

1 **MARK BRNOVICH**
2 **ATTORNEY GENERAL**
(Firm State Bar No. 14000)

3 Joseph A. Kanefield (No. 15838)
4 Brunn (Beau) W. Roysden III (No. 28698)
5 Drew C. Ensign (No. 25463)
6 Robert J. Makar (No. 33579)
2005 N. Central Ave
7 Phoenix, AZ 85004-1592
8 Phone: (602) 542-8958
9 Joe.Kanefield@azag.gov
10 Beau.Roysden@azag.gov
11 Drew.Ensign@azag.gov
12 Robert.Makar@azag.gov
13 *Attorneys for Plaintiff State of Arizona*

11 **UNITED STATES DISTRICT COURT**
12 **DISTRICT OF ARIZONA**

14 State of Arizona,
15 Plaintiff,
16 v.

17 Alejandro Mayorkas in his official
18 capacity as Secretary of Homeland
19 Security; United States Department of
20 Homeland Security; Troy Miller in his
21 official capacity as serves as Senior
22 Official Performing the Duties of the
23 Commissioner of U.S. Customs and
24 Border Protection; Tae Johnson in his
25 official capacity as Senior Official
26 Performing the Duties of Director of
27 U.S. Immigration and Customs
28 Enforcement,
Defendants.

No. 2:21-cv-00617-DWL

**THIRD DECLARATION OF ROBERT
J. MAKAR**

25 I, Robert J. Makar, declare as follows:

26 1. I am an attorney licensed to practice law in Arizona. I am an Assistant
27 Attorney General with the Arizona Office of the Attorney General.
28

1 2. Attached hereto as **Exhibit GG** is a true and correct copy of the press
2 release “DHS to Terminate Border Barrier Contracts in Laredo and Rio Grande Valley”
3 issued by DHS on October 8, 2021 and available at <https://tinyurl.com/2uxzm75m>.

4 3. Attached hereto as **Exhibit HH** is a true and correct copy a September 11,
5 2021 letter written by Rodney Scott, retired Chief of the U.S. Border Patrol, addressed to
6 leaders of the U.S. Senate. The letter is publicly available at <https://tinyurl.com/jncnrnr>.

7 4. Attached hereto as **Exhibit II** is a true and correct copy of an article titled
8 “Arizona faces its own border crisis, with Yuma seeing significant increases in illegal
9 crossings,” written by Bethany Blankley for *The Center Square*. The article was
10 published on October 5, 2021, and is publicly available at <https://tinyurl.com/yaajndvr>.

11 5. Attached hereto as **Exhibit JJ** is a true and correct copy of an article titled
12 “EXCLUSIVE: Now Haitian migrants are seen being detained by Border Patrol agents at
13 remote Arizona crossing known as ‘The Gap’ - as the newest hotspot sees a 2,000% spike
14 in arrivals from last year,” written by Ruth Styles for *The Daily Mail*. The article was
15 published on October 3, 2021, and is publicly available at <https://tinyurl.com/ysa5vxn>.

16 6. Attached hereto as **Exhibit KK** is a true and correct copy of the
17 “Environmental Assessment For The Proposed Installation, Operation, And Maintenance
18 Of Primary Pedestrian Fence Near Lukeville, Arizona” issued by CBP in February 2008.
19 The EA is publicly available at <https://tinyurl.com/24vys9mt> (Part 1) and
20 <https://tinyurl.com/abf6e878> (Part 2).

21 7. Attached hereto as **Exhibit LL** is a true and correct copy of an article titled
22 “Homeland Security Secretary: 13K migrants from Del Rio have been conditionally
23 allowed into US,” written by Sandra Sanchez for *Border Report*. The article was
24 published on September 27, 2021, and is publicly available at
25 <https://tinyurl.com/hjs23cs2>.

26 8. Attached hereto as **Exhibit MM** is a true and correct copy of an article
27 titled “From Leaked Border Patrol docs show mass release of illegal immigrants into US
28

1 by Biden administration,” written by Bill Melugin for *Fox News*. The article was
2 published on October 13, 2021, and is publicly available at <https://tinyurl.com/5fjwnwt3>.

3 9. Attached hereto as **Exhibit NN** is a true and correct copy of an article titled
4 “Many migrants staying in US even as expulsion flights rise,” written by Elliot Spagat,
5 Maria Verza, Juan A. Lozano, and Sarah Blake Morgan for *Associated Press*. The article
6 was published on September 23, 2021, and is publicly available at
7 <https://tinyurl.com/y73w5wdh>.

8 10. Attached hereto as **Exhibit OO** is a true and correct copy of an article titled
9 “CBP encounters highest monthly number of migrants attempting to cross border since
10 2000,” written by Luke Barr and Quinn Owen for *ABC*. The article was published on
11 August 3, 2021, and is publicly available at <https://tinyurl.com/2hchh4s8>.

12 11. Attached hereto as **Exhibit PP** is a true and correct copy of an article titled
13 “Unfinished Arizona border barriers harm environment, National Park Service, area
14 ranchers say,” written by Isaac Stone Simonelli for *Tucson Weekly*. The article was
15 published on June 11, 2021, and is publicly available at <https://tinyurl.com/anmwndy2>.

16 12. Attached hereto as **Exhibit QQ** is a true and correct copy of an article titled
17 “Monsoon creating new problems at the unfinished border wall,” written by Greg
18 Bradbury for *ABC KGUN 9*. The article was published on September 1, 2021, and is
19 publicly available at <https://tinyurl.com/2nczrv58>.

20 I declare under penalty of perjury that the foregoing is true and correct to the best
21 of my knowledge, and that this declaration was issued on October 15, 2021, in Phoenix,
22 Arizona.

23
24 s/ Robert J. Makar
25 Robert J. Makar
26
27
28

Exhibit GG



U.S. Department of
Homeland Security

DHS to Terminate Border Barrier Contracts in Laredo and Rio Grande Valley

Release Date: October 8, 2021

WASHINGTON – Consistent with the Department of Homeland Security’s (DHS) border barrier [plan](https://www.dhs.gov/news/2021/06/11/dhs-releases-plan-use-border-barrier-funds) (<https://www.dhs.gov/news/2021/06/11/dhs-releases-plan-use-border-barrier-funds>), U.S. Customs and Border Protection (CBP), in coordination with the U.S. Army Corps of Engineers (USACE), intends to cancel the remaining border barrier contracts located within U.S. Border Patrol’s (USBP) Laredo Sector and all border barrier contracts located in the Rio Grande Valley Sector.

CBP will then begin environmental planning and actions consistent with the National Environmental Policy Act (NEPA) for previously planned border barrier system projects located within the Rio Grande Valley, Laredo, and El Centro Sectors.

Environmental planning activities will cover projects funded with DHS’s Fiscal Year 2018-2021 barrier system appropriations where construction had not started. These activities include additional biological, cultural, and natural resource surveys for project areas where no data have been previously collected. CBP will also conduct comprehensive and targeted outreach with interested stakeholders, including impacted landowners, tribes, state and local elected officials, and federal agencies.

These activities will not involve any construction of new border barrier or permanent land acquisition.

The Administration continues to call on Congress to cancel remaining border wall funding and instead fund smarter border security measures, like border technology and modernization of land ports of entry, that are proven to be more effective at improving safety and security at the border. Until and unless Congress cancels those funds, the law requires DHS to use the funds consistent with their appropriated purpose, and beginning environmental planning activities is part of the Department’s plan to do so.

This announcement has no impact on [previously approved](https://www.dhs.gov/news/2021/07/27/dhs-address-life-safety-environmental-and-operational-considerations-specific-border) (<https://www.dhs.gov/news/2021/07/27/dhs-address-life-safety-environmental-and-operational-considerations-specific-border>), remediation projects necessary to address life, safety, and environmental restoration issues in the Rio Grande Valley, San Diego, and El Centro Sectors in accordance with the Department’s [plan](https://www.dhs.gov/news/2021/06/11/dhs-releases-plan-use-border-barrier-funds) (<https://www.dhs.gov/news/2021/06/11/dhs-releases-plan-use-border-barrier-funds>).

Keywords: [Southwest Border](https://www.dhs.gov/news/2021/10/08/dhs-terminate-border-barrier-contracts-laredo-and-rio-grande-valley) ([/keywords/southwest-border](https://www.dhs.gov/news/2021/10/08/dhs-terminate-border-barrier-contracts-laredo-and-rio-grande-valley)).

Last Published Date: October 8, 2021

Exhibit HH

Rodney S. Scott
Chief, U.S. Border Patrol- Retired
P.O. Box 180632
Coronado, CA 92178

September 11, 2021

The Honorable Charles Schumer
Senate Majority Leader
United States Senate
Washington, DC 20510

The Honorable Mitch McConnell
Senate Minority Leader
United States Senate
Washington, DC 20510

The Honorable Gary Peters
Committee on Homeland Security &
Governmental Affairs, Chairman

The Honorable Rob Portman
Committee on Homeland Security &
Governmental Affairs, Ranking Member

Dear Majority Leader Schumer, Minority Leader McConnell, Senator Peters, and Senator Portman,

I am writing to you today in consideration of your oversight role for the Department of Homeland Security (DHS). I served as a U.S. Border Patrol (USBP) agent and federal law enforcement agent for over 29 years. I served under five different presidential administrations. I began my career in 1992. I competitively progressed through the ranks and earned key leadership roles to include Deputy Executive Director of U.S Customs and Border Protection (CBP), Office of Anti-terrorism; Director of CBP, Office of Incident Management and Operations Coordination; Patrol Agent in Charge, Brown Field Station; Chief Patrol Agent, El Centro Sector; and, Chief Patrol Agent, San Diego Sector. Ultimately, I earned the rank of Chief, USBP in February 2020. I served as President Biden's Chief of USBP for the first 7 months of his presidency until I chose to retire on August 14, 2021. I can assure you that for my entire career, I worked diligently to secure our international borders as a nonpartisan civil servant. I respectfully ask that you consider this as you reflect on the concerns outlined below.

The position of Chief, USBP is a career civil service position and not a political appointment. As Chief, I was the most senior official responsible for border security between the ports of entry. I witnessed the unprecedented seismic shift in border security and immigration policy that was initiated on January 20, 2021. I believe this policy shift and the associated public statements created the current border crisis. Of greater concern, I also witnessed a lack of any meaningful effort to secure our borders. Contrary to the current rhetoric, this is not simply another illegal immigration surge. This is a national security threat.

Today, on the 20th anniversary of the horrific 9-11 terrorist attack, as I reflect on the significant border security advances that we had made, I am sickened by the avoidable and rapid disintegration of what was arguably the most effective border security in our Nation's history. Common sense border security recommendations from experienced career professionals are being ignored and stymied by inexperienced political appointees. The Biden administration's team at DHS is laser-focused on expediting the flow of migrants into the U.S. and downplaying the significant vulnerability this creates for terrorists, narcotics smugglers, human traffickers, and even hostile nations to gain access to our homeland.

In my professional assessment, the U.S. Border Patrol is rapidly losing the situational awareness required to know who and what is entering our Homeland. The ability of USBP to detect and interdict those that want to evade apprehension is being degraded daily. Low level, unsophisticated and uneducated smugglers are illegally crossing the border and increasingly evading apprehension daily. To think that well-resourced terrorist networks, criminal organization, and hostile nations are not doing the same is naive. The current situation is unsustainable and must be mitigated.

The experienced civil service staff within CBP, ICE and DHS have provided multiple options to reduce the illegal entries and reestablish some semblance of border security through proven programs and consequences, yet every recommendation has been summarily rejected. Secretary Mayorkas is choosing to ignore the sound recommendations of career government leadership despite his own admissions that he agrees with them. Of grave concern, is the fact that the Secretary and other political appointees within DHS have provided factually incorrect information to Congressional Representatives and to the American public. Furthermore, they have directed USBP personnel to allow otherwise ineligible aliens to remain in the U.S. inconsistent with the CDC Title 42 Order, established legal processes and law. The professional staff within DHS is left perplexed, wondering who is really in charge and what the objective is.

As a direct result of these decisions, control of our borders has disintegrated overnight. While the sheer volume of aliens is overwhelming, it is critical that policy makers understand that these mass incursions are not simply an immigration issue. These illegal entries are being scripted and controlled by Plaza Bosses that work directly for the transnational criminal organizations (TCO) to create controllable gaps in border security. These gaps are then exploited to easily smuggle contraband, criminals, or even potential terrorists into the U.S. at will. Even when USBP detects the illegal entry, agents are spread so thin that they often lack the capability to make a timely interdiction. It is important to remember that the border is not the destination, but only a transit point en route to cities and towns throughout the United States.

This is not hyperbole. I urge you to request detailed information from DHS/CBP on the number of individuals with Terrorist Screening Database (TSDB) alerts that USBP has arrested this fiscal year. To ensure that you are not misled, please specifically ask for comparative data from previous years broken

down by method of apprehension/encounter and immigration status at the time of the encounter. I believe you will find this data troubling. The current DHS leadership will no doubt attempt to downplay these numbers. I would like to remind you that 9-11 was carried out by 19 terrorists and that countless terrorist attacks around the world have been carried out by a single person.

I also encourage you to ask questions about the surge in USBP personnel assigned to the border in Texas. What national security and public health risks are we knowingly accepting in the areas these agents were pulled from? How many miles of border are now going unpatrolled daily to facilitate expedited processing and ultimately the release of these illegal aliens into the U.S.? What threats are we allowing into the U.S. by continuing to accept over 1000 documented got-a-ways each day? What programs and or IT system developments have been shut down or significantly delayed due to limited resources being redirected to the mass migration crisis? What impact has the current crisis had on the ability of USBP to conduct thorough debriefings of individuals to determine intentions, threat and to document transnational criminal activity?

For context, just prior to my retirement, this fiscal year USBP had encountered over 1,277,094 aliens illegally entering the U.S. and documented over 308,000 known got-a-ways. At 0800hrs on 08/01/21, there were over 18,000 aliens in USBP custody which equated to more than three times USBP's capacity of 5118. Only about 5,100 aliens were fully processed with over 13,000 individuals unprocessed. Over 7,000 aliens had been in custody for over 72 hours. For contrast, on 08/01/2019, USBP had 4,946 in custody. On 08/01/2020, USBP had 408 in Custody. On 02/01/2021, USBP had 2,375 subjects in custody.

In a 24-hour period on 08/01/21, USBP documented over 5,900 encounters of individuals illegal entering the U.S. from 33 different countries. This included over 560 unaccompanied children. Agents also documented over 1100 got-a-ways. Of note, this is at a time when hundreds of miles of border went unpatrolled due to manpower and capability limitations. Despite the above, the CBP Chief Operating Officer continued to assert that USBP agents must simply process aliens faster. Any discussions about consequence to illegal entry or securing the border were immediately stymied.

In addition to the clear national security implications of an uncontrolled border, it is unconscionable that as COVID-19 continues to spread, DHS would choose to voluntary carve out policy exceptions to Title-42 (T42) authority. These carve outs do not appear to comport with any medical assessments that I have read. These policy carve outs are unquestionably placing the lives of CBP personnel, U.S. citizens and the migrants themselves at increased risk. In October 2020, over 91% of total encounters by USBP were processed under T-42 and expelled in an average of 90 minutes. A report I received on August 1, 2021, indicated that nearly 53% were being granted exemptions from T-42 with the majority ultimately being released into the United States. CBP lacks the adequate facilities and resources to conduct Covid testing without significantly increasing the risk to exposure and further degrading border security. Therefore,

any Covid testing is conducted on a voluntary basis by private non-governmental organizations. There is no mandated vaccine prior to release.

Processing an alien that illegally enters the U.S. under T42 authority can be accomplished in approximately ten minutes while avoiding congregate settings where COVID-19 exposure would be increased. Consequently, processing an individual under Title 8 (T-8), to include a Notice to Appear (NTA) takes approximately two hours and is completed inside an enclosed processing center. If the alien will be transferred to ICE, vice released immediately on their own recognizance (OR), the time in custody will increase even further and routinely exceeds 72 hours.

Increased processing time has direct border security implications. For example, processing 500 aliens under T-42, or even with a Notice to Report equates to approximately 93 additional Border Patrol agents remaining on patrol duties when compared to the time required to process an equal number of aliens under T-8 for Notice to Appear/Release on Own Recognizance (NTA/OR). Every agent back on patrol increases situational awareness and reduces the ability of adversaries to further exploit our borders.

The number of encounters/arrests recorded by USBP is only part of the story. As of Aug 1, 2021, USBP agents had responded to and resolved well over 1.805M events. Infrastructure and technology are key components of USBP's strategic plan and staffing model. Unfortunately, DHS has intentionally slow rolled the implementation of Presidential Proclamation 10142 creating significant new vulnerabilities that are getting worse every day. Even though the proclamation directed that all wall construction be paused for 60 days, over seven months has passed with little progress toward any resolution. Border security beyond the physical barrier is also being degraded as political appointees expanded the pause to include technology deployments that were separate from the barrier construction.

Career CBP and USBP personnel have provided multiple in-depth briefings to the Biden administration on each individual project. This included when and who identified the original operational requirement for the barrier. In most cases the requirement originated prior to the Obama administration. As a direct result of these delays USBP has been forced to reduce patrol areas to address gaps in barrier, non-functional gates and grates and inoperable technology. I am extremely confident that the Biden administration to include Secretary Mayorkas are fully aware of the significant operational risk and the monetary costs associated with the construction pause, which at times reportedly exceeded \$5M a day. I was briefed by USBP and CBP personnel with direct knowledge that leadership within the Biden administration openly discussed ways to slow roll any decisions as well as options to do the least action possible to avoid an Impoundment Act violation without doing any construction as required by law. Something as simple as re-connecting shore power to the Calexico Port of Entry to reduce the environmental impact of diesel-powered generators took months simply because the work was being conducted under the border wall contracts. Even connecting electrical power to an existing security gate

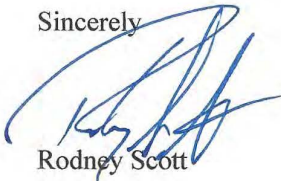
to reduce manpower requirements was unfathomable to the current leadership. I believe this equates to waste, fraud, and abuse.

As I stated upfront, it is my professional assessment that transnational criminal organizations (TCO), and other more dangerous actors are increasingly exploiting identified border security vulnerabilities. The threats are real, and the situation is unsustainable, yet the current administration refuses to take any meaningful action.

It is important to note that I have only addressed issues directly associated with the Border Patrol's mission. As a senior executive leader within CBP, I was also privy to decisions that negatively affected security and legitimate trade and travel operations at our Ports of Entry.

Please ensure that Americans get the border security that we already paid for and deserve. I respectfully request that you exercise your oversight responsibility and convene hearings to ensure that Congress and the American people have access to the truth. To help ensure that accurate information is provided, I am willing to appear and testify under oath as well.

Sincerely

A handwritten signature in blue ink, appearing to read "Rodney Scott", written over a white background.

Rodney Scott

Retired – Chief U.S. Border Patrol

Honor First!

Exhibit II

https://www.thecentersquare.com/arizona/arizona-faces-its-own-border-crisis-with-yuma-seeing-significant-increases-in-illegal-crossings/article_e94f0d58-25f3-11ec-97b8-8f52482b8685.html

TOP STORY

Arizona faces its own border crisis, with Yuma seeing significant increases in illegal crossings

By Bethany Blankley | The Center Square contributor
Oct 5, 2021



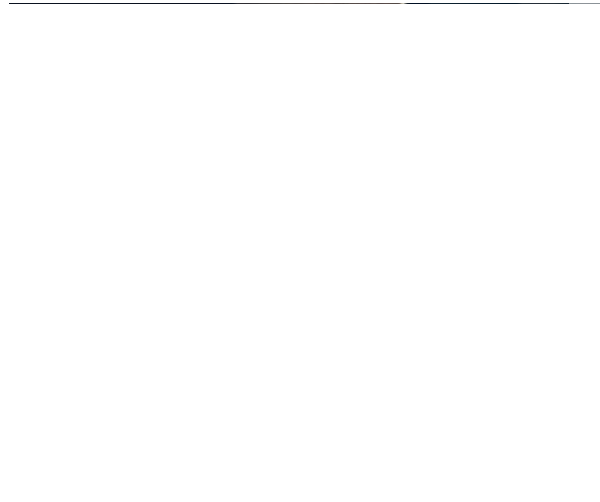
In this June 10, 2021 file photo, a pair of migrant families from Brazil pass through a gap in the border wall to reach the United States after crossing from Mexico to Yuma, Ariz.

Eugene Garcia | AP

(The Center Square) – While much of the world watched roughly 15,000 Haitians illegally cross the Rio Grande River from Mexico into Del Rio, Texas, last month, an area near Yuma, Arizona, has become the Grand Canyon State’s Del Rio equivalent.

Known as "The Gap," a well-known break in the border fence near the Morelos Dam is where migrants illegally cross the border into Arizona – walking across the Colorado River from the Mexican border town of Los Algodones.

In August, 17,000 people illegally crossed into the Yuma Sector. That's compared to 694 in August 2020, according to U.S. Customs and Border Patrol data, an increase of more than 2,300%.



By mid-September, the daily average was more than 600 migrants arriving in the Yuma sector, also an increase of more than 2,000% from the same time last year.

On Sept. 23, Yuma Border Patrol agents encountered more than 1,000 migrants who illegally crossed the border, "a new fiscal year record for daily apprehensions," Chief Patrol Agent Chris T. Clem **tweeted**. They came from 21 different countries, he said.





The previous weekend, Yuma agents apprehended more than 2,400 migrants, which included several large groups and a human smuggling operation, he added in a separate **tweet**.

The Yuma Sector, in the southeast corner of Arizona, comprises about 181,670 square miles of primarily desert terrain divided between California and Arizona. It covers 126 miles of the U.S. southern border from the Imperial Sand Dunes in California to the Yuma-Pima County line in Arizona. The area consists of vast open deserts, rocky mountain ranges, large drifting sand dunes and the Colorado River.

Yuma Station Agent Vincent Dulesky told **DailyMail.com** that the crossings are “relentless,” taking place 24 hours a day, seven days a week.

One apprehended Haitian told DailyMail.com, “We had heard of The Gap and people said this is the place to come.” He said he came “because my family are here – my mom and dad. I was in Brazil before. I want to have a life here and work.”

Another Haitian family said, “We were in Chile but we heard the border was open so we went to Mexicali and then came here [Yuma].”

Border Patrol facilities are overwhelmed in Arizona, agents say, with one camp designed to hold 500 people now holding more than 1,300.

Republican Gov. Doug Ducey earlier this year issued a state of emergency order and disaster declaration over the border crisis. He also launched an interstate compact with Texas Gov. Greg Abbott, also a Republican, in June, calling on other governors to send forces to help secure the southern border in response to Biden administration policies facilitating the surge at the border.

Ducey and Abbott are hosting nine Republican governors in Mission, Texas, on Wednesday to discuss border security concerns. Many of the governors have already sent members of their national guard, state troopers, or other law enforcement agents to Arizona or Texas on temporary assignments. They've also reported that their states have been inundated with human and drug smuggling, as well as increased drug overdoses due to a surge of cheap supplies of methamphetamine and fentanyl flowing into their states through the southern border.

The 11 governors convening Wednesday are also part of a group of 26 governors who previously called on President Joe Biden to end his open border policies and requested a meeting at the White House. They have not yet received a response.

"The months-long surge in illegal crossings has instigated an international humanitarian crisis, spurred a spike in international criminal activity, and opened the floodgates to human traffickers and drug smugglers endangering public health and safety in our states," they wrote in their **letter** to Biden.

"A crisis that began at our southern border now extends beyond to every state and requires immediate action before the situation worsens," they added. "The negative impacts of an unenforced border policy on the American people can no longer be ignored."

According to Customs and Border Patrol data, apprehensions in August increased by nearly 500% along the southern border compared to last August. Nearly 209,000 people came through, a 21-year-high.

By mid-September, more than 1.3 million people had been apprehended, a number greater than the populations of nine states, with another several hundred thousand estimated to have evaded capture.

Exhibit JJ

YOUR VOICE MATTERS **NO TAX INCREASE**
Paid for by Yes for Phoenix Union

DailyMail.com

EXCLUSIVE: Now Haitian migrants are seen being detained by Border Patrol agents at remote Arizona crossing known as 'The Gap' - as the newest hotspot sees a 2,000% spike in arrivals from last year

- A little-known crossing point near the Arizona city of Yuma is known as 'The Gap' and is the site of a brewing border crisis that could come to rival better-known Texas hotspots such as the Rio Grande Valley
- The Gap is a break in the border fence close to the Morelos Dam which allows an easy crossing of the Colorado River from the town of Los Algodones in Mexico
- DailyMail.com witnessed groups of migrants from Haiti, Colombia and Honduras crossing and being detained

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Sandra Day O'Connor College of Law
Arizona State University

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...6% spike in arrivals compared to this time last year, with up to 900 people
 ...ma compared to just 694 for the same time in 2020
 ...that word has spread that The Gap is an easy place to cross
 ...helmed and the camp designed to hold 500 people is packed with 1,300

- Border Patrol agents told DailyMail.com the crossings are 'relentless' and are happening 24 hours a day, seven days a week

By [RUTH STYLES IN YUMA, ARIZONA, FOR DAILYMAIL.COM](#)
 PUBLISHED: 16:22 EDT, 1 October 2021 | UPDATED: 15:45 EDT, 3 October 2021

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Ballots Are Here. MAKE A PLAN. **NO TAX INCREASE**
Paid for by Yes for Phoenix Union

Huddled in the sand and surrounded by the discarded shoes, scrunchies and phones of those who came before them, this is the moment a group of Haitians was apprehended by Border Patrol at a remote spot known to

migrants as 'The Gap.'

The little-known crossing point near the **Arizona** city of Yuma is the site of a brewing border crisis that could come to rival the better-known **Texas** hotspots such as the Rio Grande Valley, and more recently, Del Rio.

The figures alone are stark: the Yuma sector has seen a 2,399.6% spike in arrivals compared to this time last year, with up to 900 people crossing each day.



In August, the most recent month for which figures are available, 17,000 crossed into Yuma compared to just 694 for the same time in 2020.

As a result, Border Patrol facilities are overwhelmed: even the tented overflow camp built in April and designed to hold 500 people is stuffed with 1,300 inmates.

'The Gap' in Yuma, AZ seeing 2339% increase in illegal migrants

[Watch the full video](#)

MORE VIDEOS

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DailyMail.com witnessed groups of migrants from Haiti, Colombia and Honduras crossing and being detained by Border Patrol agents





© Andy Johnstone for DailyMail.com

The vast majority arrive via the Gap – a break in the border fence close to the Morelos Dam which allows an easy crossing of the Colorado River from the town of Los Algodones on the Mexican side



© Andy Johnstone for DailyMail.com

The little-known crossing point near the Arizona city of Yuma is known as 'The Gap' and is the site of a brewing border crisis that could come to rival better-known Texas hotspots such as the Rio Grande Valley





The little-known crossing point near the Arizona city of Yuma is the site of a brewing border crisis that could come to rival the better-known Texas hotspots such as the Rio Grande Valley, and more recently, Del Rio



The Yuma sector in Arizona has seen a 2,399.6% spike in arrivals compared to this time last year, with up to 900 people crossing each day





Border Patrol agents are stretched thin over the crisis which has seen a growing number of Haitian, Colombian and Honduran migrants cross into the US





© Andy Johnstone for DailyMail.com

📷 +25

In August, the most recent month for which figures are available, 17,000 crossed into Yuma compared to just 694 for the same time in 2020



© Andy Johnstone for DailyMail.com

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Border Patrol agents told DailyMail.com the crossings are 'relentless' and are happening 24 hours a day, seven days a week

The vast majority arrive via The Gap – a break in the border fence close to the Morelos Dam which allows an easy crossing of the Colorado River from the town of Los Algodones on the Mexican side.

Vincent Dulesky of Border Patrol Yuma Station said many of the arrivals come from Honduras, Guatemala and El Salvador but added they are seeing increasing numbers of Haitians – who made up the majority of new arrivals when DailyMail.com visited.

Known to Haitians as 'le Trou', the migrants told DailyMail.com that word has spread that The Gap is an easy place to cross.

'We had heard of The Gap and people said this is the place to come,' Wendell Fify, 17, said before he was bundled into a Border Patrol van.

He added: 'It's a gap in the fence so we came here. I came to the US because my family are here – my mom and

dad. I was in Brazil before. I want to have a life here and work.'

He was accompanied by another Haitian family: Jamal, 37, his wife Bianca, 27, and their daughter Jacquentia, three.

Jamal told DailyMail.com that the family had been living in Chile but decided to travel to The Gap after hearing the border was open.

He said: 'We were in Chile but we heard the border was open so we went to Mexicali and then came here [Yuma].

'We are desperate for a good life for our daughter. We spent all our money to come. It's bad in Haiti – it's dangerous and violent with gangs. We can't live there.'

With them was Colombian Juan Sebastian who was traveling with daughters Martina, 12, and Alyssa, two.

He told DailyMail.com that he had sold all of his possessions to pay for a flight to Tijuana, an onward bus ride to Los Algodones and the \$2,000-per-person fee to cross charged by the local cartel smugglers.

Juan Sebastian said: 'I'm here in search of a safe place and a better future for my daughters. It was a difficult thing to do because we had to sell what little we had to get here.'

This comes as Panama's foreign minister warned that another wave of some 60,000 migrants, mostly Haitian nationals, is now headed toward the southern US border.

Foreign Minister Erika Mouynes expressed exasperation during a visit to Washington DC this week, saying that Panama has been warning the Biden administration for months about the recent surge in irregular migration.

'We sounded the alarm when we should have,' Mouynes told Axios. 'We've engaged with every single authority that we can think of, that we can come across, to say, 'Please, let's pay attention to this.'"





Known to Haitians as 'le Trou', the migrants told DailyMail.com that word has spread that The Gap is an easy place to cross



Haitian family Jamal, 37, his wife Bianca, 27, and their daughter Jacquenticia, three, were seen at the border. Jamal (pictured with his daughter) told DailyMail.com that the family had been living in Chile but decided to travel to The Gap after hearing the border was open





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Colombian Juan Sebastian (pictured) was traveling with daughters Martina, 12, and Alyssa, two. He told DailyMail.com that he had sold all of his possessions to pay for a flight to Tijuana, an onward bus ride to Los Algodones and the \$2,000-per-person fee to cross charged by the local cartel smugglers



© Andy Johnstone for DailyMail.com

Yuma is less dangerous than the neighboring El Centro sector which is completely fenced off and is only accessible for those with the means to pay up to \$10,000 to people smugglers who bring them across





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DailyMail.com witnessed migrant climb down a slope leading to the Morelos Dam – a joint US-Mexican installation in the Rio Colorado River



DailyMail.com saw the migrants scramble past a sluice gate running alongside the dam, crossing into the US halfway before continuing up to the Gap and out into the fields

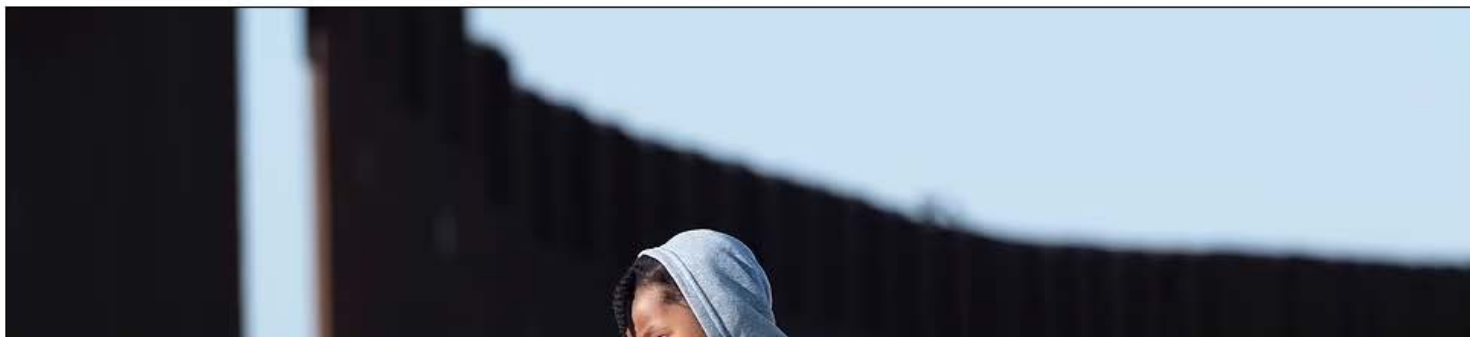




A father hugs his daughter after crossing over into the U.S. via 'The Gap' at the Arizona border



For Border Patrol's Yuma Station, which alone covers 61 miles of border, the task of dealing with thousands of migrants is exhausting, officers tell DailyMail.com





Most of the migrants immediately surrendered to Border Patrol but others, mainly single men and women who face being thrown out instantly under Title 42, attempted to slip away through the fields



© Andy Johnstone for DailyMail.com

Although some migrants cross further east in the Cabreza Pieta National Wildlife Refuge, the vast majority arrive via The Gap – with DailyMail.com witnessing a stream of people coming through at the rate of 10 to 20 every half hour



Some groups were ushered across the border by cartel coyotes who would bring them halfway before heading back to Mexico – a process captured on camera by DailyMail.com

Border Patrol agents told DailyMail.com the crossings are 'relentless' and are happening 24 hours a day, seven days a week.

Although some migrants cross further east in the Cabreza Pieta National Wildlife Refuge, the vast majority arrive via the Gap – with DailyMail.com witnessing a stream of people coming through at the rate of 10 to 20 every half hour.

The routine never varied. First, migrants would climb down a slope leading to the Morelos Dam – a joint US-Mexican installation in the Rio Colorado River.

Then, they would scramble past a sluice gate running alongside the dam, crossing into the US halfway before continuing up to the Gap and out into the fields.

Some came alone. Other groups were ushered across the border by cartel coyotes who would bring them halfway before heading back to Mexico – a process captured on camera by DailyMail.com.

Most immediately surrendered to Border Patrol but others, mainly single men and women who face being thrown

out instantly under Title 42, attempted to slip away through the fields.

Others pretend to be younger than they are. Jackson Garcia, of San Pedro Sula, Honduras, told DailyMail.com he was 17.

He said: 'It was too hard to live there [in San Pedro Sula]. I had to get out so I came here by myself.'

A few minutes later, he told a skeptical Border Patrol agent he was 16. The agent said: 'A lot of them pretend to be younger than they are so they're exempt from Title 42.'

'He couldn't remember his date of birth when I asked him so we'll have a look at birth certificates and see if we can match him up. It's relatively simple to see if they're making it up.'

According to Todd Bensman of the Center for Immigration Studies, many of the migrants who head to Yuma plan to end up in California.

He told DailyMail.com: 'Yuma is where the people who want to go to California go - it's closer than the crossing points in Texas.'



One migrant told DailyMail.com before being bundled into a Border Patrol van, 'We had heard of the Gap and people said this is the place to come'



© Andy Johnstone for DailyMail.com

Vincent Dulesky of Border Patrol Yuma Station said many of the arrivals come from Honduras, Guatemala and El Salvador but added they are seeing increasing numbers of Haitians - who made up the majority of new arrivals when DailyMail.com visited





Individual agents told DailyMail.com that because Title 42 doesn't permanently bar would-be immigrants permanently, they have found themselves arresting the same people repeatedly



Border Patrol agents tell DailyMail.com that their station is so over stretched it has had to draft in officers from the Yuma Police Department under a Biden administration program called Operation Stone Garden that pays police to help Border Patrol when needed





Border Patrol facilities are now overwhelmed and even the tented overflow camp built in April and designed to hold 500 people is stuffed with 1,300

Yuma is also less dangerous than the neighboring El Centro sector which is completely fenced off and is only accessible for those with the means to pay up to \$10,000 to people smugglers who bring them across.

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Although a nightmare for law enforcement, for the Haitians and others who make it to the Gap, this is their first step towards the American dream.

After asking DailyMail.com when Border Patrol would arrive, one Haitian mom said: 'I am so exhausted – it took a long time and we have come very far. We came through the Darien Gap.

'But now things will be better. We are in America.'