

## DECLARATION OF JUAN MARTINEZ IN SUPPORT OF HIS APPLICATION FOR ASYLUM

1. I was born on October 27, 1971 in Apatzingan, Michoacan, Mexico. I have three brothers and I am the second oldest. My father was a mechanic and my mother took care of the house. My father also worked for the military and police in Mexico.
2. I realized I am gay when I was around 10 or 11 years old. I never played with the other boys my age; only the girls. I felt attracted to boys in a romantic way but not to the girls.
3. My father always treated me differently. He was stricter with me than my brothers. He scolded me more and beat me more. My father beat me with whatever he could find or that was in his hands; his belt, a shoe, an electric cord. He always tried to make me come with him to his mechanic shop but I never wanted to. I didn't like helping him because I didn't like getting my hand dirty with engine grease. When I didn't want to go my father told my mother I had to go with him because he needed to teach me how to be a man.
4. When I was around 10 years old I was riding with my father and his friend who was in the military in my father's truck. We passed by a man who everyone in my town knew was gay because wore make-up and acted flamboyantly. My father told his friend that if he ever had a son like that he would kill him. My father's words terrified me and I knew that I would never be able to tell him that I am gay and that he would never accept me.
5. My cousins teased and insulted me for being gay. They called me names like *maricón* (faggot) and made fun of me for preferring to spend time with girls. My older brother called me a *maricón* and *joto* (faggot) when we got into arguments.
6. I started school when I was around 6 years old. The bullying started when I was in the fourth or fifth grade and continued until I stopped going after I graduated secondary school. My classmates called me derogatory names like *joto* and *maricón* and beat me up. Several times groups of boys would corner me in the bathroom and beat me while they called me names. Sometimes a boy would get on top of me after they had knocked me to the ground and pretend that he was raping me.
7. One of my teachers liked to make comments about how he thought I was gay. He had a habit of taking attendance by calling out a student's first name and then a famous person's last name. He always called me Juan Gabriel which was the name of a famous singer who was openly gay. I had no choice but to yell out, "Present," when he said that name because otherwise I would be marked absent and my grade would be lowered. This made all the other kids in my class laugh and tease me.
8. When I was growing up my father had a mistress that everyone knew about. He didn't try and hide it from my mother. My father was best friends with his mistress' brother. When I was around 8 or 9 years this man sexually abused me for the first time. I believe his name was Carlos. My father and Carlos liked to go hunting in the mountains and my father forced me to go along with them because he said hunting would make me into a man.

9. I believe the first time Carlos sexually abused me was on a hunting trip but he also abused me in our town. I think my father knew what Carlos did to me because he only made me go with them on their hunting trips and not my brothers. On these trips my father sent me off to go hunt with Carlos and their other friends who sometimes came along. Carlos and the other men raped me and forced me to give them oral sex when my father was not around. Often times I passed out because of the pain so I don't know how many men would rape me at once. Carlos and his friends called me names like *joto* and *puto* both in front of my father and also when they sexually abused me.
10. Carlos and his friends threatened me to keep me quiet. Carlos threatened to harm my mother if I ever told anyone what they did to me. Carlos's sister, my father's mistress, was known as a *bruja* (witch) in our town and I was scared that she would put a curse on my mother. Carlos also worked in the military and the police with my father which made me even more frightened of him.
11. Carlos and his friends continued to sexually abuse me for many years. After one of the last times Carlos sexually abused me I tried to kill him with a knife that I brought with me. I was so desperate to make the abuse stop. He was able to take the knife away from me.
12. Walking down the street of my town I was subjected to insults and even violence because I am gay. Several times I was attacked by strangers on the street and one time I was hit so hard in the mouth that I started to bleed. People called me *pinche maricón* (fucking faggot) and *joto* when they attacked me. I didn't feel safe leaving the house.
13. When I was around 17 or 18 years old I moved to Monterrey, Mexico to live with my uncle. I worked at a furniture factory. The other employees often made comments about my sexual orientation which made me feel unsafe and uncomfortable.
14. In Mexico I dated a woman so that people would stop questioning my sexual orientation and pressuring me to act like a "normal" man. I felt nothing for her and felt bad that I was using her.
15. The first time I came to the United States I was around 19 years old. I came to escape my life in Mexico and the abuses I had suffered. My aunt was living in the United States at the time and she invited my older brother and me to come live with her. We crossed the border around September 1991 near San Ysidro, California and traveled to Madera, California where my aunt lived.
16. I lived with my aunt for three or four years and then moved into a house with my brother, his friend, and his friend's family. I continued to hide my sexual orientation because I was living with family and I knew they would not accept me.
17. In December 1997 I returned to Mexico because my mother was ill. She has a bad heart and needed to get surgery. I stayed for about two weeks to help my mother recover from the

surgery and then returned to the United States. I crossed the border in January 1998 near San Ysidro, California.

18. In February 2001 I learned that I am HIV positive. I couldn't believe the results and asked the clinic to test me again. I felt like it was a death sentence.
19. I have had two serious partners in the United States.
20. I continue to hide my sexual orientation from my family. My mother usually visits the United States every summer because she has a tourist visa. She stays with my aunt and uncle in Madera and I visit her on the weekends. Before she visits I always tell myself that this is going to be the year that I tell her I am gay but I never do. I love my mother and am very close to her and I fear her rejection.
21. I first heard about asylum from my friend Luis who lives in Napa. He told me about a place in Berkeley called the Sanctuary where I could get help. I think first told me at the end of 2016 but I was too scared to go. It took many times of Luis telling me I should go for me to make an appointment. I don't like thinking about my past and the idea of talking about it with someone terrified me. Luis finally convinced me to go to the Sanctuary in April 2017.
22. I have only told my story to three people: a close friend from Fresno who suffered similar abuse in Mexico, my lawyer, and the psychologist my lawyer sent me to see. I recently started going to a support group at the clinic where I get my HIV medicine which has been helpful to me, but I don't share my story with people in the group. We mostly talk about how we are feeling and don't go into what happened to us before.
23. I don't go out a lot. I don't like to leave my house. When my friends invite me to a movie or to go to a bar with them I usually refuse. I don't like to be around a lot of people.
24. I am scared to return to Mexico because I believe my father and Carlos are still alive. I think Carlos will try and kill me if I return to Mexico. Both my father and Carlos work for the police and military and because of that the police in Mexico would not protect me from them.
25. In Mexico, gay people are beaten, tortured, and sexually abused. I know because these things happened to me and I don't want my past to repeat itself.
26. Now that I am HIV+ I fear returning to Mexico even more. Being gay and HIV+ puts me at risk of suffering more violence and discrimination. People in Mexico don't understand how HIV is transmitted and I could be killed because of people's ignorance and prejudice. I also fear not being able to have access to the medication I need to keep the virus from killing me.

For these reasons I am applying for asylum in the United States.