

1 **UNITED STATES DISTRICT COURT**  
2 **DISTRICT OF ARIZONA**

3 State of Arizona,  
4 Plaintiff,  
5 v.

Case No: 2:21-cv-00617-DWL

6 Alejandro Mayorkas in his official  
7 capacity as Secretary of Homeland  
8 Security; United States Department of  
9 Homeland Security; Troy Miller in his  
10 official capacity as serves as Senior  
11 Official Performing the Duties of the  
12 Commissioner of U.S. Customs and  
13 Border Protection; Tae Johnson in his  
14 official capacity as Senior Official  
15 Performing the Duties of Director of U.S.  
Immigration and Customs Enforcement;  
United States Department of Defense;  
Lloyd Austin in his official capacity as  
Secretary of Defense,  
Defendants.

**DECLARATION OF MARK DANNELS**

16 I, Mark Dannels, declare as follows:

17 1. I am competent to testify as to the matters contained herein and make this  
18 declaration based on my own personal and professional knowledge, law enforcement  
19 expertise, and the information available to me in my positions in public service.  
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21 2. I currently serve as Sheriff of Cochise County, Arizona, and have been a  
22 law enforcement officer for over 37 years.

23 3. Cochise County includes over 80 miles of the international border between  
24 the United States and Mexico, east of Nogales, AZ.

25 4. Construction of the border wall was ongoing in Cochise County until it  
26 ceased on or about January 20, 2021, roughly four weeks shy of the anticipated  
27 completion time the construction contractors communicated to my office  
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1           5.       The border wall construction site left behind by the crews is incomplete and  
2 in its current state is worse in many respects than it was before construction started.

3           6.       Significant gaps exist in the wall through which illegal human traffic  
4 funnels into the United States, and ground sensors that were installed as part of the wall  
5 project have not been made fully operational

6           7.       Individuals illegally crossing through these gaps cut trails, trample plant  
7 life, and leave behind litter and potentially hazardous waste including soiled clothing and  
8 excrement.

9           8.       Much of the border area of Cochise County, representing the southeastern  
10 corner of Arizona, contains natural barriers such as mountains and large desert.

11          9.       The border wall construction site added now-unprotected infrastructure to  
12 some of these places, making the passage easier to those entering the country illegally.

13          10.      Other areas contain construction roads where the natural land surface was  
14 turned into a dirt road but not finished into an all-weather road. These construction roads  
15 can flood or otherwise become impassable during and after rains, making law  
16 enforcement patrol of certain border areas impossible at times.

17          11.      Drug cartels and other smuggling operations take advantage of the  
18 opportunity where these road conditions restrict law enforcement movement along the  
19 border (due to the condition of the roads running parallel to the wall) to increase their  
20 traffic, across the border in areas law enforcement cannot reach when it storms.

21          12.      The border wall construction project also left floodgates unfinished and/or  
22 open, creating gaps in the wall through which illegal crossing activity frequently occurs  
23 and preventing the originally planned management of water flows.

24          13.      These open or unfinished floodgate gaps turn waterways into popular points  
25 of human traffic, increasing the amount of waste, contaminants, and debris left behind by  
26 illegal border crossers, which may then be further disbursed into the environment when  
27 carried by water flows.

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1           14. Cochise County, Arizona, includes a large section of desert through which  
2 unauthorized aliens often attempt to travel. Cochise County Sheriff's Office routinely  
3 works with the U.S. Border Patrol and other federal authorities in the pursuit and capture  
4 of such individuals.

5           15. That the Nogales section of the border wall, which neighbors Cochise  
6 County, is unfinished is also of particular significance to the flow of illegal traffic across  
7 the U.S.-Mexico border.

8           16. Much illegal border crossing activity originates from and converges back  
9 onto main highways, such as I-19 through Nogales on the U.S. side and the highways it  
10 connects to in Mexico, with individuals often crossing on a parallel path to the highway  
11 just a few miles east or west of it. My office observes similar highway-focused  
12 trafficking behavior in connection with Highway 92 in Cochise County, a portion of  
13 which runs parallel to the border roughly three miles north of it.

14           17. In addition to the natural barriers described above, no interstate highway  
15 connects to the international border in Cochise County as I-19 does in Nogales.

16           18. This makes the Nogales area a more popular illegal crossing point than  
17 Cochise County due to Nogales's ease of transit, especially before the changes to the  
18 Cochise landscape initiated by the incomplete border wall construction project, so  
19 completion of the border wall in Nogales is highly likely to reduce the volume and ease  
20 of illegal traffic across the border.

21           19. Overall, the unfinished state of the border wall project has contributed to  
22 increased illegal traffic across the United States-Mexico border and the negative  
23 environmental impacts that come with it.

24           20. Attached as Exhibit 1 is a true and correct copy of a PowerPoint  
25 presentation covering Southeastern Arizona Border Region Enforcement Team (SABRE)  
26 statistics regarding border enforcement activities collected in the normal course of  
27 business.

28

1 I declare under penalty of perjury that the foregoing is true and correct to the best  
2 of my knowledge, and that this declaration was issued on October \_\_, 2021, in Cochise  
3 County, Arizona.

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5 \_\_\_\_\_  
6 Mark Dannels  
7 Sheriff  
8 Cochise County Sheriff's Office  
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Declaration of Mark Dannels

# Exhibit 1



# Cochise County Sheriff's Office

SABRE / Ranch Patrol  
Sergeant Williams

# SABRE

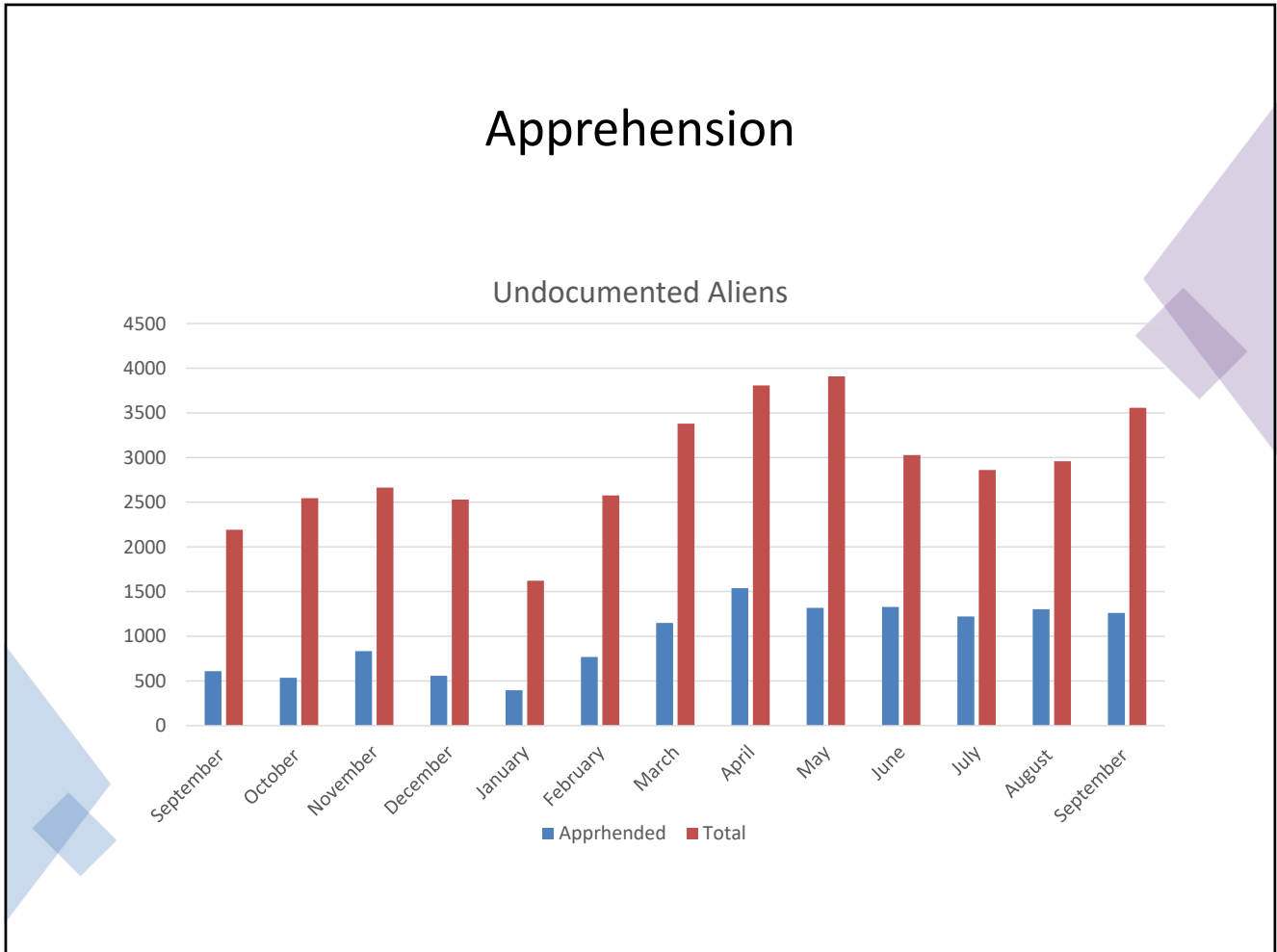
## **SABRE activities (2017 to Present)**

- Monitoring Established Buckeye systems.
- Undocumented Aliens – 48,026
- Drug Smuggling Mules – 429
- Marijuana Seized – 12,005.77 LBS
- Meth Seized – 15.6504 LBS
- Cocaine – 1.0 Gram

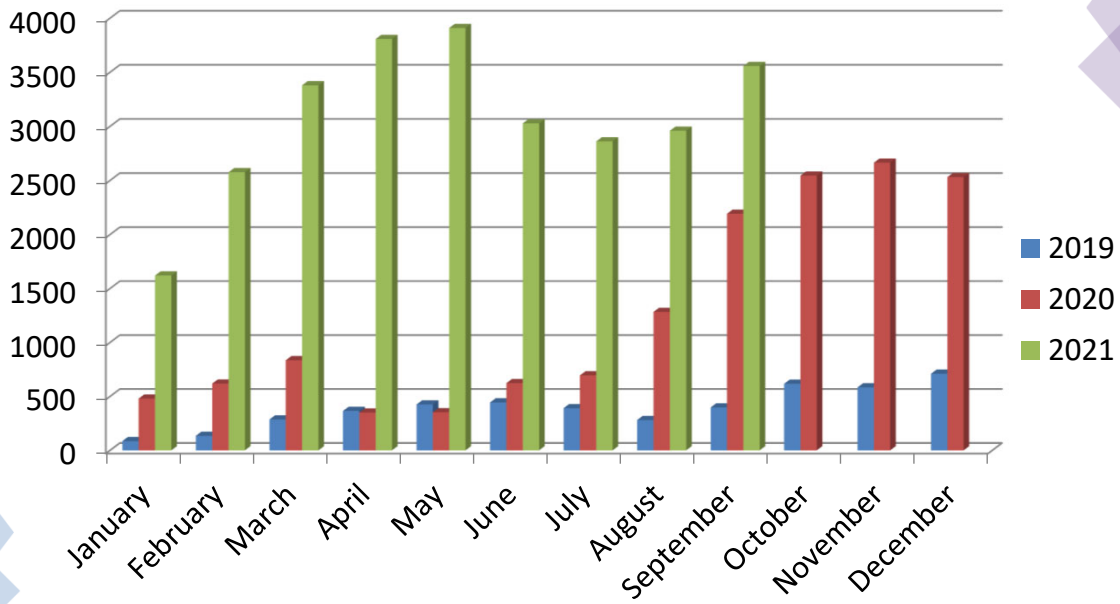
## September Unit Statistics

- Undocumented Aliens – 3557
- Apprehended - 1260
- Drug Smuggling Mules - 0
- Apprehended - 0

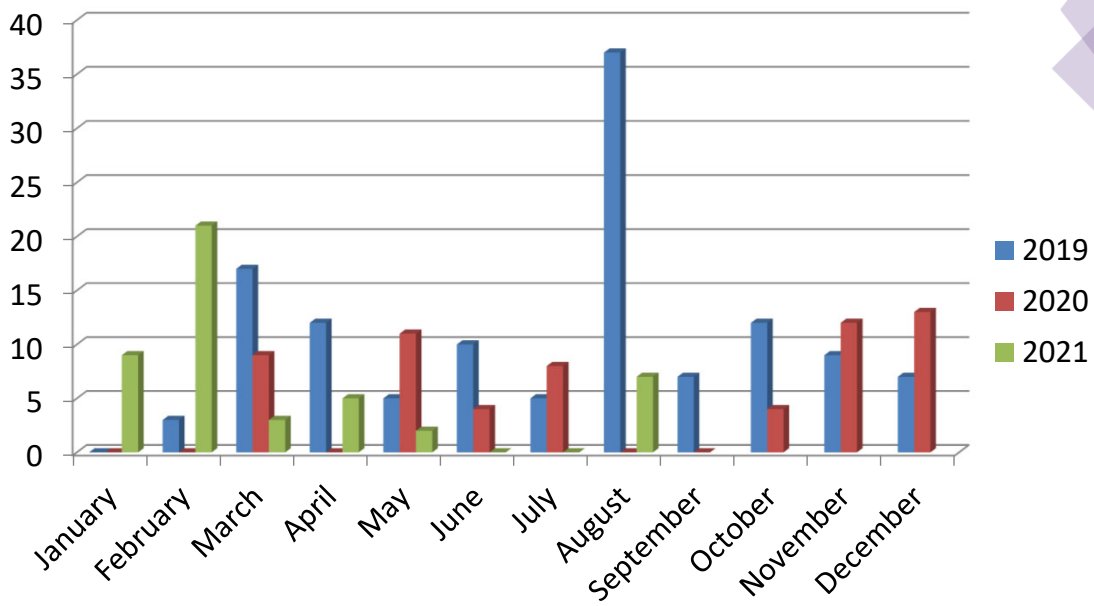


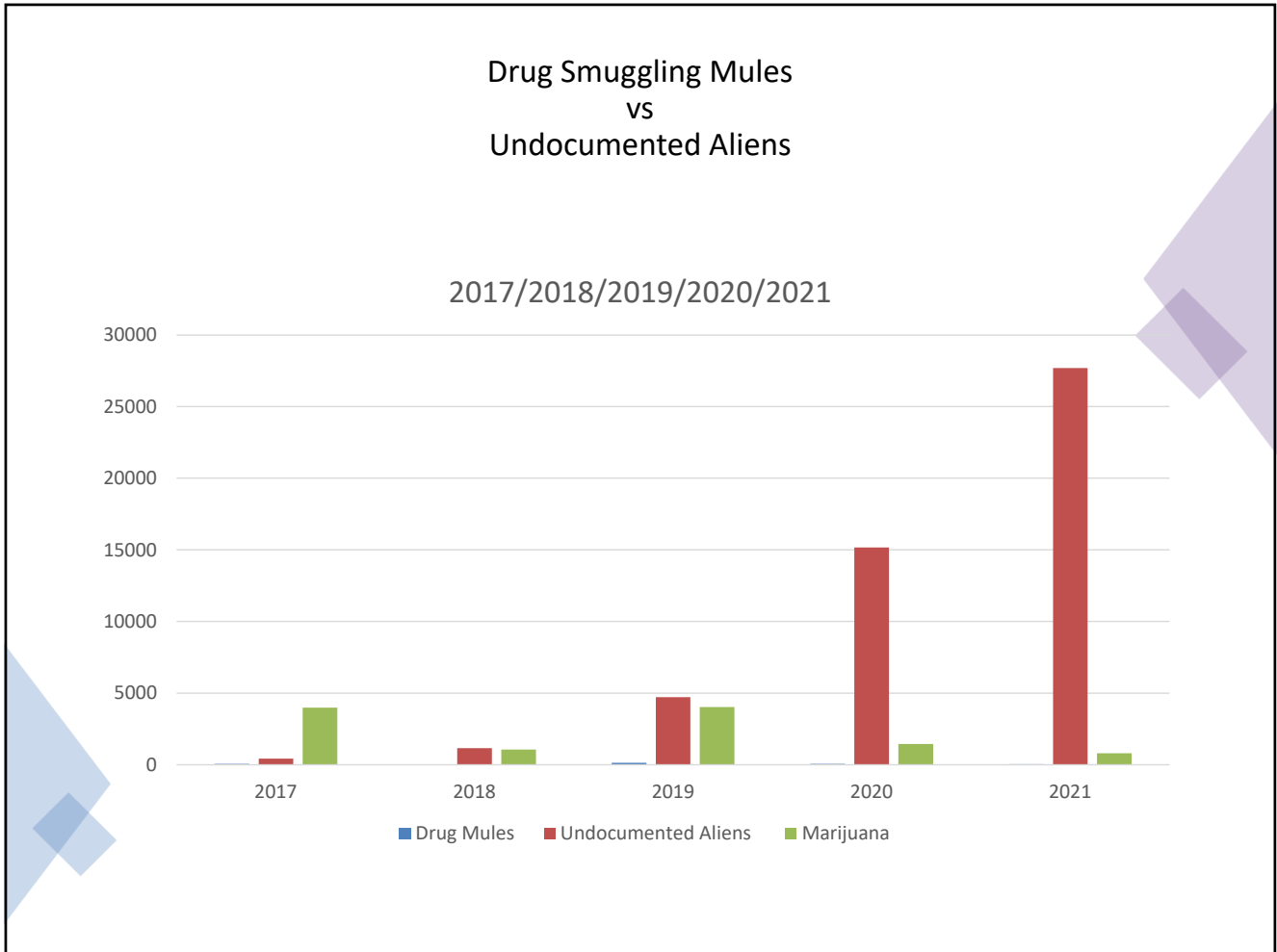


### Buckeye Activity 19/20/21 Undocumented Aliens



### Buckeye Activity 19/20/21 Drug Smuggling Mule





## 2021 Total SABRE Statistics

- LBS OF Marijuana -807.60
- Undocumented Aliens – 27,695
- Drug Smuggling Mules - 47

## Total SABRE Statistics January 2017 to Present

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Felony Arrest - 89

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Years of Incarceration – 114

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LBS of Marijuana - 12,005.77 LBS

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Undocumented Aliens – 48,026

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Drug Smuggling Mules – 429

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Undocumented Aliens Apprehended – 17,645/48,026 (37% Apprehension Rate)

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