if they refused to pay the extortion demand.

Title 42 Used to Discriminatorily Limit Access to Asylum at Ports of Entry

Title 42 has, and continues to be, disparately applied by DHS to people seeking asylum at the border based on their nationality and race—overwhelmingly turning away to danger asylum seekers who are Black, Brown, and Indigenous. At ports of entry along the southern border, CBP has refused to process requests for asylum from individuals and families seeking to exercise their right under U.S. law and treaty obligations to request asylum. Asylum seekers recently turned away by CBP officers from seeking protection at the San Ysidro port of entry across from Tijuana include:

- **In March 2022, CBP turned away a Nigerian asylum seeker with urgent medical needs.** The man had been shot multiple times in Mexico, required a colostomy bag to eat, and urgently needed medical treatment unavailable in Tijuana, according to Nicole Ramos, an attorney with Al Otro Lado.
- **In March 2022 CBP turned away a Mexican asylum-seeking family fleeing Michoacán after the cartel that had threatened to kill them tortured a family member into disclosing their location in Tijuana.** Desperate to escape the cartel, the family attempted to climb over the 30-foot border wall, but a 14-year-old girl fell and was seriously injured. CBP expelled the family back to danger in Tijuana under Title 42 allowing only the girl’s mother to remain with her at a San Diego hospital. The family told the [San Diego Union-Tribune](#), “she’s fighting for her life, and we only did it because [the cartel] already knew we were in Tijuana. We didn’t have another option.”
- **In March 2022, CBP officers turned away a Mexican asylum seeker and her children who fled Guerrero after the woman’s husband and teenage son were murdered.** The woman brought photos of the chopped-up bodies of her loved ones as evidence of the danger the family had fled. “I’m not here because I want to be here. I’m here to save the lives of my children,” she told the [San Diego Union-Tribune](#). The family spent the night outside the port of entry until Mexican officials pressured them to leave the area.
- **Since early April 2022, CBP officers have cited Title 42 to turn away all 15 of the primarily Central American and Mexican asylum seekers, including those facing imminent threats in Tijuana, who were accompanied by Al Otro Lado to seek asylum.** On several occasions, CBP officers threatened to

call Mexican police to remove the asylum seekers from the international border line area where CBP officers block asylum seekers from reaching the U.S. port of entry to request asylum.

At U.S. ports of entry, the discriminatory application of the Title 42 policy became even starker in March and April 2022, as DHS rapidly ramped up CBP processing of thousands of Ukrainians particularly at southern border ports of entry in the San Diego area, which includes San Ysidro/Tijuana, Otay Mesa, and Calexico/Mexicali. In March 2022, the number of inadmissible individuals—a category that includes asylum seekers—processed by CBP at San Diego ports of entry increased by 135 percent compared to February 2022 (6,459 versus 2,740), according to government [data](#). This increase resulted entirely from an increase in individuals from Ukraine ([3,021](#)) and Russia ([951](#)) processed under exemptions to Title 42. At the same time, DHS continued to use Title 42 to turn away nearly all other people seeking asylum at these same ports—many of whom have been waiting for months or years in Tijuana to seek U.S. protection. In March 2022, San Diego CBP ports of entry [processed](#) only 26 inadmissible individuals from Guatemala, 25 from Honduras, 15 from Nicaragua, 14 from El Salvador, 9 from Haiti, 8 from Cuba, and 2 from Venezuela.

Mexican government officials working in tandem with CBP are complicit in discriminatorily blocking people fleeing persecution from accessing U.S. ports of entry under Title 42. For example:

- **In March 2022, a Mexican family fleeing death threats by an organized criminal group that had killed their family members and was searching for them in Tijuana was blocked from seeking asylum at the San Ysidro port of entry.** A Mexican municipal police officer turned them away, telling them that U.S. asylum was unavailable due to Title 42. A Human Rights First researcher observed the same police officer collect passports from 26 Ukrainians standing alongside the Mexican family on the Mexico-side of the border across from the San Ysidro port of entry and heard the officer report the number of waiting Ukrainians by radio. The officer said he was speaking with “someone on the other side” and soon after, CBP officers arrived to escort the Ukrainians to the U.S. port of entry. A member of the Mexican family told Human Rights First she did not understand why Europeans were allowed to go to approach the U.S. port of entry while her family was turned away. **“We’re not safe here, and we have nowhere to go,” she said.**

CBP Denying Many Asylum Seekers’ Requests for Humanitarian Exemptions from Title 42

Though the CDC [order](#) enabling the Title 42 expulsion policy permits exemptions based on “humanitarian” and other interests, these exemptions remain extremely difficult to obtain even for asylum seekers facing immediate security threats and serious medical emergencies. With exemptions decided at the discretion of CBP officers, practices have [varied](#) widely across ports of entry and resulted in vastly disparate treatment by nationality. In addition, in March 2022, DHS issued [guidance](#) to CBP reminding officers of their authority to provide humanitarian exemptions under the Title 42 policy for Ukrainians at land border ports of entry. In the following weeks, [thousands](#) of Ukrainians were exempted from Title 42 at ports of entry and processed under the Title 8 immigration laws without being required to make a formal exemption request. **At the same time, many asylum seekers from Africa, the Americas, the Caribbean and elsewhere who have submitted written Title 42 exemption requests to CBP, often accompanied by extensive documentation, have been denied.**

At the San Ysidro port of entry, CBP officers continue to deny or ignore most humanitarian exemption requests for asylum seekers facing urgent security threats, individuals with disabilities, and people with other serious vulnerabilities. As such, attorneys for AI Otro Lado and Immigrant Defenders have limited the exemption requests they file to situations with life-threatening medical issues, yet even then, **CBP has granted only 30 percent (27 of 90) of the urgent humanitarian exemption requests AI Otro Lado submitted to the San Ysidro port of entry since January 2022.** Asylum seekers whose humanitarian exemption requests were denied or ignored by CBP at the San Ysidro port of entry and who remain stranded in Tijuana include:

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- In April 2022, CBP denied humanitarian exemption requests for a Nigerian man with glaucoma and hand tremors who was beaten by police in Mexico; a gay Venezuelan man living with HIV who is partially deaf; a Mexican torture survivor with diabetes; a Haitian woman with a high-risk pregnancy who is experiencing food insecurity; and a disabled Honduran man whose injuries from a car accident have become infected and who needs specialized medical treatment. These requests had been submitted by Ginger Cline, an attorney with *Al Otro Lado*.
 - CBP officers at the San Ysidro port of entry have also recently denied humanitarian exemption requests for a Mexican woman fleeing threats by a cartel who murdered the woman's husband and whose 12-year-old son has a pacemaker and urgently needs specialized medical treatment; a 14-year-old with a traumatic brain injury he incurred from falling from a two-story building to escape kidnappers; and a two-year-old Honduran asylum-seeking child with severe and worsening epilepsy who suffers from eight-minute-long seizures. Margaret Cargioli, an attorney with Immigrant Defenders Law Center in San Diego, had submitted these requests ultimately denied by CBP.
 - CBP at the San Ysidro port of entry has failed to respond to humanitarian exemption requests submitted months ago, including for a LGBTQ woman with maternal uterine fibroids who experiences constant bleeding after she was raped twice in Mexico in bias-motivated attacks based on her sexual orientation and for a Mexican domestic violence victim whose husband found her in Tijuana and kidnapped her daughter, according to Immigrant Defenders Law Center.

Few asylum seekers stranded in Mexico, particularly those who do not speak Spanish or have limited literacy, know how to request an humanitarian exemption to Title 42 or have access to the attorneys and other humanitarian workers who could assist them to apply. For instance, a Salvadoran woman expelled with her daughter to Tijuana by DHS under Title 42 in February 2022 told Human Rights First that she does not know how to request a humanitarian exemption for her daughter who has a respiratory infection and needs specialized medical treatment in the United States. The woman, who had fled death threats in El Salvador by powerful gang that tried to murder her partner said, "we have suffered a lot."

Inhumane Treatment in DHS Custody During Title 42 Expulsions

Asylum seekers who have attempted to seek U.S. asylum have faced inhumane treatment by U.S. immigration officers before being expelled under Title 42 to Mexico or to their countries of origin. Many asylum seekers reported during interviews with Human Rights First in March and April 2022 that they were detained in extremely cold holding cells prior to expulsion, denied food, separated from family members, subjected to racist verbal and physical abuse, and expelled without their personal possessions. For example:

- **CBP held an asylum-seeking Honduran family in freezing cells for days before expelling them under Title 42 without their belongings to Mexico where they were kidnapped just prior to attempting to seek asylum near Calexico.** During their three days in CBP custody, the family of three children and their mother were forced to sleep on the floor of a freezing cold holding cell with nothing but foil blankets to keep warm. When CBP expelled the family under Title 42 to San Luis Río Colorado, the officers did not return the family's possessions, including money, luggage, and medications. They received only their shoes, which were soaking wet and covered in dirt causing painful blisters to develop as the family walked in search of a bus to take them to a shelter.
- **An asylum-seeking Haitian family expelled under Title 42 to Haiti and forced to flee again reported in March 2022 that during the expulsion CBP officers separated the parents from their 16-year-old daughter and subjected the girl to racist abuse.** The family was detained for days in freezing cold CBP holding cells, with the teenager held separately with other children. She told Human Rights First that

during the painful days she was detained away from her parents U.S. officers called her racist names including the N-word.

- **A young Haitian couple fleeing political persecution was mistreated in DHS custody before being expelled in shackles to Haiti under Title 42 in December 2021.** During the three days the couple was detained, they were not allowed to shower or provided with toothbrushes and were given only cold burritos to eat. They were not permitted to seek asylum, as required by U.S law and treaty obligations and were not told they were being expelled to Haiti until after the plane took off.

Asylum Seekers Fleeing Persecution Remain Stranded in Danger in Tijuana

Many asylum seekers facing immediate and urgent danger remain trapped in Tijuana, unable to seek U.S. asylum due to Title 42—some of whom were previously expelled under Title 42.

Asylum seekers stranded in danger in Tijuana due to Title 42 include [thousands](#) of people from Black-majority countries, primarily Haiti as well as Cameroon, Côte d'Ivoire, Ghana, Mali, Mauritania, Nigeria, and Somalia. Many struggle to survive in Tijuana, where they do not have enough to eat or safe housing and face anti-Black discrimination. A Ghanaian man working to assist asylum seekers in Tijuana told Human Rights First: **“Africans cannot go to the other side, and nobody is helping us. It makes me feel like we’ve been left behind.”**

Many Haitians fleeing persecution are also trapped in Tijuana due to Title 42, many afraid to even attempt to seek asylum for fear of being immediately expelled to Haiti. They include:

- **A young Haitian man and his wife fleeing political persecution in Haiti are trapped in Tijuana due to Title 42 and are afraid to seek asylum at the U.S. port of entry for fear they will be expelled again to Haiti.** DHS expelled the couple to Haiti when they attempted to seek asylum in the United States following death threats by an opposition political leader for the man’s support of his brother’s political campaign. After they were expelled to Haiti the threats continued, forcing them to flee again. The couple are now sleeping in a tent at a makeshift shelter with more than 150 other asylum seekers. They are terrified to try to seek U.S. protection with Title 42 in place: **“I’m really, really scared because if I get sent to Haiti again, I’ll be dead,”** the man told Human Rights First.
- **[Tamara](#), a Haitian woman stranded in Tijuana due to Title 42, fled Haiti due religious persecution.** Her ex-partner’s family threatened her with a machete for refusing to convert to the Vodou faith and performed rituals that resulted in the deaths of her two young children. They continue to threaten her, if she returns to Haiti.
- **[Esther](#), a Haitian asylum seeker, remains stranded in Tijuana, where she is experiencing “extreme mental illness and psychosis” a result of extreme gender-based violence she fled in Haiti.** Esther’s ex-husband beat her so severely that he “damaged her stomach and reproductive organs,” nearly killing her.

A March 2022 [report](#) by Haitian Bridge Alliance and the UCSF Center for Gender and Refugee Studies found that that the vast majority of the more than 120 Haitian migrants and asylum seekers interviewed in Tijuana expressed fear of “threats of gang violence, attempted murder, rape, kidnappings” and other violence in Haiti. Human Rights First and Haitian Bridge Alliance separately conducted interviews with 14 Haitian asylum seekers in a Tijuana shelter in late March 2022, all of whom expressed fear of returning to Haiti.

Indigenous asylum seekers are also blocked from protection and stranded in Tijuana due to the continued use of Title 42 by DHS. They include:

- **A schoolteacher and human rights defender from the Indigenous Pech people of Honduras fleeing death threats for his efforts to protect his community’s traditional lands has been stranded in**

Tijuana since August 2021 unable to seek U.S. asylum due to Title 42. The man and his family have been staying in a crowded shelter for months afraid to even attempt to seek asylum for fear they would be expelled to Honduras, where the man broke his arm escaping attackers who killed his brother, who was also a community land defender.

Asylum seekers facing threats to their lives in Mexico, including Mexicans trapped in the country they are trying to flee, are unable to request protection due to Title 42. Many are hiding in shelters for fear of encountering persecutors who are looking for them in Tijuana. A woman who manages a Tijuana migrant shelter told Human Rights First that cartels regularly threaten her, demanding information about shelter residents. **“The cartel comes here to find people. They want to see the list of people I have inside,”** she said.

Asylum seekers hunted by cartels in Mexico but blocked from protection at U.S. ports of entry include:

- **Since March 2022, men have searched at the migrant shelter in Tijuana for a Mexican family fleeing death threats by the cartel that murdered multiple members of their family.** The surviving family members cannot seek asylum in the United States due to Title 42 and have been in hiding at the shelter for months, unable to go outside for fear of being found by the cartel.
- **A Mexican woman who had fled death threats by a cartel who had forcibly disappeared her brother remains in hiding in Tijuana with her two-year-old son, blocked because of Title 42.** The woman began receiving threatening text messages in November 2021 from people who identified her location, forcing her to change her phone number and move to a new shelter. She cannot work for fear her persecutors will find her and depends on donated meals to survive.
- **A Mexican woman and her eight-year-old daughter, fleeing death threats by a cartel who killed the woman’s uncle, has been hiding in a Tijuana shelter since January 2022, awaiting the opportunity to seek U.S. asylum.** “The same cartel governs here,” the woman told Human Rights First. She does not allow her daughter to leave the shelter or attend school for fear of their location being discovered. “I keep her with me all the time,” she said.

Stranded in Dire Conditions

Asylum seekers blocked in Tijuana due to Title 42 face dire living condition, often due to discrimination based on their nationality, race, and status as migrants. Many do not have access to safe, stable housing. As of April 2022, more than 150 Haitian asylum seekers and migrants at a makeshift Tijuana shelter were sleeping in tents with only portable toilets available for sanitation. At another shelter, some 1,000 mostly Central American and Haitian asylum seekers and migrants face crowded conditions with many sleeping on mats on the floor. Some asylum-seeking families have been forced to sleep on the streets. In March 2022, after being evicted along with other asylum seekers from the tent encampment near the San Ysidro port of entry, an asylum-seeking family spent a week sleeping in a park where their two-year-old daughter was nearly kidnapped. An asylum-seeking Mexican family also told Human Rights First they spent several nights sleeping on the streets after several Tijuana shelters turned them away because of lack of capacity.

Many asylum seekers stranded in Mexico due to Title 42 are also denied access to adequate medical care. Tijuana hospitals regularly turn migrants away, including at public hospitals which are required by Mexican law to treat non-citizens with medical emergencies. Black migrants and asylum seekers have reported anti-Black discrimination in Tijuana hospitals. Haitian Bridge Alliance reported that it has repeatedly provided for funeral services for Haitian and other Black asylum seekers and migrants who have died while stranded in Mexico due to the near complete inaccessibility of life-sustaining medical care and other vital assistance. For instance:

- **A teenage Haitian girl died in Tijuana in March 2022 after a Tijuana public hospital initially turned her away, refusing to treat her severe stomach pain.** The hospital admitted the girl the following day

when she returned with a legal advocate, but by that time, her condition had severely worsened. The hospital prohibited the girl's father from entering the facility to visit her. A few days after admitting the girl, hospital staff informed the girl's father that she had died, providing only a death certificate with no record of treatment provided. The father told Human Rights First, "every time a Haitian goes to that hospital, they don't come back."

- **In March 2022, three Tijuana hospitals refused to treat a Haitian asylum seeker who was crying in anguish from severe stomach and back pain,** according to a Ghanaian man who assisted him. One hospital told the Ghanaian man that they would not treat the Haitian man because he was not employed in Mexico—likely a violation of Mexican law.