

**Consolidated Case Nos. 18-15068, 18-15069, 18-15070,  
18-15071, 18-15072, 18-15128, 18-15133, 18-15134**

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**IN THE UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT**

REGENTS OF THE UNIVERSITY OF CALIFORNIA, et al.,  
*Plaintiffs/Appellees*

v.

U.S. DEPARTMENT OF HOMELAND SECURITY, et al.,  
*Defendants/Appellants*

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**On Appeal from the United States District Court  
for the Northern District of California, Honorable William H. Alsup, Presiding**

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**PLAINTIFFS' SUPPLEMENTAL EXCERPTS OF RECORD  
VOLUME III OF VI**

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18 **UNITED STATES DISTRICT COURT**  
19 **NORTHERN DISTRICT OF CALIFORNIA**  
20 **SAN FRANCISCO DIVISION**

21 THE REGENTS OF THE UNIVERSITY OF  
CALIFORNIA and JANET NAPOLITANO,  
22 in her official capacity as President of the  
University of California,

23 Plaintiffs,

24 v.

25 U.S. DEPARTMENT OF HOMELAND  
SECURITY and ELAINE DUKE, in her  
26 official capacity as Acting Secretary of the  
Department of Homeland Security,

27 Defendants.  
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CASE NO. 17-CV-05211-WHA

**DECLARATION OF DAVID R. ANDERSON**

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STATE OF CALIFORNIA, STATE OF MAINE, STATE OF MARYLAND, and STATE OF MINNESOTA,  
  
Plaintiffs,  
  
v.  
  
U.S. DEPARTMENT OF HOMELAND SECURITY, ELAINE DUKE, in her official capacity as Acting Secretary of the Department of Homeland Security, and the UNITED STATES OF AMERICA,  
  
Defendants.

CASE NO. 17-CV-05235-WHA

CITY OF SAN JOSE, a municipal corporation,  
  
Plaintiffs,  
  
v.  
  
DONALD J. TRUMP, President of the United States, in his official capacity, ELAINE C. DUKE, in her official capacity, and the UNITED STATES OF AMERICA,  
  
Defendants.

CASE NO. 17-CV-05329-WHA

DULCE GARCIA, MIRIAM GONZALEZ AVILA, SAUL JIMENEZ SUAREZ, VIRIDIANA CHABOLLA MENDOZA, NORMA RAMIREZ, and JIRAYUT LATTHIVONGSKORN,  
  
Plaintiffs,  
  
v.  
  
UNITED STATES OF AMERICA, DONALD J. TRUMP, in his official capacity as President of the United States, U.S. DEPARTMENT OF HOMELAND SECURITY, and ELAINE DUKE, in her official capacity as Acting Secretary of Homeland Security,  
  
Defendants.

CASE NO. 17-CV-05380-WHA

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COUNTY OF SANTA CLARA and  
SERVICE EMPLOYEES INTERNATIONAL  
UNION LOCAL 521,  
  
Plaintiffs,  
  
v.  
  
DONALD J. TRUMP, in his official capacity  
as President of the United States, JEFFERSON  
BEAUREGARD SESSIONS, in his official  
capacity as Attorney General of the United  
States; ELAINE DUKE, in her official  
capacity as Acting Secretary of the Department  
of Homeland Security; and U.S.  
DEPARTMENT OF HOMELAND  
SECURITY,  
  
Defendants.

CASE NO. 17-CV-05813-WHA

1 I, DAVID R. ANDERSON, declare:

2 1. I am the President of St. Olaf College, a private liberal arts college in Northfield,  
3 Minnesota. I have held this position since July 2006. St. Olaf enrolls approximately 3,000 students  
4 from across the country and around the world.

5 2. St. Olaf’s mission statement, among other things, commits it to be “an inclusive, globally  
6 engaged community.” The phrase “inclusive, globally engaged community” dedicates St. Olaf to  
7 welcoming the people of the world and engaging with them. St. Olaf emphasizes learning in global  
8 contexts and welcomes students and scholars from many parts of the world. St. Olaf is also dedicated to  
9 being an inclusive college where people of diverse backgrounds and experiences can come together to  
10 share ideas and learn from one another.

11 3. Approximately 10 students who attend St. Olaf participate in the Deferred Action for  
12 Childhood Arrivals (DACA) program. These DACA students make valuable contributions to the St.  
13 Olaf community.

14 4. The rescission of DACA will negatively affect St. Olaf’s ability to fulfill its mission  
15 statement. The rescission will impede St. Olaf’s ability to foster relationships between people of  
16 different backgrounds because the DACA students, who bring diverse perspectives and experiences to  
17 the college, may be unable to afford tuition due to their loss of work authorization and may be subject to  
18 deportation. The potential deportation of these students and the rescission of their legal status goes  
19 against St. Olaf’s commitment to diversity and inclusivity. Moreover, the rescission of DACA will  
20 adversely impact the diversity of the talent pool of potential St. Olaf students, which will make it more  
21 difficult for St. Olaf to fulfill its strategic plan of increasing the diversity of St. Olaf students.

22 5. The rescission of DACA will also negatively affect St. Olaf’s tuition revenue. DACA  
23 students who are enrolled in St. Olaf may drop out because they are unable to work to meet their  
24 educational expenses, because they determine that the cost of a college education is not worth the  
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substantial investment of time and money if they are not able to work after graduation, or because they are deported. Additionally, the rescission of DACA will reduce the potential student population, decreasing the future stream of tuition revenue for St. Olaf.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on 23 October, 2017, in Northfield, Minnesota.

  
DAVID R. ANDERSON

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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

THE REGENTS OF THE UNIVERSITY OF  
CALIFORNIA and JANET NAPOLITANO,  
in her official capacity as President of the  
University of California,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND  
SECURITY and ELAINE DUKE, in her  
official capacity as Acting Secretary of the  
Department of Homeland Security,

Defendants.

CASE NO. 17-CV-05211-WHA

**DECLARATION OF RON ANDERSON**



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STATE OF CALIFORNIA, STATE OF  
MAINE, STATE OF MARYLAND, and  
STATE OF MINNESOTA,  
  
Plaintiffs,  
  
v.  
  
U.S. DEPARTMENT OF HOMELAND  
SECURITY, ELAINE DUKE, in her official  
capacity as Acting Secretary of the Department  
of Homeland Security, and the UNITED  
STATES OF AMERICA,  
  
Defendants.

CASE NO. 17-CV-05235-WHA

CITY OF SAN JOSE, a municipal corporation,  
  
Plaintiffs,  
  
v.  
  
DONALD J. TRUMP, President of the United  
States, in his official capacity, ELAINE C.  
DUKE, in her official capacity, and the  
UNITED STATES OF AMERICA,  
  
Defendants.

CASE NO. 17-CV-05329-WHA

DULCE GARCIA, MIRIAM GONZALEZ  
AVILA, SAUL JIMENEZ SUAREZ,  
VIRIDIANA CHABOLLA MENDOZA,  
NORMA RAMIREZ, and JIRAYUT  
LATTHIVONGSKORN,  
  
Plaintiffs,  
  
v.  
  
UNITED STATES OF AMERICA, DONALD  
J. TRUMP, in his official capacity as President  
of the United States, U.S. DEPARTMENT OF  
HOMELAND SECURITY, and ELAINE  
DUKE, in her official capacity as Acting  
Secretary of Homeland Security,  
  
Defendants.

CASE NO. 17-CV-05380-WHA

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<p>COUNTY OF SANTA CLARA and SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 521,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>DONALD J. TRUMP, in his official capacity as President of the United States, JEFFERSON BEAUREGARD SESSIONS, in his official capacity as Attorney General of the United States; ELAINE DUKE, in her official capacity as Acting Secretary of the Department of Homeland Security; and U.S. DEPARTMENT OF HOMELAND SECURITY,</p> <p style="text-align: center;">Defendants.</p>
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CASE NO. 17-CV-05813-WHA

1 I, RON ANDERSON, declare:

2 1. I am the Senior Vice Chancellor of Minnesota State, a system of 37 colleges and  
3 universities with 54 campuses across the state of Minnesota. I have held this position since June 2015.  
4 Prior to my current position, I served as President of Century College, a large and diverse college within  
5 the Minnesota State system. The majority of my more than 25 year-long career in higher education has  
6 been spent serving within the Minnesota State system.  
7

8 2. As Minnesota State's chief academic and student affairs officer, I am in charge of  
9 leading the strategic planning, development, and administration of academic and student affairs,  
10 initiatives, programs, and policies in fulfillment of the system's commitments to Minnesota.  
11

12 3. Minnesota State is the fourth largest system of state colleges and universities in the  
13 country. Minnesota State does not include the University of Minnesota. Minnesota State offers higher  
14 education to more than 375,000 students every year. Minnesota State colleges and universities are  
15 dedicated to helping all Minnesotans improve their futures and to sustaining Minnesota's diverse and  
16 vibrant economy by supplying business and industry with a highly educated and skilled workforce.  
17 Minnesota State serves a diverse group of students, including 63,000 students of color, 48,500 first-  
18 generation college students, and 84,000 students with modest financial means.  
19

20 4. Minnesota State has an enduring commitment to enhancing Minnesota's quality of life by  
21 developing and fostering understanding and appreciation of a diverse society. It is Minnesota State's  
22 goal to recruit and retain diverse students, faculty, and staff and to ensure a welcoming and supportive  
23 environment on all of its campuses throughout the state. Minnesota State is committed to ensuring that  
24 its campuses are places of inclusion and opportunity for all students and employees. Minnesota State  
25 has long benefitted from the economic, scientific, and cultural contributions of students and scholars  
26 from diverse backgrounds.  
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5. The rescission of DACA will negatively affect Minnesota State’s mission. Rescinding DACA may cause any current Minnesota State students who are DACA recipients to drop out, either because they are unable to afford to meet their educational expenses due to their loss of work authorization or because they are deported. The loss of these students will deprive the system’s colleges and universities of the diverse backgrounds and perspectives of these students and will set back Minnesota State’s efforts to recruit and retain diverse students. The rescission of DACA will also adversely impact the diversity of potential applicants to Minnesota State’s universities and colleges. Many DACA recipients will be unable to apply to Minnesota State institutions because they have been deported or will be deterred from applying because the investment of a college education may not seem worthwhile if they are unable to work after graduation. As a result, Minnesota State institutions will be denied the diverse ideas and points of view that these potential DACA students would bring to enrich the college and university communities for all students, faculty, and staff.

6. In addition, rescinding DACA will deprive the Minnesota workforce of these students and the contributions they can bring to Minnesota employers and communities.

7. The loss of DACA students will produce a corresponding decrease in tuition revenue for Minnesota State institutions. The rescission of DACA will similarly decrease the pool of potential students, reducing the future stream of tuition revenue for Minnesota State.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on October 25, 2017, in St. Paul, Minnesota.

  
\_\_\_\_\_  
RON ANDERSON

# EXHIBIT 05

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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

THE REGENTS OF THE UNIVERSITY OF  
CALIFORNIA and JANET NAPOLITANO,  
in her official capacity as President of the  
University of California,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND  
SECURITY and ELAINE DUKE, in her  
official capacity as Acting Secretary of the  
Department of Homeland Security,

Defendants.

CASE NO. 17-CV-05211-WHA

**DECLARATION OF MARTHA AREVALO**

STATE OF CALIFORNIA, STATE OF  
MAINE, STATE OF MARYLAND, and  
STATE OF MINNESOTA,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND  
SECURITY, ELAINE DUKE, in her official  
capacity as Acting Secretary of the Department  
of Homeland Security, and the UNITED  
STATES OF AMERICA,

Defendants.

CASE NO. 17-CV-05235-WHA

CITY OF SAN JOSE, a municipal corporation,

Plaintiffs,

v.

DONALD J. TRUMP, President of the United  
States, in his official capacity, ELAINE C.  
DUKE, in her official capacity, and the  
UNITED STATES OF AMERICA,

Defendants.

CASE NO. 17-CV-05329-WHA

DULCE GARCIA, MIRIAM GONZALEZ  
AVILA, SAUL JIMENEZ SUAREZ,  
VIRIDIANA CHABOLLA MENDOZA,  
NORMA RAMIREZ, and JIRAYUT  
LATTHIVONGSKORN,

Plaintiffs,

v.

UNITED STATES OF AMERICA, DONALD  
J. TRUMP, in his official capacity as President  
of the United States, U.S. DEPARTMENT OF  
HOMELAND SECURITY, and ELAINE  
DUKE, in her official capacity as Acting  
Secretary of Homeland Security,

Defendants.

CASE NO. 17-CV-05380-WHA

COUNTY OF SANTA CLARA and  
SERVICE EMPLOYEES INTERNATIONAL  
UNION LOCAL 521,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity  
as President of the United States, JEFFERSON  
BEAUREGARD SESSIONS, in his official  
capacity as Attorney General of the United  
States; ELAINE DUKE, in her official  
capacity as Acting Secretary of the Department  
of Homeland Security; and U.S.  
DEPARTMENT OF HOMELAND  
SECURITY,

Defendants.

CASE NO. 17-CV-05813-WHA



I, Martha Arevalo, declare:

1. I am the Executive Director of the Central American Resource Center – CARECEN – of California, located in Los Angeles. CARECEN was founded by a group of Salvadoran refugees whose mission was to secure legal status for the thousands of Central Americans fleeing civil war. The organization became a 501(c)(3) nonprofit organization in 1983, and since that time has provided a range of social, educational, and legal services to refugees and immigrants from Central America and other Latin American countries who are living in the Los Angeles area.
2. After serving on the board of directors for approximately 15 years, I became Executive Director in January of 2012. I have served in that capacity continuously since that time. I am responsible for administration of the organization, which consists of 85 total staff.
3. From the time the Obama Administration announced the Deferred Action for Childhood Arrivals (“DACA”) program in June 2012, CARECEN has been deeply involved in DACA-related work. In July 2012, we convened the first large group of legal service providers in southern California to discuss various aspects of DACA legal service provision. Hundreds of individuals came to CARECEN for assistance each day in the initial weeks of the DACA application period in August 2012. Our organization filed nearly 1,200 applications from August through December 2012.
4. DACA legal service provision has been a critical component of our work since that time. We filed nearly 1,000 DACA applications in 2017. We have engaged in numerous outreach events and efforts to inform at-risk youth in marginalized communities about DACA eligibility and assist them in the application process. For example, we hosted a law fellow for a two-year project that included providing ongoing advice and services to high school students in a college track program in East Los Angeles. We also provide legal

advice and services to students at DREAM Center student facilities at 3 colleges in the area.

5. Our organization has also facilitated several educational exchange programs for DACA beneficiaries. These educational exchanges allowed many Salvadoran, Guatemalan, and Mexican DACA beneficiaries to travel for the first time and participate in an international academic setting. For Salvadoran DACA beneficiaries, they were able to see their home country for the first time in memory or as an adult, and to learn about the history and culture of their country of origin from a distinctly Central American perspective. During the two-week trip, participants attended lectures by professors at the *Universidad de Centro America* in San Salvador. Following the trip, many participants were able to pursue additional academic avenues such as organizing academic conferences, attending graduate programs, and starting law school.

6. Needless to say, DACA-related services have become a major component of CARECEN's ongoing work, and DACA has been a significant piece of our strategic and budget planning processes since 2012. Our ability to provide sound advice and legal assistance to DACA beneficiaries has also allowed CARECEN to connect with a much larger number of families in the community, including many mixed-status households. This has benefitted the organization in numerous ways. For example, it has strengthened our ability to engage families in our Parent and Youth Center to become civically engaged in their communities.

7. The September 5, 2017 announcement regarding the phase out of the DACA program has impacted our organization in numerous ways. After continuing to provide DACA legal services for several months after the inauguration, we began to advise the community that the DACA program was an ongoing one.

8. CARECEN also planned another education exchange program for December 2017. This time, we included El Salvador, Guatemala and Mexico as destinations. With limited outreach about this opportunity, interest was extremely high and a much larger number of individuals applied to participate in the trip than we could accommodate. Staff spent considerable time vetting applications, interviewing participants, and organizing logistics (transportation, lodging, professor seminars, etc.). Part of the planning process included coordinating efforts between a local supporting university (University of California, Irvine) and the hosting university abroad (*Universidad de Centro America*). We also provided legal consultation to and submitted advance parole applications on behalf of each DACA beneficiary intending to participate in the exchange program. Applicants made initial payments to CARECEN for the trip. Twenty-three Advance Parole applications were received by USCIS on August 7, 2017 and remained pending when the Administration announced on September 5, 2017, that advance parole applications would no longer be approved.

9. We serve a community that includes many low income, working poor and impoverished families. We often encounter former and prospective DACA clients whose work permits have expired due to their inability to afford the filing fee. We provided advice regarding eligibility to renew DACA up to one year from the expiration of one's existing DACA work permit in 2017. We provided that information to individuals who were later unable to renew their work permits because they expired before September 5, 2017. This includes at least one individual who attempted to renew after September 5<sup>th</sup> despite having an expired work permit. Her DACA renewal application was promptly rejected.

10. Our legal department mailed three DACA renewal application via Fedex overnight express mail on Friday, September 1, 2017. While the USCIS received these applications on September 5, 2017, they were rejected. We resubmitted the applications with evidence that they had been received by September 5<sup>th</sup>, yet they were rejected again (at least one other

application also mailed on September 1<sup>st</sup> via Fedex from our Van Nuys office was accepted and processed by USCIS). We continue working to get USCIS to process the applications but have not been able to resolve the issue, which has created considerable stress for the affected clients, as well as our staff members involved in the cases.

11. We also have a number of DACA beneficiaries on staff. The impact of the loss of these employees would be considerable. Roughly 10 percent of our staff are DACA beneficiaries. Some of these highly motivated staff members have worked at the organization for several years and have received considerable training for their respective positions. Identifying, hiring and training replacement staff would place a significant burden on the organization and I have no doubt that our productivity would suffer. Moreover, our entire staff has friends and/or family members who are DACA beneficiaries. Thus, the news of the termination of the program has had a direct impact on the organization. The angst and uncertainty surrounding the future of the DACA program escalated as reports about termination of the program began circulating in August.

12. The September 5<sup>th</sup> announcement had an immediate impact on staff and community morale. We became the bearer of bad news to numerous individuals seeking to renew or apply for DACA for the first time. This included a boy who came to CARECEN weeks before the September 5<sup>th</sup> announcement. He was 14 years old at the time and thus not eligible to apply for DACA. He returned to our office on September 6<sup>th</sup>, having just turned 15, only to be informed that he was no longer eligible to apply.


13. The period between September 5, 2017 and the October 5, 2017 deadline for DACA renewals produced enormous stress for applicants and community members we interacted with, as well as legal staff. Legal staff put other obligations and casework on hold in order to focus on assisting DACA beneficiaries eligible to renew by the October 5<sup>th</sup> deadline, and to educate the community about the vast implications of the announced DACA phase out.

Staff worked significant overtime hours in order to serve clients and attend numerous community information sessions and legal clinics that CARECEN sponsored or was invited to participate in. The volume of requests for participation by our attorneys and other legal staff was enormous, and we were unable to fulfill every request.

14. Staff endured considerable stress during the final one month renewal filing window. Some staff were directly affected by the announcement. Moreover, advising affected community and ensuring that last-minute legal assistance would be error-free produced considerable stress. We will spend the remainder of 2017 struggling to catch up on casework and other program priorities that were set aside temporarily to focus on DACA renewals. Meanwhile, the phase-out of the DACA program leaves considerable uncertainty around numerous aspects of the organization's work for the foreseeable future.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on October 30, 2017, at Los Angeles, California.

  
\_\_\_\_\_  
Martha Arevalo

# EXHIBIT 06

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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

THE REGENTS OF THE UNIVERSITY OF  
CALIFORNIA and JANET NAPOLITANO,  
in her official capacity as President of the  
University of California,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND  
SECURITY and ELAINE DUKE, in her  
official capacity as Acting Secretary of the  
Department of Homeland Security,

Defendants.

CASE NO. 17-CV-05211-WHA

**DECLARATION OF IYARI ARTEAGA**

STATE OF CALIFORNIA, STATE OF MAINE, STATE OF MARYLAND, and STATE OF MINNESOTA,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND SECURITY, ELAINE DUKE, in her official capacity as Acting Secretary of the Department of Homeland Security, and the UNITED STATES OF AMERICA,

Defendants.

CASE NO. 17-CV-05235-WHA

CITY OF SAN JOSE, a municipal corporation,

Plaintiffs,

v.

DONALD J. TRUMP, President of the United States, in his official capacity, ELAINE C. DUKE, in her official capacity, and the UNITED STATES OF AMERICA,

Defendants.

CASE NO. 17-CV-05329-WHA

DULCE GARCIA, MIRIAM GONZALEZ AVILA, SAUL JIMENEZ SUAREZ, VIRIDIANA CHABOLLA MENDOZA, NORMA RAMIREZ, and JIRAYUT LATTHIVONGSKORN,

Plaintiffs,

v.

UNITED STATES OF AMERICA, DONALD J. TRUMP, in his official capacity as President of the United States, U.S. DEPARTMENT OF HOMELAND SECURITY, and ELAINE DUKE, in her official capacity as Acting Secretary of Homeland Security,

Defendants.

CASE NO. 17-CV-05380-WHA



COUNTY OF SANTA CLARA and  
SERVICE EMPLOYEES INTERNATIONAL  
UNION LOCAL 521,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity  
as President of the United States, JEFFERSON  
BEAUREGARD SESSIONS, in his official  
capacity as Attorney General of the United  
States; ELAINE DUKE, in her official  
capacity as Acting Secretary of the Department  
of Homeland Security; and U.S.  
DEPARTMENT OF HOMELAND  
SECURITY,

Defendants.

CASE NO. 17-CV-05813-WHA

**DECLARATION OF IYARI ARTEAGA**

I, IYARI ARTEAGA, declare as follows:

1. I work at the New Children's Museum in San Diego, California. As a museum playworker, I am part of the exhibitions team, where I help develop and maintain museum exhibits and interact with museum visitors daily. I have had this job for about two years. Before this job, I taught theater and writing to high school students.

2. I have personal knowledge of the facts set forth in this declaration, and if called as a witness, I could and would competently testify to them.

3. I met Dulce Garcia through a family friend a few years ago. I have come to know her well through my interactions with her in June of 2016, when she represented me in a dispute against an insurance company on a pro bono basis.

4. I was involved in a serious car accident in May 2016. I was not at fault and my car was totaled. I was extremely anxious to get compensated from the other driver's insurance company because I needed to buy a replacement car as quickly as possible. I depend on a car to get to work and I cannot afford to lose my job, as it is my sole source of income. However, the other driver's insurance company tried to blame me for the accident and refused to pay based on the misinformation provided to them by the other driver.

5. My dad recommended that I reach out to Dulce (he also knew her through the same family friend that I knew her through). I contacted her in early June of 2016, and told her about my situation. Dulce explained to me that this was a property damage case and not a personal injury case because no one was hurt. Because my car was worth about \$1900, she explained that paying an attorney on an hourly basis would quickly add up to the total amount of money I was seeking from the insurance company. I could not have afforded to pay an attorney that amount of money, or anything close to that. I was so grateful when Dulce then offered to represent me for no fee.

6. Dulce quickly resolved my dispute with the insurance company. Over the course of just two to three weeks, she got the insurance company to admit liability and to pay me \$1,000 in damages. I used the insurance money as part of a down payment to buy a new car.

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7. Dulce's willingness to take my case on a pro bono basis meant so much to me and I will be forever grateful to her. She knew how anxious and stressed out I was at the prospect of not being able to buy a new car, and she took care of everything. I would not have been able to afford to pay a lawyer. I doubt that I could have resolved the case on my own, since I had already been unsuccessful in my dealings with the insurance company before Dulce got involved. By getting me the money to which I was entitled, Dulce relieved me of the incredible amount of stress I was under and helped me move on with my life after the accident.

8. Based on my interactions with Dulce, I can say that she is an effective lawyer who is extremely kind, supportive, and dedicated to serving her clients. The fact that Dulce volunteered her time to resolving my case showed me that she is committed to helping her community and using her gifts as a lawyer to help people fight the injustices in their lives, regardless of their economic status.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on October 27, 2017, in San Diego, California.

  
\_\_\_\_\_  
IYARI ARTEAGA

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18 **UNITED STATES DISTRICT COURT**  
19 **NORTHERN DISTRICT OF CALIFORNIA**  
20 **SAN FRANCISCO DIVISION**

21 THE REGENTS OF THE UNIVERSITY OF  
CALIFORNIA and JANET NAPOLITANO,  
22 in her official capacity as President of the  
University of California,

23 Plaintiffs,

24 v.

25 U.S. DEPARTMENT OF HOMELAND  
SECURITY and ELAINE DUKE, in her  
26 official capacity as Acting Secretary of the  
Department of Homeland Security,

27 Defendants.  
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CASE NO. 17-CV-05211-WHA

**DECLARATION OF JHOANA ASCENCION  
VAZQUEZ**

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STATE OF CALIFORNIA, STATE OF MAINE, STATE OF MARYLAND, and STATE OF MINNESOTA,  
  
Plaintiffs,  
  
v.  
  
U.S. DEPARTMENT OF HOMELAND SECURITY, ELAINE DUKE, in her official capacity as Acting Secretary of the Department of Homeland Security, and the UNITED STATES OF AMERICA,  
  
Defendants.

CASE NO. 17-CV-05235-WHA

CITY OF SAN JOSE, a municipal corporation,  
  
Plaintiffs,  
  
v.  
  
DONALD J. TRUMP, President of the United States, in his official capacity, ELAINE C. DUKE, in her official capacity, and the UNITED STATES OF AMERICA,  
  
Defendants.

CASE NO. 17-CV-05329-WHA

DULCE GARCIA, MIRIAM GONZALEZ AVILA, SAUL JIMENEZ SUAREZ, VIRIDIANA CHABOLLA MENDOZA, NORMA RAMIREZ, and JIRAYUT LATTHIVONGSKORN,  
  
Plaintiffs,  
  
v.  
  
UNITED STATES OF AMERICA, DONALD J. TRUMP, in his official capacity as President of the United States, U.S. DEPARTMENT OF HOMELAND SECURITY, and ELAINE DUKE, in her official capacity as Acting Secretary of Homeland Security,  
  
Defendants.

CASE NO. 17-CV-05380-WHA

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<p>COUNTY OF SANTA CLARA and SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 521,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>DONALD J. TRUMP, in his official capacity as President of the United States, JEFFERSON BEAUREGARD SESSIONS, in his official capacity as Attorney General of the United States; ELAINE DUKE, in her official capacity as Acting Secretary of the Department of Homeland Security; and U.S. DEPARTMENT OF HOMELAND SECURITY,</p> <p style="text-align: center;">Defendants.</p>
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CASE NO. 17-CV-05813-WHA

1 I, JHOANA ASCENCION VAZQUEZ, DECLARE:

2 1. I am a sixth grade teacher at the KIPP Academy of Innovation in Los Angeles through  
3 Teach for America. I make this declaration based on my personal knowledge. If called as a witness, I  
4 could and would testify competently on the facts stated herein.

5 **My Background**

6  
7 2. I was born in Mexico. My parents brought me to the United States when I was two years  
8 old. They both started working at a young age to help their families, so they were not able to achieve  
9 high levels of education. My mom's highest education is elementary school, and my dad only went up  
10 to middle school. My parents wanted their children to have a better education, so we could have more  
11 opportunities and lead more secure lives than they had. I have two younger siblings, a brother and a  
12 sister, both of whom were born here and are U.S. citizens.

13  
14 3. I have known I was undocumented since I was small. I grew up in constant fear of being  
15 deported. I would watch the news and see raids going on, and I remember thinking that the government  
16 could come after me or my family next. I was raised to always remember that I could never step out of  
17 line. Any little mistake I made could end up with my family being separated. This anxiety continues to  
18 this day, even though I currently have DACA and am vocal about my identity as an undocumented  
19 person.

20  
21 4. Going to college has been a driving force for me since middle school. I thought that if I  
22 went to college, I would finally be accepted by others as a true American. I would also have the ability  
23 to help my family financially.

24 5. The first time I hit an institutional barrier because of my undocumented status was when I  
25 was applying for the POSSE scholarship, a scholarship dedicated to people who show academic and  
26 leadership potential. I was nominated to apply for this scholarship by Inner City Struggle for my work  
27 promoting restorative and educational justice. When I went for my first interview, I was told that I  
28



1 could not apply because I was not a citizen or a permanent resident and I was not in the process of  
2 becoming one. I broke down crying and left.

3           6. My family did not want me to give up on my dream of going to UCLA, but I did not want  
4 to put any financial burden on them. I continued to apply for scholarships, hoping that some of them  
5 would not require a Social Security Number or green card. Determined not to add any unnecessary  
6 financial strain for my family, I paid for my first two years of college mostly through scholarships. For  
7 one quarter, my parents had to help me cover tuition and my friends helped to support me in purchasing  
8 books. I commuted to school from home in order to save money, spending 3-4 hours every day on a bus  
9 because I was unable to get a driver's license. I could not join many school clubs because they met in  
10 the evenings, and it was unsafe for me to take the bus home so late.

11  
12 **My Interactions with Miriam Gonzalez Avila**

13           7. I first met Miriam Gonzalez Avila when we were in the second grade at summer school.  
14 We grew up in the same neighborhood, Boyle Heights. We reconnected in a meaningful manner in  
15 2011, when we seniors in high school we attended the Immigrant Youth Empowerment Conference,  
16 hosted by the IDEAS organization at UCLA, a group dedicated to serving the undocumented student  
17 population. We formed a bond over our shared identity as undocumented people.

18           8. Miriam and I had both been accepted to UCLA at that point, so we continued to check in  
19 with each other. We were both struggling to figure out how we were going to pay for school and helped  
20 each other come up with ideas. We also commuted on the bus together and did some orientation  
21 programs at the same time.

22           9. Once we were at UCLA, we both joined the IDEAS organization. Miriam and I were  
23 project directors for the community service component of IDEAS. After DACA was announced, one of  
24 our responsibilities as project directors was sharing information about DACA in local communities. For  
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1 instance, we put on a workshop together in our neighborhood of Boyle Heights. Miriam took the lead  
2 on preparing the talking points and drove people to the workshops.

3 10. During the workshops, we often received a lot of questions on whether information that is  
4 provided as part of the DACA application process would be shared with immigration enforcement  
5 authorities. Based on these questions, it was apparent that the people eligible for DACA and their  
6 parents were scared that the government was going to use the information provided in DACA  
7 applications to arrest and deport them and their families. We were nervous about answering these  
8 questions, but chose to believe the government's promise that it would not use this information against  
9 applicants and their families.  
10

11 11. To this day, Miriam and I remain close. We check in with each other at least once a  
12 month, and more often recently, to talk about our lives and the challenges we face. Since we are both  
13 teachers, we finally have the ability to provide resources to our community that we did not have growing  
14 up. Miriam in particular has dedicated her life to this effort, and despite all the difficulties I have faced  
15 as an undocumented person, I am very thankful that my identity has allowed me to meet Miriam, who  
16 continues to inspire me to be a better teacher, leader, and person.  
17

18 **How DACA Has Benefited Me**

19 12. In November 2012, Miriam and I applied for DACA on the same day. I waited to apply  
20 because I was nervous about giving the government my personal information. I also had to save up to  
21 afford the application fee. I wanted to make sure I paid my tuition and bought my books, bus pass, and  
22 supplies before finding money for the application. My parents had to help me pay for part of the fee.  
23

24 13. I renewed DACA in October 2014, and then again in October 2016. The fact that I could  
25 renew was really important to me. Renewing my DACA status allows me to come up with long-term  
26 plans about what I was going to do in the future and plans to help my family gain stability. I was finally  
27 able to think about getting a white-collar job that requires a work permit, instead of being limited to  
28

1 working a blue collar job like my parents. My parents and I always hoped that I could get a white-collar  
2 job because of those jobs tend to be safer, more stable, higher-paying, and require more skill.

3 14. DACA changed my life. Getting a driver's license allowed me to integrate more into my  
4 community at UCLA because I was able to commute with a car, which saved me a lot of time and was  
5 safer than riding the bus at night.

6 15. I got my first job in July 2014. I worked as a parking attendant at the UCLA campus.  
7 Since then, I have continued holding jobs and I now work as a teacher through Teach For America. My  
8 financial stability has helped my family immensely. We are finally able to save instead of living  
9 paycheck to paycheck, and this was possible because of my status as a DACA beneficiary.

10 16. I took out my first loan this year. I am excited to build my credit so I can apply for a  
11 credit card and one day own a home. I was able to do this because of my DACA status.

12 17. On top of the financial benefits, DACA has also helped me finally feel like I am  
13 accepted, a feeling that I have been searching for my whole life. I traveled on an airplane to a different  
14 state for the first time in November 2016. Before DACA, I was too nervous to fly with a Mexican  
15 passport because I was afraid of being stopped by the police.

16 **How the Rescinding DACA Affects Me**

17 18. What hurt the most about hearing about the rescission of DACA was feeling that my  
18 existence was still not being validated after all these years of hard work. I became a teacher to try to  
19 engage more students of color in sciences because I believe that is critical to this country's future. But  
20 at the same time now there are people saying that I am not an American. I cried that day. I am back to  
21 feeling unwelcome and unaccepted. And I am scared about the future.

22 19. If DACA is rescinded, the students I teach will be affected. My Teach For America  
23 commitment does not end until the end of the school year in June 2019. When my work permit expires  
24

1 in March 2019, I may lose my job and I am worried about who will teach my students. My students are  
2 already vulnerable.

3 20. If DACA is rescinded, my family will suffer greatly. I still heavily support my family  
4 financially, and if I lose my authorization to work, I will not be able to get a higher paying job. My  
5 brother is still in school, and I help him pay for books. I will also be helping him pay his tuition moving  
6 forward. And, my sister has mental health issues and depends greatly on me and my mother. I help her  
7 pay for food while she pays her medical bills. I am also saving money to help her pay for a more  
8 intensive, and very expensive, treatment. Without my steady income, she will not be able to pay for this  
9 treatment.  
10

11 21. Now that the government has my personal information, I am worried about my parents or  
12 me being deported. My family has always been very close. We are basically alone here, and we have  
13 never lived apart. The five weeks I spent in Arizona for my Teach For America training was the longest  
14 time I had been away from my family, and it was very difficult for me. I cannot imagine what we will  
15 do if I am separated from my siblings. My sister needs me here, as my brother is too young to support  
16 her if she has a serious incident involving her mental health. I have lost sleep worrying about what will  
17 happen if my family is separated.  
18

19 22. I am concerned about my finances. I had planned to travel around the U.S. over the next  
20 few years to meet new people and gain new experiences because I have spent almost my entire life in  
21 Los Angeles. But now, I have to save up for the uncertainty of the future.  
22


23 23. My dreams are on hold, and maybe gone forever. I am no longer planning to apply to  
24 graduate school, which I had hoped would propel me to teach at the college level in the future.

25 24. Having lived here all my life, I do not have a strong connection to anyone in Mexico. My  
26 family members in Mexico are strangers to me, even if they are my blood relatives. My life is here, my  
27  
28

1 family is here, and my friends are here. It causes me a lot of anxiety to think about my life being  
2 completely uprooted if DACA is rescinded.

3  
4 I declare under penalty of perjury that the foregoing is true and correct.

5 Executed on October 30, 2017, in Los Angeles, California.

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9 JHOANA ASCENCION VAZQUEZ

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24 **UNITED STATES DISTRICT COURT**  
25 **NORTHERN DISTRICT OF CALIFORNIA**  
26 **SAN FRANCISCO DIVISION**

27 DULCE GARCIA, MIRIAM GONZALEZ  
28 AVILA, SAUL JIMENEZ SUAREZ,  
29 VIRIDIANA CHABOLLA MENDOZA,  
30 NORMA RAMIREZ, and JIRAYUT  
31 LATTHIVONGSKORN,

32 Plaintiffs,

33 v.

34 UNITED STATES OF AMERICA;  
35 DONALD J. TRUMP, in his official capacity  
36 as President of the United States; U.S.  
37 DEPARTMENT OF HOMELAND  
38 SECURITY; and ELAINE DUKE, in her  
39 official capacity as Acting Secretary of  
40 Homeland Security,

41 Defendants.

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CASE NO. 17-CV-05380-WHA

**DECLARATION OF PAMELA BECKWITH**

Action Filed: September 18, 2017

Hon. William H. Alsup



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**DECLARATION OF PAMELA BECKWITH**

I, PAMELA BECKWITH, declare as follows:

1. I am the Human Resources Manager at Public Counsel. I have been in this position since August, 2006.

2. In my role as Human Resources Manager, I oversee Public Counsel’s compliance with employment-related legal requirements and supervise the onboarding of new employees, and am responsible for verifying employment eligibility for individuals who work at Public Counsel.

3. In order to be in compliance with federal law, Public Counsel verifies identity and work authorization for each person it hires by using the Form I-9. I ensure proper completion of the Form I-9 for each individual Public Counsel hires. In connection with this process, an employee must attest to his or her employment authorization and present acceptable documents that evidence identity and employment authorization.

4. Public Counsel is unable to hire immigrants who do not have the necessary documentation to satisfy the requirements set out in the Form I-9.

5. Viridiana Chabolla worked at Public Counsel from May 2013 to July 2017.

6. I ensured that Ms. Chabolla satisfactorily completed a Form I-9 in connection with her employment at Public Counsel. In order to complete her form I-9, Ms. Chabolla presented her employment authorization card. She also presented her renewed employment authorization cards in 2014 and 2016 to be eligible to continue working at Public Counsel. Attached as Exhibit “A” is Ms. Chabolla’s I-9 form, which includes copies of her employment authorization cards.

7. It is my understanding that Ms. Chabolla has a social security number and Employment Authorization Document because she is a DACA recipient. Without documents verifying her work eligibility, she would not have been able to complete the Form I-9 and Public Counsel would not have been able to hire her.

8. If Ms. Chabolla were to lose her work authorization through DACA and did not have other means of establishing her eligibility to work in the United States, Public Counsel would be unable to hire her in the future.

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on October 26, 2017, in Los Angeles, California.

  
PAMELA BECKWITH

# EXHIBIT 09

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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

THE REGENTS OF THE UNIVERSITY OF  
CALIFORNIA and JANET NAPOLITANO,  
in her official capacity as President of the  
University of California,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND  
SECURITY and ELAINE DUKE, in her  
official capacity as Acting Secretary of the  
Department of Homeland Security,

Defendants.

CASE NO. 17-CV-05211-WHA

**DECLARATION OF BILL BLAZAR**

STATE OF CALIFORNIA, STATE OF  
MAINE, STATE OF MARYLAND, and  
STATE OF MINNESOTA,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND  
SECURITY, ELAINE DUKE, in her official  
capacity as Acting Secretary of the Department  
of Homeland Security, and the UNITED  
STATES OF AMERICA,

Defendants.

CASE NO. 17-CV-05235-WHA

CITY OF SAN JOSE, a municipal corporation,

Plaintiffs,

v.

DONALD J. TRUMP, President of the United  
States, in his official capacity, ELAINE C.  
DUKE, in her official capacity, and the  
UNITED STATES OF AMERICA,

Defendants.

CASE NO. 17-CV-05329-WHA

DULCE GARCIA, MIRIAM GONZALEZ  
AVILA, SAUL JIMENEZ SUAREZ,  
VIRIDIANA CHABOLLA MENDOZA,  
NORMA RAMIREZ, and JIRAYUT  
LATTHIVONGSKORN,

Plaintiffs,

v.

UNITED STATES OF AMERICA, DONALD  
J. TRUMP, in his official capacity as President  
of the United States, U.S. DEPARTMENT OF  
HOMELAND SECURITY, and ELAINE  
DUKE, in her official capacity as Acting  
Secretary of Homeland Security,

Defendants.

CASE NO. 17-CV-05380-WHA

COUNTY OF SANTA CLARA and  
SERVICE EMPLOYEES INTERNATIONAL  
UNION LOCAL 521,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity  
as President of the United States, JEFFERSON  
BEAUREGARD SESSIONS, in his official  
capacity as Attorney General of the United  
States; ELAINE DUKE, in her official  
capacity as Acting Secretary of the Department  
of Homeland Security; and U.S.  
DEPARTMENT OF HOMELAND  
SECURITY,

Defendants.

CASE NO. 17-CV-05813-WHA



1 I, BILL BLAZAR, declare:

2 1. My name is Bill Blazar. I am the Senior Vice President of Public Affairs and  
3 Business Development for the Minnesota Chamber of Commerce. I have been employed with the  
4 Chamber since 1992. The Chamber is Minnesota's largest business organization, representing more  
5 than 2,300 businesses in Minnesota.

6 2. The growth rate of the Minnesota workforce is declining, due in part to shifting  
7 demographics. Minnesota's workforce is aging and has insufficient natural growth to sustain the  
8 development and expansion of Minnesota's economy. As a result, there is a shortage of skilled workers  
9 in Minnesota.

10 3. Rescinding DACA will have an adverse impact on Minnesota businesses.  
11 Nationwide, the Deferred Action for Childhood Arrivals (DACA) program allows nearly 800,000 young  
12 people who were brought to the United States as children to work and study without the threat of  
13 deportation. DACA has empowered a number of these residents to join the Minnesota workforce.  
14 Many DACA recipients are employed by Minnesota businesses in a variety of fields. Depriving DACA  
15 recipients of their work authorization will further exacerbate Minnesota's workforce shortage.

16 4. Minnesota businesses have hired and retained DACA recipients because of their  
17 qualifications, skills, and contributions to their workforces. The rescission of DACA will cause DACA  
18 recipients to lose their work authorization, resulting in Minnesota businesses losing the important skills  
19 of these employees. Minnesota businesses will lose their investment of time and resources in their  
20 DACA recipient employees and will incur expenses in hiring, training, and managing new employees.

21 5. Nationwide, DACA recipients contribute to the global competitive advantage of  
22 the United States. DACA recipients help alleviate the shortage of skilled workers in Minnesota. The  
23 rescission of DACA will harm some Minnesota businesses.

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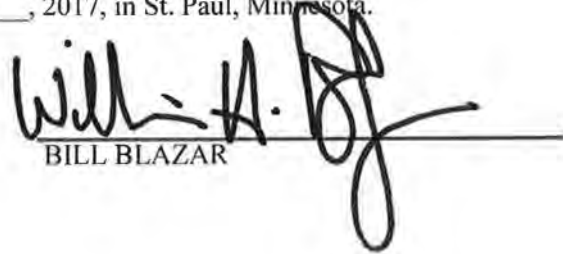
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DECLARATION OF BILL BLAZAR  
All DACA Cases (Nos. 17-5211, 17-5235, 17-5329, 17-5380, 17-5813)

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I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on 24 October, 2017, in St. Paul, Minnesota.

  
BILL BLAZAR



# EXHIBIT 10

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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

THE REGENTS OF THE UNIVERSITY OF  
CALIFORNIA and JANET NAPOLITANO,  
in her official capacity as President of the  
University of California,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND  
SECURITY and ELAINE DUKE, in her  
official capacity as Acting Secretary of the  
Department of Homeland Security,

Defendants.

CASE NO. 17-CV-05211-WHA

**DECLARATION OF DR. CLARENCE  
BRADDOCK III**

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STATE OF CALIFORNIA, STATE OF MAINE, STATE OF MARYLAND, and STATE OF MINNESOTA,  
  
Plaintiffs,  
  
v.  
  
U.S. DEPARTMENT OF HOMELAND SECURITY, ELAINE DUKE, in her official capacity as Acting Secretary of the Department of Homeland Security, and the UNITED STATES OF AMERICA,  
  
Defendants.

CASE NO. 17-CV-05235-WHA

CITY OF SAN JOSE, a municipal corporation,  
  
Plaintiffs,  
  
v.  
  
DONALD J. TRUMP, President of the United States, in his official capacity, ELAINE C. DUKE, in her official capacity, and the UNITED STATES OF AMERICA,  
  
Defendants.

CASE NO. 17-CV-05329-WHA

DULCE GARCIA, MIRIAM GONZALEZ AVILA, SAUL JIMENEZ SUAREZ, VIRIDIANA CHABOLLA MENDOZA, NORMA RAMIREZ, and JIRAYUT LATTHIVONGSKORN,  
  
Plaintiffs,  
  
v.  
  
UNITED STATES OF AMERICA, DONALD J. TRUMP, in his official capacity as President of the United States, U.S. DEPARTMENT OF HOMELAND SECURITY, and ELAINE DUKE, in her official capacity as Acting Secretary of Homeland Security,  
  
Defendants.

CASE NO. 17-CV-05380-WHA

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COUNTY OF SANTA CLARA and  
SERVICE EMPLOYEES INTERNATIONAL  
UNION LOCAL 521,  
  
Plaintiffs,  
  
v.  
  
DONALD J. TRUMP, in his official capacity  
as President of the United States, JEFFERSON  
BEAUREGARD SESSIONS, in his official  
capacity as Attorney General of the United  
States; ELAINE DUKE, in her official  
capacity as Acting Secretary of the Department  
of Homeland Security; and U.S.  
DEPARTMENT OF HOMELAND  
SECURITY,  
  
Defendants.

CASE NO. 17-CV-05813-WHA



1 I, CLARENCE BRADDOCK III, DECLARE:

2 1. I am Vice Dean of Education at the David Geffen School of Medicine at the University of  
3 California Los Angeles ("UCLA Medicine"). The matters set forth herein are true and correct of my  
4 own personal knowledge and, if called as a witness, I could and would testify competently thereto.

5 2. I have been Vice Dean of Education at UCLA Medicine for nearly four years. In my  
6 position, I oversee all aspects of medical education, including undergraduate, graduate, and postgraduate  
7 medical programs. I develop, manage, and implement strategies, initiatives and programs to promote  
8 and support education and training.

9 3. We have several Deferred Action for Childhood Arrivals ("DACA") status medical  
10 students at UCLA Medicine, including 4th year medical students. The David Geffen School of  
11 Medicine, like the wider University of California system, is dedicated to providing a place for students  
12 who are the most qualified, meritorious and committed to their medical training and future patient care.  
13 The DACA students currently enrolled at the David Geffen School of Medicine exemplify these  
14 qualities. They are emblematic of our fundamental role as an institution of higher learning: to train the  
15 most talented, hard-working, passionate young scholars to become the doctors and biomedical  
16 researchers of tomorrow, regardless of gender, race, ethnicity or citizenship. These students are here not  
17 because of their DACA status, but because they are exceptionally qualified and share a genuine desire to  
18 care for, and heal, the sick.

19 4. If these UCLA medical student and residents lose their DACA status, they become  
20 unemployable as physicians. They will not be able to practice medicine or even complete their residency  
21 in the United States as both require employment authorization. Without DACA, these students and  
22 residents would have no choice but to leave the United States in order to become practicing physicians.  
23 This would result in a loss of promising young doctors from our medical care system.

24 5. The DACA policy rescission has also created the specific risk that our fourth year  
25 students will not be offered medical residency positions. Because they will lose their employment  
26 authorization without DACA status, they will be unable to complete or potentially even start their  
27 residency programs. Our faculty and UCLA residency program advisors have shared with me their  
28 significant concern about DACA students losing their status before or during residency, which means

1 that our hard-working and bright DACA students might not be offered residency interviews and/or  
2 positions at all. This concern has become so acute that UCLA Medicine has offered to include language  
3 in the Dean's Letter for our fourth year students explaining DACA status and expressing our support for  
4 our DACA students. A Dean's Letter is provided to fourth year students applying for residency to  
5 describe each student's potential as a doctor and encourage their acceptance into a residency program.  
6 This language is being included in hopes it might help DACA students be considered for residency  
7 programs.

8 6. Our DACA students have played an important role in enriching UCLA Medicine's  
9 educational environment and curriculum. At UCLA Medicine, we consider cultivating a diverse  
10 academic community as a way to drive excellence. A significant part of a medical student's training as a  
11 future physician is cultural sensitivity and a thoughtful, candid, respectful connection with patients,  
12 community members, and peers. Our DACA students come from incredibly diverse backgrounds and in  
13 my experience have helped their peers to build a more culturally sensitive and competent educational  
14 environment by sharing their perspectives and shaping our curriculum. For example, DACA students  
15 have provided unique insight on delivering care to immigrant populations, stemming from their  
16 understanding of both the American health system and the challenges immigrant families and  
17 communities often face. Our DACA students are often able to draw on their own and their family's  
18 experiences—in a way their peers cannot easily do—to provide context for the patient's choices and the  
19 right approach to delivering health care to that patient. As a medical educator, I believe that first-hand  
20 perspectives help all of our students to develop essential empathy and cross-cultural understanding that  
21 makes them better doctors for California's diverse population.

22 7. Our DACA students' unique perspectives have also driven specific improvements in our  
23 curriculum. Among the foundational concepts of our medical curriculum are understanding concepts  
24 like implicit bias, stereotype threat, and micro-aggressions. Our DACA students brought to UCLA  
25 Medicine's attention that some of our own case studies contained stereotypical descriptions and bias in  
26 the terms used to describe a minority patient and, in another case, a migrant worker. This started  
27 conversations about the existence of stereotypes and bias in the healthcare environment led by DACA  
28 students, which sparked changes to these cases in our curriculum.



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8. Because of the DACA policy rescission, I believe we will see fewer diverse applicants to our programs from students who would otherwise have received DACA. This frustrates UCLA Medicine’s concerted effort to recruit diverse students through programs like Programs in Medical Education (“PRIME”). UCLA PRIME is a five-year concurrent/dual degree program focusing on the development of leaders in medicine by addressing policy, care and research in healthcare for medically underserved communities. We look for candidates who have leadership experience and are experienced with and committed to working with underserved populations. DACA students often have all of these qualifications. About one third of our current UCLA Medical DACA students are also PRIME program students. The rescission of the DACA policy frustrates UCLA Medicine’s efforts to select and train these talented future leaders of medical care for Californians.

9. Finally, I am concerned that the rescission of the DACA policy will have a broader negative impact on the UCLA community, particularly if any DACA recipients become the target of immigration enforcement. Recent news reports of immigration agents arresting undocumented individuals in courthouses and hospitals or near schools have already caused concern among our community. Our undocumented patients may choose to stay at home rather than seek the medical help they need in the face of this heightened immigration enforcement risk.

10. The decision to rescind the DACA policy harms our DACA recipient students, their peers, UCLA Medicine, their future patients and our broader community.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on October 25, 2017 in Los Angeles.

  
CLARENCE BRADDOCK III

# EXHIBIT 11



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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

THE REGENTS OF THE UNIVERSITY OF  
CALIFORNIA and JANET NAPOLITANO,  
in her official capacity as President of the  
University of California,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND  
SECURITY and ELAINE DUKE, in her  
official capacity as Acting Secretary of the  
Department of Homeland Security,

Defendants.

CASE NO. 17-CV-05211-WHA

**DECLARATION OF IKE BRANNON, PH.D.  
AND LOGAN ALBRIGHT**

STATE OF CALIFORNIA, STATE OF MAINE, STATE OF MARYLAND, and STATE OF MINNESOTA,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND SECURITY, ELAINE DUKE, in her official capacity as Acting Secretary of the Department of Homeland Security, and the UNITED STATES OF AMERICA,

Defendants.

CASE NO. 17-CV-05235-WHA

CITY OF SAN JOSE, a municipal corporation,

Plaintiffs,

v.

DONALD J. TRUMP, President of the United States, in his official capacity, ELAINE C. DUKE, in her official capacity, and the UNITED STATES OF AMERICA,

Defendants.

CASE NO. 17-CV-05329-WHA

DULCE GARCIA, MIRIAM GONZALEZ AVILA, SAUL JIMENEZ SUAREZ, VIRIDIANA CHABOLLA MENDOZA, NORMA RAMIREZ, and JIRAYUT LATTHIVONGSKORN,

Plaintiffs,

v.

UNITED STATES OF AMERICA, DONALD J. TRUMP, in his official capacity as President of the United States, U.S. DEPARTMENT OF HOMELAND SECURITY, and ELAINE DUKE, in her official capacity as Acting Secretary of Homeland Security,

Defendants.

CASE NO. 17-CV-05380-WHA

COUNTY OF SANTA CLARA and  
SERVICE EMPLOYEES INTERNATIONAL  
UNION LOCAL 521,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity  
as President of the United States, JEFFERSON  
BEAUREGARD SESSIONS, in his official  
capacity as Attorney General of the United  
States; ELAINE DUKE, in her official  
capacity as Acting Secretary of the Department  
of Homeland Security; and U.S.  
DEPARTMENT OF HOMELAND  
SECURITY,

Defendants.

CASE NO. 17-CV-05813-WHA

We, Ike Brannon and Logan Albright, declare:

1. I, Ike Brannon, am currently an economist who is president of the consulting firm Capital Policy Analytics. I also have an affiliation with the Cato Institute as a visiting fellow. I received my MA and Ph.D. in Economics from Indiana University. I was an economics professor in the University of Wisconsin System from 1994-2002. In 2001 I was given tenure and promoted to associate professor. Since then I have worked in Washington DC, for (in order) the Office of Management and Budget, the Congressional Joint Economic Committee, The Senate Finance Committee, The U.S. Treasury, and the House Energy and Commerce Committee. In 2008, I was chief economist for the John McCain for president campaign.

2. My coauthor, Logan Albright, received his Master's Degree in economics in 2011 from Georgia State University, and has worked as a policy analyst in Washington, DC for the last five years, including positions at think tanks and policy organizations such as the American Action Forum, FreedomWorks, Free the People, and Capital Policy Analytics.

### **Economic and Fiscal Cost of Repealing DACA**

3. Whereas the President has expressed a desire to end Deferred Action for Childhood Arrivals (DACA) program, we conducted a thorough investigation of the costs that such action would impose on the federal government as well as to the economy as a whole. We published that research in January 2017.

4. Whereas California contains a disproportionately high number of DACA recipients, we recently updated our analysis to examine that state, using data from the USCIS from September 4, 2017. We also examined the states of Maryland and Minnesota.

5. We began our analysis by comparing DACA recipients to those immigrants who hold H-1B visas. These are highly-skilled, well-educated immigrants who are demographically analogous to DACA students, all of whom must necessarily enroll in higher education programs in order to be eligible.

6. The average DACA recipient is 23 years old, employed, and a student. 17 percent of them are on track to complete an advanced degree. The college attrition rate of DACA recipients is

miniscule compared to domestic students<sup>1</sup>, an indication of the exceptional caliber and motivation of the DACA students. H-1B holders are generally between 25 and 34, employed, and most have completed degrees. In short, we posit that they look like what DACA recipients will look like in a few years' time.

7. We begin our analysis by using a study from the Hoover Institute<sup>2</sup> on the economic impact of expanding the H-1B visa program as our baseline. We adjusted that estimate by the difference in the number of recipients and the difference in relative incomes. To conform to the conventions of the federal budget we then compiled a ten year aggregate cost.<sup>3</sup>

8. We determined that if DACA recipients were completely analogous to H-1B holders their removal would constitute a budgetary loss of \$127 billion and a GDP loss of \$512 billion. The loss is the result of DACA recipients losing their legal employment and taking jobs in the underground economy, where few of them would pay income or payroll taxes. DACA recipients are also ineligible for most forms of federal assistance, including SNAP, CHIP, TANF, the Affordable Care Act, Medicaid, and Social Security Disability Insurance. Additionally, DACA recipients only become eligible for Social Security Retirement Benefits and Medicare after working and paying taxes for ten years, as well as reaching retirement age.<sup>4</sup> Lack of eligibility for federal benefits means that DACA recipients will cost the government less on average than a citizen.

9. We adjusted for the fact that DACA recipients, being younger and not completely done with their education, have an income on average roughly 43 percent of what H-1B holders earn. What's more, the population of DACA recipients is about 689,800 compared to the 660,000 H-1B holders the Hoover study examined, for which we also adjusted.

<sup>1</sup> Data provided to us from TheDream.US indicates that first year college attrition rate for those who participate in their program is under 5%.

<sup>2</sup> <http://www.hoover.org/sites/default/files/uploads/aafs/2013/05/Estimating-the-Economic-and-Budgetary-Effects-of-H-1B-Reform-In-S.744.pdf>

<sup>3</sup> We believe that our implicit assumption that the wage growth of DACA recipients will mirror that of H-1B workers is quite conservative, given that DACA recipients are younger--which is when wage growth is highest.

<sup>4</sup> "DACA and DAPA Access to Federal Health and Economic Support Programs," [National Immigration Law Center](#) (Jan. 30, 2015).

10. According to a survey done by Center for American Progress, 91 percent of DACA recipients are employed, a number that rises to 93 percent if we exclude persons under 25 years old.<sup>5</sup> In the general population the labor force participation rate—the most directly comparable labor market statistic—is 63.1 percent as of September 2017, according to the [Bureau of Labor Statistics](#).

11. From this, we determined that, over a ten-year window, a repeal of DACA would cost the federal government \$60 billion in lost revenue and the economy as a whole \$215 billion in lost GDP.

12. As a way of confirming our result, we compared our results to a study that looks at foreign-born U.S. workers<sup>6</sup> that was done by the National Research Council.<sup>7</sup> The study points out that immigrants become more productive over time as they learn new skills and become more fluent in English. The authors concluded that the average immigrant will have a net long-term impact on state, local and federal budgets of \$80,000, which includes tax payments as well as the impact of the children of immigrants, who tend to be less costly—and higher-earning—than their parents. Multiplying this estimate by the number of DACA recipients produces an estimated fiscal impact of \$59.3 billion, which is very close to our result of \$60 billion.

13. Residents in the state of California earn an average income higher than that of the country as a whole. Using Bureau of Labor Statistics data, we adjusted the results to reflect the incomes California DACA recipients are likely to earn.

14. California has the highest share of DACA recipients of any state at 197,900 or 28.7 percent of the total DACA population. Making all the adjustments discussed above, for population, age, and income, we estimate the economic cost of ending DACA in California over a ten year window to be \$71 billion and the fiscal cost to government revenue to be \$19 billion. This sums a total cost of \$90 billion, the highest cost of any state.

<sup>5</sup> Tom K Wong et al, “DACA Recipients’ Economic and Educational Gains Continue to Grow,” [Center for American Progress Report](#) (Aug. 28, 2017).

<sup>6</sup> The study includes both legal and illegal immigrants.

<sup>7</sup> James P. Smith and Barry Edmonston, editors, “The New Americans: Economics, Demographic, and Fiscal Effects of Immigration,” National Academies Press (Washington: NAP, 1997), p. 346.

15. By way of comparison, we also looked at DACA in two other states, Maryland and Minnesota.<sup>8</sup> Maryland contains 1.2 percent of DACA recipients and a repeal would cost that state \$814 million in lost revenue and \$2.9 billion in foregone economic activity over ten years. For Minnesota, the fiscal cost would be \$494 million and the economic cost would be \$1.8 billion.

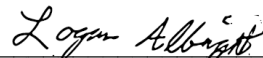
16. In summary, the repeal or rollback of the DACA program would have a significant and negative fiscal and economic impact on the state of California, and would have a disproportionate impact compared to neighbor states. California would, in fact, bear a greater cost of this change—both in absolute and relative terms—than any other state in the nation.

We declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on October 26, 2017, at Washington, DC.



Ike Brannon, Ph.D



Logan Albright

<sup>8</sup> An analysis for Maine was not conducted because it has a relatively small number of DACA recipients.

# EXHIBIT 12



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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

THE REGENTS OF THE UNIVERSITY OF  
CALIFORNIA and JANET NAPOLITANO,  
in her official capacity as President of the  
University of California,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND  
SECURITY and ELAINE DUKE, in her  
official capacity as Acting Secretary of the  
Department of Homeland Security,

Defendants.

CASE NO. 17-CV-05211-WHA

**DECLARATION OF SHAWN BRICK**

DECLARATION OF SHAWN BRICK

All DACA Cases (Nos. 17-5211, 17-5235, 17-5329, 17-5380, 17-5813)

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STATE OF CALIFORNIA, STATE OF MAINE, STATE OF MARYLAND, and STATE OF MINNESOTA,  
  
Plaintiffs,  
  
v.  
  
U.S. DEPARTMENT OF HOMELAND SECURITY, ELAINE DUKE, in her official capacity as Acting Secretary of the Department of Homeland Security, and the UNITED STATES OF AMERICA,  
  
Defendants.

CASE NO. 17-CV-05235-WHA

CITY OF SAN JOSE, a municipal corporation,  
  
Plaintiffs,  
  
v.  
  
DONALD J. TRUMP, President of the United States, in his official capacity, ELAINE C. DUKE, in her official capacity, and the UNITED STATES OF AMERICA,  
  
Defendants.

CASE NO. 17-CV-05329-WHA

DULCE GARCIA, MIRIAM GONZALEZ AVILA, SAUL JIMENEZ SUAREZ, VIRIDIANA CHABOLLA MENDOZA, NORMA RAMIREZ, and JIRAYUT LATTHIVONGSKORN,  
  
Plaintiffs,  
  
v.  
  
UNITED STATES OF AMERICA, DONALD J. TRUMP, in his official capacity as President of the United States, U.S. DEPARTMENT OF HOMELAND SECURITY, and ELAINE DUKE, in her official capacity as Acting Secretary of Homeland Security,  
  
Defendants.

CASE NO. 17-CV-05380-WHA

COUNTY OF SANTA CLARA and  
SERVICE EMPLOYEES INTERNATIONAL  
UNION LOCAL 521,

CASE NO. 17-CV-05813-WHA

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity  
as President of the United States, JEFFERSON  
BEAUREGARD SESSIONS, in his official  
capacity as Attorney General of the United  
States; ELAINE DUKE, in her official  
capacity as Acting Secretary of the Department  
of Homeland Security; and U.S.  
DEPARTMENT OF HOMELAND  
SECURITY,

Defendants.

1 I, SHAWN BRICK, DECLARE:

2 1. I am the Associate Director for Student Financial Support at the University of California  
3 Office of the President (“UCOP”). The matters set forth herein are true and correct of my own personal  
4 knowledge and, if called as a witness, I could and would testify competently thereto.

5 I have held various positions in student financial aid and admissions in the University of California  
6 (“UC”) system for fifteen years and am currently the Associate Director for Student Financial Support at  
7 the UCOP. As Associate Director for Student Financial Support, my duties include policy analysis,  
8 development, and implementation. I am responsible for producing complex analyses, executive  
9 summaries, and talking points on UC enrollment and affordability of UC education.

10 2. This declaration describes UC’s population of undocumented students and students who  
11 have Deferred Action for Childhood Arrivals status (“DACA students”), and the financial investment  
12 UC has made in those students. It then explains the investment that UC expects undocumented and  
13 DACA students (and their families) to make in their own education. It then provides figures on UC’s  
14 investment in graduate students. Finally, it provides the average debt of professional students upon  
15 graduation from UC. The rescission of the DACA program puts at risk the financial investment that UC  
16 and these students and families have made in their education.

17 3. UC’s mission includes provision of public undergraduate, graduate, and professional  
18 education. A key measure of our success is the percentage of entering students who complete their  
19 degrees. DACA students have earned their positions in programs at UC through their academic merit  
20 and accomplishments. UC invests in all its students, including DACA students, to enable them to  
21 continue their programs, complete their degree(s), graduate and become contributing members of  
22 society, including pursuing the careers for which UC trained them.

23 4. As described below, the University has provided financial support to its DACA and  
24 undocumented students enrolled as of the 2016-2017 academic year in the cumulative amount of  
25 between approximately \$87 million to \$252 million since 2013. The same students and their parents  
26 would have to have invested approximately \$73 million to \$180 million over the same period.

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28

**UC's Undocumented and DACA Students**

1  
2 5. As of the 2016-2017 academic year, UC had approximately 4,200 potentially  
3 undocumented students, of which approximately 1,700 students are likely to be DACA recipients.

4 6. This assessment is based on an analysis of several criteria in our financial aid data that  
5 suggest students are undocumented, and additional criteria suggesting that they have DACA status. To  
6 approximate the 4,200 undocumented student population, I considered that undocumented students are  
7 not eligible for federal financial aid, but, if they are eligible for the California nonresident tuition  
8 exemption under California Assembly Bill 540 ("AB540") then undocumented students (and only  
9 undocumented students) may choose to file a California DREAM (Development, Relief, and Education  
10 for Alien Minors) financial aid application. For the 4,200 students who meet this criteria, I then applied  
11 additional criteria to approximate the subset of 1,700 students who appear to have DACA work  
12 authorization.

13 7. This approach is likely to underestimate the number of undocumented students and,  
14 therefore, the number of students with DACA status at UC. For example, this figure would not include  
15 students who do not or cannot submit a California DREAM Act application for various reasons, or for  
16 whom we cannot identify likely work authorization for various reasons. It also excludes many graduate  
17 and professional students because the same criteria cannot be applied to accurately identify these  
18 students.

19  
20 **UC and State Investment in DACA Students**

21 8. Based on my assessments of undocumented and DACA student populations, I  
22 approximate UC's financial investment in these students cumulatively from 2013 to the 2016-2017  
23 academic year, including state grants and other sources. UC awards financial aid to students on a non-  
24 discriminatory basis according to students' financial need, as they demonstrate that need by submitting a  
25 Free Application for Federal Student Aid ("FAFSA") (not applicable to undocumented students or  
26 DACA students, who are ineligible for federal aid) or a California DREAM Act application.

27 9. UC has invested cumulatively between \$87 million (based on the DACA only estimate of  
28 1,700 students) and \$252 million (based on the 4,200 undocumented estimate) in the DACA students

1 who were pursuing degrees at UC as of the 2016-2017 academic year (based on dollar figures from  
2 preliminary 2016-2017 data). This is the approximate, cumulative investment in the cohort of  
3 undocumented and DACA students enrolled as of 2016-2017 at UC, over the course of their enrollment  
4 at UC from 2013 to the 2016-2017 academic year. The estimates are from 2013 onward because this was  
5 the earliest year that California DREAM Act data was received by UC, and it was this data that enabled  
6 me to assess the populations of undocumented and DACA student populations as described above.

### 8 UC Expectation of Student and Parent Investment in DACA Students' Education

9 10. All students and their parents are expected to invest in paying for the student's college  
10 education. UC's financial aid policy for undergraduates approaches paying for the total cost of  
11 attendance (tuition, fees, living expenses, books and supplies) as a partnership between parents, students,  
12 state and federal governments, and UC. Parents and students are expected to contribute based on their  
13 resources as reported on either the FAFSA (not applicable to undocumented students or DACA students,  
14 who are ineligible for federal aid) or the California DREAM Act application. UC then uses the same  
15 formula for all students to determine financial aid, based on demonstrated financial need. The average  
16 expected parent contribution for the 4,200 undocumented students was roughly \$700 per year, as  
17 calculated using this same formula for all students, based on financial need.

18 11. UC also expects all students that are financial aid recipients to contribute "self-help"  
19 amounts to their education through work or loans in the amount of \$10,000 per year. Many students  
20 who have DACA work authorization hold jobs to satisfy this portion of their financial obligation.  
21 Without DACA work authorization, it will be much more difficult for undocumented students to satisfy  
22 the self-help contribution that UC expects of all students.

23 12. The combined expected family investment is therefore \$10,700 per year by students and  
24 parents, or \$42,800 for a completion of a four-year undergraduate degree. For our DACA and  
25 undocumented students, this totals between approximately \$73 million (based on the DACA-only  
26 estimate of 1,700 students) and \$180 million (based on the 4,200 potentially undocumented estimate).



**Average Investment Graduate Academic and Professional Students**

13. Because financial aid often works differently in UC graduate and professional programs, I am unable to accurately estimate our population of undocumented or DACA graduate and professional students based on financial aid records. However, UC believes that there are enrolled graduate and professional students who are DACA students.

14. The University invests heavily in its graduate academic and professional students. In 2015-2016, UC paid \$523 million in University-funded fellowships to all of its graduate and professional students.

15. Graduate students are primarily supported through fellowships and employment as research and teaching assistants. In 2015-2016, UC’s graduate academic students received an average combined fellowship and assistanceship award of more than \$37,000 per student per year, including any graduate DACA students.

16. By contrast, professional degree students primarily finance their degree by investing themselves through student loans. The UCOP tracks student loan borrowing patterns by professional students to estimate students’ debt incurred for their own degrees. The average student loan debt for professional students is as follows, by program:

**Average Professional Student Debt Upon Graduation**

Degree Type	Cumulative Borrowing, 2015-2016 Graduating Cohort
Law	\$124,000
MBA	\$81,000
Medicine	\$154,000
Education	\$37,000
Other Health Professions	\$112,000
Other Non-Health	\$54,000

17. Without DACA, it will be difficult if not impossible for many of these graduate and professional students to complete their degrees and then to repay their significant debt from those degrees. Some of these degrees require work experience as a condition of graduation, such as a researcher or graduate student instructor. Further, without DACA, these students will lose the



1 employment authorization that enabled them to work in their chosen profession at a salary

2 commensurate with the debt incurred for their advanced degree.

3  
4 **Conclusion**

5 18. As indicated above, this assessment of investments of UC and its students in their  
6 education are conservative in many respects and the actual investment in undocumented and DACA  
7 students is likely greater.

8 19. The rescission of DACA puts in jeopardy the cumulative financial investments in the  
9 education of these talented students by the UC, the State of California, their families and the students  
10 themselves, as well as the ability of students to repay the debt incurred to pursue their education.

11 I declare under penalty of perjury under the laws of the United States that the foregoing is true  
12 and correct.

13 Executed on October 23, 2017 in Oakland, California.

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17 SHAWN BRICK

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18 **UNITED STATES DISTRICT COURT**  
19 **NORTHERN DISTRICT OF CALIFORNIA**  
20 **SAN FRANCISCO DIVISION**

21 THE REGENTS OF THE UNIVERSITY OF  
CALIFORNIA and JANET NAPOLITANO,  
in her official capacity as President of the  
22 University of California,

23 Plaintiffs,

24 v.

25 U.S. DEPARTMENT OF HOMELAND  
SECURITY and ELAINE DUKE, in her  
26 official capacity as Acting Secretary of the  
Department of Homeland Security,

27 Defendants.  
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CASE NO. 17-CV-05211-WHA

**DECLARATION OF NATALIE CARDENAS**

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STATE OF CALIFORNIA, STATE OF MAINE, STATE OF MARYLAND, and STATE OF MINNESOTA,  
  
Plaintiffs,  
  
v.  
  
U.S. DEPARTMENT OF HOMELAND SECURITY, ELAINE DUKE, in her official capacity as Acting Secretary of the Department of Homeland Security, and the UNITED STATES OF AMERICA,  
  
Defendants.

CASE NO. 17-CV-05235-WHA

CITY OF SAN JOSE, a municipal corporation,  
  
Plaintiffs,  
  
v.  
  
DONALD J. TRUMP, President of the United States, in his official capacity, ELAINE C. DUKE, in her official capacity, and the UNITED STATES OF AMERICA,  
  
Defendants.

CASE NO. 17-CV-05329-WHA

DULCE GARCIA, MIRIAM GONZALEZ AVILA, SAUL JIMENEZ SUAREZ, VIRIDIANA CHABOLLA MENDOZA, NORMA RAMIREZ, and JIRAYUT LATTHIVONGSKORN,  
  
Plaintiffs,  
  
v.  
  
UNITED STATES OF AMERICA, DONALD J. TRUMP, in his official capacity as President of the United States, U.S. DEPARTMENT OF HOMELAND SECURITY, and ELAINE DUKE, in her official capacity as Acting Secretary of Homeland Security,  
  
Defendants.

CASE NO. 17-CV-05380-WHA



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<p>COUNTY OF SANTA CLARA and SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 521,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>DONALD J. TRUMP, in his official capacity as President of the United States, JEFFERSON BEAUREGARD SESSIONS, in his official capacity as Attorney General of the United States; ELAINE DUKE, in her official capacity as Acting Secretary of the Department of Homeland Security; and U.S. DEPARTMENT OF HOMELAND SECURITY,</p> <p style="text-align: center;">Defendants.</p>
---

CASE NO. 17-CV-05813-WHA

**DECLARATION OF NATALIE CARDENAS**

I, NATALIE CARDENAS, declare as follows:

1. I am a legal assistant at the Garcia Law Firm in Chula Vista, California. The Garcia Law Firm, headed by Dulce Garcia, offers representation to clients in immigration, civil litigation, and criminal defense cases. I have had this position since July 31, 2017, and my responsibilities include assisting Dulce with drafting declarations, client intake, correspondence and accounting, and various discovery-related tasks, such as production of documents.

2. I have personal knowledge of the facts set forth in this declaration, and if called as a witness, I could and would competently testify to them.

3. I graduated from San Diego State University in May of 2017, with a bachelor's degree in criminal justice and a minor in psychology. I plan to go to law school to realize my life-long dream of becoming a lawyer.

4. I have come to know Dulce quite well because I work with her on a daily basis. She supervises my work and I regularly observe her interacting with clients and potential clients. I consider her a mentor because we have had numerous conversations about my career ambitions. I admire her and find her truly inspiring. She has shown me that my dream of becoming a lawyer is within reach.

5. As an aspiring lawyer, I have been fortunate to observe Dulce and learn how a lawyer should carry herself and what it means to be an effective advocate. Dulce is also a role model for me because she comes from a disadvantaged background, just like I do, and yet she has overcome this and other obstacles to be where she is now—a successful lawyer with her own thriving law practice.

6. Dulce has a unique ability to connect to her clients, and the manner and competence with which she communicates with them have taught me what it means to be a good lawyer. Moreover, the fact that she herself is a Latina immigrant enables her to foster trust with clients from similar backgrounds who come to her for help with immigration issues.

7. Dulce is selfless. Even with her busy schedule, she always finds time for community service and pro bono work. For example, despite the fact that she has been going through a lot of stress herself as a DACA recipient who may lose her status due to the government's announcement that it will rescind DACA, she held two free informational workshops for other DACA recipients. At these



1 workshops, which were held on September 16 and September 23, 2017 at our office in Chula Vista,  
2 Dulce assisted DACA recipients with filling out their DACA renewal applications for free. I assisted  
3 Dulce during one of these workshops.

4 8. I have had numerous and lengthy conversations with Dulce about the many hardships she  
5 has experienced as an undocumented immigrant and what it has meant for her to have DACA status.  
6 Dulce has explained to me that, because she did not have legal status growing up, she struggled to obtain  
7 things that were easily accessible to others. For example, because Dulce did not have a social security  
8 number, she told me that she was not eligible to obtain a California driver's license and therefore could  
9 not drive. She told me that her high school guidance counselor told her to give up her dreams of going  
10 to college because she was an illegal immigrant. She also told me that not having valid work  
11 authorization prevented her from obtaining internships and jobs, like the rest of her peers were doing  
12 around her. Despite these obstacles—and on top of growing up poor—Dulce told me how she worked  
13 her way through college and law school.

14 9. Since getting her DACA status, Dulce has established her own law firm with two  
15 offices—one in San Diego and another in Chula Vista, which she recently opened. Between the two  
16 offices, Dulce currently has over 70 active cases. Over half of these pending cases are immigration-  
17 related. The majority of the firm's clients are native Spanish speakers. Dulce has told me that, as an  
18 immigrant, she feels an obligation to practice immigration law to help individuals in her community. In  
19 fact, she told me that she opened her second office in Chula Vista because Chula Vista has a larger  
20 concentration of immigrants than San Diego, and therefore there is a greater need for immigration  
21 lawyers.

22 10. During our numerous conversations, Dulce has also told me that she relied on her DACA  
23 status and the ability to renew that status to invest her time and resources into establishing her law firm  
24 in San Diego. In connection with opening her own law practice, Dulce has hired employees and has  
25 made obligations to represent clients. Dulce currently has over 70 active cases, so over 70 clients are  
26 relying on Dulce to represent them in their legal disputes.

27 11. It is devastating for me to think that if Dulce's DACA status is rescinded, she may be  
28 deported and lose everything she has accomplished, including her law practice, which is her livelihood



1 and the culmination of her lifetime dream. If she were to be deported to Mexico, she would also lose her  
2 family, friends, and community in the United States. She has also told me that she has no family or  
3 friends in Mexico, so she will have to start a new life there from scratch and without any support.

4 12. If Dulce's DACA status is terminated, I also fear that I will lose my job. The majority of  
5 Dulce's clients are those with immigration cases and Dulce would be putting herself at risk for  
6 detention by immigration authorities if she attended her client's immigration hearings. Therefore, my  
7 understanding is that a significant portion of Dulce's clients will have to find other lawyers to represent  
8 them if Dulce loses her DACA status. Since Dulce pays me my salary out of the fees she collects from  
9 paying clients, Dulce will be unable to pay my salary if she does not have enough clients.

10 13. If Dulce loses her DACA status, not only would I lose a job I love and that provides me  
11 with a good income, but I would lose an important mentor and friend who has already enriched my life  
12 in so many ways.

13  
14 I declare under penalty of perjury under the laws of the United States of America that the  
15 foregoing is true and correct.

16 Executed on October 27, 2017, in San Diego, California.

17  
18   
19 \_\_\_\_\_  
20 NATALIE CARDENAS

# EXHIBIT 14

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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

THE REGENTS OF THE UNIVERSITY OF  
CALIFORNIA and JANET NAPOLITANO,  
in her official capacity as President of the  
University of California,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND  
SECURITY and ELAINE DUKE, in her  
official capacity as Acting Secretary of the  
Department of Homeland Security,

Defendants.

CASE NO. 17-CV-05211-WHA

**DECLARATION OF VIRIDIANA  
CARRIZALES**

STATE OF CALIFORNIA, STATE OF MAINE, STATE OF MARYLAND, and STATE OF MINNESOTA,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND SECURITY, ELAINE DUKE, in her official capacity as Acting Secretary of the Department of Homeland Security, and the UNITED STATES OF AMERICA,

Defendants.

CASE NO. 17-CV-05235-WHA

CITY OF SAN JOSE, a municipal corporation,

Plaintiffs,

v.

DONALD J. TRUMP, President of the United States, in his official capacity, ELAINE C. DUKE, in her official capacity, and the UNITED STATES OF AMERICA,

Defendants.

CASE NO. 17-CV-05329-WHA

DULCE GARCIA, MIRIAM GONZALEZ AVILA, SAUL JIMENEZ SUAREZ, VIRIDIANA CHABOLLA MENDOZA, NORMA RAMIREZ, and JIRAYUT LATTHIVONGSKORN,

Plaintiffs,

v.

UNITED STATES OF AMERICA, DONALD J. TRUMP, in his official capacity as President of the United States, U.S. DEPARTMENT OF HOMELAND SECURITY, and ELAINE DUKE, in her official capacity as Acting Secretary of Homeland Security,

Defendants.

CASE NO. 17-CV-05380-WHA

COUNTY OF SANTA CLARA and  
SERVICE EMPLOYEES INTERNATIONAL  
UNION LOCAL 521,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity  
as President of the United States, JEFFERSON  
BEAUREGARD SESSIONS, in his official  
capacity as Attorney General of the United  
States; ELAINE DUKE, in her official  
capacity as Acting Secretary of the Department  
of Homeland Security; and U.S.  
DEPARTMENT OF HOMELAND  
SECURITY,

Defendants.

CASE NO. 17-CV-05813-WHA

I, Viridiana Carrizales, declare and state as follows:

1. I am over the age of 18. I have personal knowledge of the matters stated herein, and if called as a witness, I could and would testify competently thereto.

2. I am the Managing Director of DACA Corps Member Support at Teach For America (TFA).

3. Teach For America finds, develops, and supports a diverse network of leaders who expand opportunity for children from classrooms, schools, and every sector and field that shapes the broader systems in which schools operate. We recruit remarkable and diverse individuals to become teachers in low-income communities. They commit to teach for two years and are hired by our partner public schools across the country. During these two years, they are called TFA corps members. Since 1990, when our program began, we have brought over 56,000 talented teachers and leaders to classrooms in low-income communities across America, including in the States of California, Maryland, and Minnesota.

4. Teach For America is a tax-exempt organization under section 501(c)(3) of the Internal Revenue Code. While we operate in 53 regions within 36 states and the District of Columbia, and are qualified to do business in 42 states and D.C., we are only incorporated in one state, Connecticut, where we were incorporated as a nonprofit corporation in 1989. TFA is managed and controlled by a Board of Directors; a Chief Executive Officer supervises, manages and controls the general day-to-day administration of TFA, subject to the oversight of the Board. Our headquarters is in New York City.

5. Deferred Action For Childhood Arrivals (DACA) allows qualified young adults to apply for DACA status and receive renewable, two-year work permits and temporary relief from deportation. DACA is life-altering for young immigrants, who are able to work, obtain driver's licenses, get health insurance, open bank accounts and provide for their families.

6. As one of our nation's leading recruiters of teachers in receipt of DACA for public schools, Teach For America has an interest in maintaining DACA because it allows talented, diverse college graduates to serve as teachers and leaders.

7. In 2013, Teach For America was among the first organizations to recruit college graduates with DACA status into the workforce. Our first DACA cohort consisted of two teachers hired in one district.

8. Since 2013, our DACA cohort has grown. Nationwide, as of the first day of school in 2017, 188 Teach For America alumni and corps members with DACA status are working in classrooms to expand educational opportunities for more than 10,000 students in 11 states, including California. Another 10 DACA alumni are promoting equity in the nonprofit, corporate, and higher education sectors, including one enrolled in medical school and four on staff at Teach For America.

9. In the State of California, there are currently 28 DACA TFA corps members and 25 DACA TFA alumni. All 53 corps members and alumni impact thousands of students in California.

10. In keeping with TFA's mission, our DACA teachers work in shortage-area subjects and hard-to-staff schools. Some examples: Miriam teaches reading and math at a STEM-focused middle school in Los Angeles, where she uses project-based lessons to instill a love of STEM learning in her students. Her aim is to help more students from low-income communities graduate prepared for STEM colleges and careers by providing them early opportunities to learn and apply math and science in age-appropriate, real-life scenarios. For example, in a recent lesson on ratios, students used applied STEM skills to make homemade ice cream. Jose teaches 7<sup>th</sup> grade math in Los Angeles. He works to instill a love for math in his students on a daily basis, and aims to incorporate its relevance to their lives in his lessons. For example, last year, students in Jose's class read about women and people of color in STEM, researched a STEM career they would be interested in pursuing in the future, and applied rational number concepts they had learned throughout the trimester to argue the importance of diversity in STEM related fields. These are just two examples--many of our DACA teachers are bilingual, focused on STEM, or they bring Ivy League educations to the classroom. Many others serve as role models and navigators for students who face the intersecting challenges of poverty and undocumented status.

11. If DACA ends, or the administration stops approving or renewing DACA applications, DACA teachers and leaders, including over 200 TFA alumni and corps members with DACA status, would lose their ability to work and would be at risk of deportation—a far cry from the pathway to



citizenship these individuals deserve. Ending DACA would severely undercut TFA's national effort to increase academic success among all students, but particularly undocumented students, since we've learned that DACA teachers provide tremendous help to undocumented youth as they navigate the barriers they face; students would lose the chance to connect with teachers who mirror their life experiences and act as remarkable role models.

12. Ending DACA without a solution in place would have other far-reaching impacts on our students and communities. Many K-12 students in the United States are undocumented or have one undocumented parent at home. If DACA is rescinded, they will lose the legal pathway to driver's licenses, jobs, and higher education. They could be separated from their families or deported to countries they've never known as home.

13. Teach For America is proud of the impact our DACA leaders have made on our corps, communities, and country. We will continue to provide them legal assistance and financial support during this time of uncertainty.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and that this declaration was executed on October 11, 2017 in San Antonio, Texas.



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VIRIDIANA CARRIZALES

# EXHIBIT 15

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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

20 THE REGENTS OF THE UNIVERSITY OF  
21 CALIFORNIA and JANET NAPOLITANO,  
22 in her official capacity as President of the  
23 University of California,

23 Plaintiffs,

24 v.

25 U.S. DEPARTMENT OF HOMELAND  
26 SECURITY and ELAINE DUKE, in her  
27 official capacity as Acting Secretary of the  
28 Department of Homeland Security,

28 Defendants.

CASE NO. 17-CV-05211-WHA

**DECLARATION OF VIRIDIANA  
CHABOLLA MENDOZA**

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STATE OF CALIFORNIA, STATE OF MAINE, STATE OF MARYLAND, and STATE OF MINNESOTA,  
  
Plaintiffs,  
  
v.  
  
U.S. DEPARTMENT OF HOMELAND SECURITY, ELAINE DUKE, in her official capacity as Acting Secretary of the Department of Homeland Security, and the UNITED STATES OF AMERICA,  
  
Defendants.

CASE NO. 17-CV-05235-WHA

CITY OF SAN JOSE, a municipal corporation,  
  
Plaintiffs,  
  
v.  
  
DONALD J. TRUMP, President of the United States, in his official capacity, ELAINE C. DUKE, in her official capacity, and the UNITED STATES OF AMERICA,  
  
Defendants.

CASE NO. 17-CV-05329-WHA

DULCE GARCIA, MIRIAM GONZALEZ AVILA, SAUL JIMENEZ SUAREZ, VIRIDIANA CHABOLLA MENDOZA, NORMA RAMIREZ, and JIRAYUT LATTHIVONGSKORN,  
  
Plaintiffs,  
  
v.  
  
UNITED STATES OF AMERICA, DONALD J. TRUMP, in his official capacity as President of the United States, U.S. DEPARTMENT OF HOMELAND SECURITY, and ELAINE DUKE, in her official capacity as Acting Secretary of Homeland Security,  
  
Defendants.

CASE NO. 17-CV-05380-WHA

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<p>COUNTY OF SANTA CLARA and SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 521,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>DONALD J. TRUMP, in his official capacity as President of the United States, JEFFERSON BEAUREGARD SESSIONS, in his official capacity as Attorney General of the United States; ELAINE DUKE, in her official capacity as Acting Secretary of the Department of Homeland Security; and U.S. DEPARTMENT OF HOMELAND SECURITY,</p> <p style="text-align: center;">Defendants.</p>
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CASE NO. 17-CV-05813-WHA

1 I, Viridiana Chabolla Mendoza, declare as follows:

2 1. I am a party in the above-captioned action. I make this declaration based on my  
3 personal knowledge. If called as a witness, I could and would testify competently on the facts stated  
4 herein.

5 **Early Life**

6 2. I was born in Irapuato, Guanajuato, Mexico on April 4, 1991, and was brought to the  
7 United States when I was two years old. I do not remember living in Mexico at all. The United  
8 States is my home.

9 3. My family has told me that violence and economic necessity drove my family to move  
10 to the United States. The town where we were from had become increasingly dangerous. My  
11 grandfather was a guard at a local municipal jail in Penjamo. He was taken hostage during an escape  
12 attempt and was shot and stabbed; my uncle, who was a teenager at the time, was also taken hostage.

13 4. I grew up in a working-class neighborhood in East Los Angeles, California with my  
14 mother, stepfather, and two younger sisters. My sisters were born in the United States and are U.S.  
15 citizens. One sister is 24 years old and lives with my mother in East Los Angeles. My other sister is  
16 18 years old and is currently in her first year of college. I have a very close relationship with each of  
17 them and try to see them as frequently as I can.

18 5. I attended historically low-performing and under-resourced public schools, but I  
19 worked hard and earned excellent grades.

20 6. For as long as I can remember, I have known I was undocumented. Around age nine,  
21 I started to hear about the DREAM Act and I was aware that this concerned me because I was  
22 undocumented. I also had several undocumented relatives who were about a decade older than I was,  
23 and I witnessed how being undocumented created barriers in their attempts to pursue their  
24 educational dreams. I saw how it affected their ability to get financial aid, to study abroad, or attend  
25 a typical four-year college degree program.

26 7. The neighborhood I grew up in was filled with immigrant families, many of whom  
27 were like mine—a mix of undocumented and U.S.-born citizens who were the children of  
28 undocumented immigrants. Even as a child, I remember being nervous when I saw the police in my

1 neighborhood. I worried that it meant that someone was going to be arrested or deported for lack of  
2 proper documentation. Luckily, no one in my immediate family ever had any negative encounters  
3 with immigration enforcement.

4 8. As a child and teenager, I remember vivid emotions like fear and embarrassment due  
5 to my status as an undocumented immigrant. I felt there was a stigma connected with not being a  
6 U.S. citizen. I tried to hide or cover up the fact that I was undocumented from my friends. I  
7 remember one instance when I was invited to travel with one of my friends and her family out of the  
8 country. I knew that I could not do this and, rather than tell my friend the truth, I simply told her that  
9 my mother did not want me to go.

10 9. The inability to travel internationally also hampered my ability to get engaged in  
11 social and community-building activities. For example, in elementary school, I was part of a youth  
12 club sponsored by the Rotary Club (“Rotary”). Rotary advertised to us that it provided opportunities  
13 for high school youth to travel internationally as part of enrichment and public service trips.  
14 Although I would have loved to go on one of these trips, I knew that I would not be able to  
15 participate. My undocumented status prevented me from flying and would prevent me from re-  
16 entering the United States—my home—if I were to leave.

17 **Applying to College**

18 10. I graduated from Garfield High School in May 2009. At graduation, I was at the top  
19 5% of my class and graduated 11<sup>th</sup> in my class out of approximately 1000 students, with a 4.0+ GPA.  
20 Despite this accomplishment, the whole college application process was traumatizing. Not being  
21 documented affected every aspect of my college application process and decision-making process.

22 11. During my senior year, I went to my high school’s college counselor and told her that  
23 I was undocumented and was unsure what to do about college. Because I was undocumented, I was  
24 not eligible for federal financial aid. I had done some research on my own about AB-540, a  
25 California law which allows undocumented immigrants to pay in-state tuition in California state  
26 schools. Tuition was still, however, very expensive. I had seen a few young people go through the  
27 Cal State system and some of them took eight years to complete their degree, because they could only  
28 afford to take one class at a time, while working full time.



1           12.     The college counselor encouraged me to apply to college regardless, but she did not  
2 know what options I had. The only advice I got was simply to apply to the University of California  
3 schools and Cal State. She also referred me to a small for-profit school, which I think she did only  
4 because she was not sure how else to counsel someone in my situation.

5           13.     I briefly looked into attending university in Mexico, but I cried every time I thought  
6 about it. Because their education system is different from ours, I was not even certain I met the  
7 requirements to attend university there. Additionally, although my conversational Spanish is quite  
8 good, my Spanish grammar is not and I have never taken rigorous educational classes in Spanish. I  
9 would be at a huge disadvantage to have to study in Spanish as opposed to in English. In addition,  
10 when I asked my family if they thought I should apply to schools in Mexico, they vociferously  
11 objected—noting that I have no real family there and no place to stay.

12           14.     I ultimately applied to California State University at Los Angeles, University of South  
13 California (“USC”), Occidental College, Pomona College and Wellesley College in Massachusetts. I  
14 did not apply to any University of California schools because I could not afford to pay in-state  
15 tuition. (The California Dream Act, which allows undocumented students enrolled in eligible  
16 California colleges and universities to apply for state financial aid, had not been passed at this time.)  
17 Even still, I did not know how I would be able to pay for tuition at these schools.

18           15.     The USC application required me to identify my legal status, but it only had categories  
19 for legal permanent resident, visa, and U.S. citizen, so I had to apply as an international student. This  
20 category automatically put me in a different category for financial aid, and I was told I had to come  
21 with my own money or scholarship.

22           16.     While Occidental College rejected my application, I was very fortunate that Pomona  
23 College accepted my application and offered me a full scholarship, including room and board. Once  
24 I arrived at Pomona College, I learned that almost every other undocumented student there had also  
25 been rejected by Occidental College, likely because they had limited funding for scholarships.

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**My College Experience**

17. I entered Pomona College in the fall of 2009, and graduated with a Bachelor of Arts Degree in Sociology and Chicana/o-Latina/o Studies in May 2013.

18. Although my scholarship covered my tuition and room and board, I still had additional expenses. I was able to pay out of pocket for these expenses during my first year, largely because I had received several financial awards when I graduated high school. Before my sophomore year, I approached the Pomona College financial aid office to inquire about my options for other funding. I had to explain that I was not eligible for federal or state financial aid because I was undocumented. Thankfully, between my sophomore, junior, and senior years, I was able to secure loans through Pomona totaling approximately \$9,000. I am still making monthly payments to Pomona to pay off this debt.

19. While at Pomona, I received numerous honors and awards: Young People For (YP4) Fellow (2011), McNair Scholar (2012), Chicana/o-Latina/o Studies Department Service Award (2013), Pomona College Senior Service Award (2013), National Association of Chicana and Chicano Studies (NACCS) Conference Thesis Presentation (2013).

20. I was also heavily involved in campus life. I participated in many activities, including serving as Empowered Latin@s in Action Co-President and Chicana/o Latina/o Student Affairs Mentor.

21. While maintaining a full course load at Pomona College, I served as a K-12 Educational Outreach and Pomona Academy for Youth Success (PAYS) Coordinator at the Draper Center for Community Partnerships during my junior and senior years. The Draper Center is part of Pomona College and is essentially their volunteer center. PAYS is one of their signature programs; it brings local high school students to Pomona College for programs over the summer and through the school year. In my role, I coordinated college information sessions for parents, SAT preparation classes, academic tutoring, and enrichment activities for over 90 students and their families, nearly all of whom came from disadvantaged economic circumstances. I also assisted with admissions outreach and recruitment of applicants for the program. As co-coordinator for the Center’s K-12 Campus Visits Program, I was responsible for bringing approximately 1,000 kindergarten through

1 twelfth-grade students from underrepresented backgrounds to campus for workshops, panels, and  
2 informational tours.

3 22. During the summer of 2011, I was a Summer Teacher’s Assistant at PAYS. I assisted  
4 sixteen high school juniors over a four-week residential summer program with college-level math and  
5 social science assignments, tutoring and other academic matters. I also created and taught an elective  
6 course on the U.S. Civil Rights Movement.

7 23. During the summer of 2012, before my final year of college, I also enrolled in a pre-  
8 graduate program called McNair which was part of the federal TRIO program and fell under the same  
9 umbrella as Upward Bound. At the time, I thought I would pursue a PhD after college, and so I took  
10 short term graduate classes over a span of four weeks. These classes were essentially crash courses  
11 on research, as well as a tutorial on the application process for a doctoral program.

12 24. Since I did not receive DACA until my senior year of college, I did not have work  
13 authorization for my first three years of college. I could not do work-study or be employed while  
14 going to school. Instead, my positions with the school were fellowship positions, which were not  
15 employment based positions. In February 2011, when I first started to look for on-campus job  
16 opportunities, I was informed by Pomona College’s Student Employment & Loan Coordinator,  
17 Meredith Hanson, that, “any student that does not have the documents available to complete a Form  
18 I-9, Employment Eligibility Verification cannot be employed.” Attached as Exhibit A is a true and  
19 correct copy of an email dated February 10, 2011 that I received from Meredith Hanson.

20 **DACA Applications and Approvals**

21 25. I clearly remember the day that President Obama announced the DACA program: June  
22 15, 2012, during the summer before my senior year of college. I heard the announcement at an event  
23 in downtown Los Angeles sponsored by DreamSummer, an organization that provides undocumented  
24 students with internship opportunities. I watched the President Obama’s announcement of the DACA  
25 program with a friend of mine who was also undocumented. By the end of the announcement we  
26 were both in tears. We knew right away how significant DACA would be for us. Now, five years  
27 later, I can say that we were not wrong. It has indeed had an incredibly significant impact on my life.

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1           26. I remember that some people I knew decided not to apply for DACA. I remember one  
2 acquaintance in particular decided against applying because she did not want to provide the  
3 government with all of her information, as she was afraid they would use it against her for  
4 enforcement purposes in the future. She and I discussed these fears and the potential ramifications at  
5 great length.

6           27. As I began to educate myself more about DACA, I remember hearing announcements  
7 and discussion about DACA from people like Senators Barbara Boxer and Diane Feinstein, as well as  
8 some of the local representatives from East Los Angeles, like Los Angeles Councilman Jose Huizar.  
9 I also remember the City of Los Angeles being extremely active in encouraging young people, like  
10 my friend and me, to apply for DACA. Among other things, I remember that the city held several  
11 large clinics to assist people with the applications.

12           28. After seeing all of these endorsements, I remember thinking to myself, “this must be  
13 safe to do.” And so, even though I knew people voiced their reservations about giving the  
14 government identifying information about themselves and their families, I ultimately felt like I had to  
15 trust that the government would use our information solely for the DACA application and not for  
16 anything else, as it represented publicly. Because of this trust, I decided that it was worth it to apply  
17 for the DACA program.

18           29. I went to a clinic sponsored by the Coalition for Humane Immigrant Rights for help  
19 putting together my application. People were lined up outside the door and down the street, so I was  
20 not able to get help with my application. I remember that people kept asking the lawyers there about  
21 whether it was safe for them to disclose personal information to the government.

22           30. It took me awhile to assemble all of the documentation required for the application. I  
23 painstakingly analyzed all of the requirements and was scared that any little thing could derail the  
24 process. I was excited to apply and was confident that my DACA application would be approved if I  
25 applied. I satisfied all of the qualifications and requirements of the program, including the  
26 background check.

27           31. At the time that I was weighing my decision to apply, I believed that if the government  
28 were to make any changes to DACA, it would be to transition it to a permanent status that did not

1 require renewals. I never imagined that DACA would be yanked away without any other solution  
2 already in place, especially when doing so would leave DACA recipients vulnerable to the risk of  
3 deportation. Aside from the cruel social consequences that would result from doing so, I also  
4 reasoned that the government would be unlikely to take an action that would surely have disastrous  
5 economic consequences for the country.

6 32. I probably would not have applied to DACA if I knew it would be rescinded later or if  
7 there were no renewal period. I tend to think long term and, thus, if renewal was not an option, I  
8 would have been much more suspicious of the program and the reasons for gathering information  
9 from DACA recipients.

10 33. On October 2, 2012, with the help of the Asian Pacific American Legal Center, I  
11 submitted my application for DACA status and work authorization. Attached hereto at Exhibit B is a  
12 true and correct copy of the DACA Application (Form I-821D) and Application for Work  
13 Employment Authorization (Form I-765 and I-765WS Worksheet) that I submitted to USCIS on  
14 October 2, 2012.

15 34. Coming up with the \$465 fee required for the initial application was difficult. I ended  
16 up having to use money from a loan that was meant for my college books.

17 35. In connection with my DACA application, I went to a USCIS application support  
18 center on November 9, 2012 to have my biometrics taken. Attached as Exhibit C is a true and correct  
19 copy of my ASC Appointment Notice dated October 19, 2012.

20 36. I received approval of my DACA application on December 7, 2012. Attached as  
21 Exhibit D is a true and correct copy of the Form I-797 DACA Application Approval Notice that I  
22 received from USCIS on December 7, 2012.

23 37. I also received employment authorization at this time. Attached as Exhibit E is a true  
24 and correct copy of the Form I-797 Application for Employment Authorization Approval Notice that  
25 I received from USCIS on December 7, 2012.

26 38. In connection with being approved for DACA status, I was able to apply for a Social  
27 Security card, which I received in December 2012.

28 39. I applied for renewal of my DACA status and work authorization on August 11, 2014.

1           40. I received approval of my first DACA renewal application on November 2, 2014, and  
2 also received a renewed employment authorization card around that time. Attached as Exhibit F is a  
3 true and correct copy of the Form I-797 DACA Application Approval Notice that I received from  
4 USCIS on November 2, 2014. I received my work authorization renewal around this same time.

5           41. I applied for renewal of my DACA status and work authorization a second time on  
6 June 15, 2016.

7           42. I received approval of my second DACA renewal application on October 6, 2016. My  
8 DACA status will expire on October 5, 2018. Attached as Exhibit G is a true and correct copy of the  
9 Form I-797 DACA Application Approval Notice that I received from USCIS on October 6, 2016. I  
10 received my second work authorization renewal around this same time.

11           43. For both the times that I applied to renew my DACA status, I felt assured about my  
12 status. I received letters from the government before my permit would expire to let me know that my  
13 renewal date was coming up and that I should renew by a certain date to avoid losing my work  
14 authorization. Attached as Exhibit H is a true and correct copy of the Form I-797C, Notice of Action  
15 that I received from USCIS on May 4, 2016 (stating “[i]f you have not already done so, USCIS  
16 encourages you to submit your renewal request as soon as possible). I remember thinking that it was  
17 very nice of the government to send reminders and that this was very important. The message I  
18 received from the government was not just that *could* apply but rather that I *should* reapply because  
19 having DACA is helping me have a life in this country.

20           44. The renewal process was much more streamlined than the original application process  
21 because I did not have to submit additional documentation. It led me to believe that I would continue  
22 to be eligible for renewal so long as I continued to be an positive member of the community.

23           45. Each DACA renewal costs \$465, which is not an insubstantial amount for me. In  
24 anticipation of both of my renewal applications, I carefully budgeted for many months so that I would  
25 have enough money to pay for renewal application fee.

26           **Professional, Personal, and Other Benefits Obtained Because of DACA**

27           46. There has never been a doubt in my mind that the United States is my home and this is  
28 where I want to stay and build my life. DACA is the foundation upon which I have built this vision.

1 Importantly, DACA is enabling me to fulfil my dream of serving disadvantaged and underrepresented  
2 communities by obtaining justice through the legal system.

3 47. Being a DACA recipient immediately opened up employment and educational  
4 opportunities for me, particularly with regard to my education. Upon receiving my DACA status,  
5 one of the first things I did was go to the Human Resources Department at Pomona College and  
6 request a new position so that I could be paid as an hourly employee. I saved the first paycheck I  
7 received after taking that new position. Seeing this paycheck still makes me so happy and proud  
8 because it is a direct and concrete reflection of the hours I spent working. I was excited and grateful  
9 to start paying taxes.

10 48. Having work authorization gave me access to more diverse and better paying work  
11 opportunities. For example, I was able to participate in a Border Tour that the Chicano Latino  
12 Student Association (“CLSA”) at the Claremont Colleges organizes, which entails traveling to San  
13 Diego and going with Border Patrol to visit the border near Tijuana. Prior to DACA, CLSA strongly  
14 advised undocumented students not to go on these tours, because we could be at risk of encountering  
15 immigration officials at the border who could detain us because we lacked the proper documentation.  
16 A major component of being a sociology and Chicana/o-Latina/o Studies major is studying abroad  
17 and I was unable to do that because I could not travel abroad. This border trip, however, helped to  
18 make up for some of that inability. This tour greatly contributed to my main areas of academic  
19 interest.

20 49. After graduating from Pomona in 2013, I began working as a community organizer at  
21 Public Counsel in Los Angeles, California, the nation’s largest pro bono law firm. I would not have  
22 been able to secure this job if I had not received my work authorization through DACA. Public  
23 Counsel required me to fill out a Form I-9. I worked at Public Counsel from May 2013 to June 2017.  
24 At Public Counsel, I identified, contacted, interviewed, and maintained relationships with students  
25 who were plaintiffs or fact witnesses in landmark litigation successfully filed to redress educational  
26 inequities and complex trauma in the K-12 public education system. I also worked closely with  
27 students, families, teachers, staff, and community organizations to help promote educational justice  
28 campaigns relating to this litigation. I worked in a similar capacity on successful litigation on behalf



1 of homeless residents of Los Angeles, including homeless veterans, women and youth, that resulted  
2 in the delivery of housing and necessary medical and psychological services to individuals then  
3 residing on Skid Row. My work at Public Counsel also included providing litigation support to a  
4 group of five attorneys by organizing meetings, conducting interviews, drafting declarations, and  
5 coordinating media opportunities.

6 50. Having a social security number was essential for me to be able to obtain a driver's  
7 license and obtain a loan to buy a car. It also enabled me to obtain credit cards, so I could start to  
8 build up my credit.

9 51. On a personal level, because DACA status has given me a sense of having a normal  
10 life, it has directly contributed to my ability to be in an intimate relationship. Before DACA, I had a  
11 difficult time knowing when and if I should even raise my undocumented status with boyfriends, not  
12 only because I felt some lingering embarrassment and shame from being undocumented, but also  
13 because it introduced an uncertainty about the future viability of the relationship that was often the  
14 death knell of a relationship. I felt unsure about whether someone would want to risk falling in love  
15 with someone who couldn't take part in normal day-to-day activities without fear, for example,  
16 driving, working, and traveling. I also feared trusting someone with my immigration status and not  
17 knowing how they would react. When I was a teenager, I had an ex-boyfriend threaten me with  
18 revealing my immigration status after we broke up.

19 52. This all changed once I had DACA status. I met my husband, who is a U.S. citizen, in  
20 the summer of 2013 and we got married in March 2017. We have planned a life for ourselves  
21 together in the United States.

22 53. I have also been able to travel since obtaining DACA status. In December 2016, I  
23 applied for advance parole in order to travel to El Salvador with a group sponsored by Cal State  
24 Northridge to learn about immigration, the economic history of El Salvador and what drives  
25 migration. I received permission to travel solely to El Salvador for thirty days. To ensure there would  
26 be no issues, I traveled for ten days, from January 2, 2017 through January 12, 2017, and took only  
27 direct flights to avoid landing in another country given the permit extended solely to El Salvador.  
28 Especially because I was unable to study abroad in college, this trip was so meaningful for me

1 because I had the opportunity to learn firsthand from local experts and experience the culture. The  
2 experience was also bittersweet because I met individuals who had been removed from the United  
3 States and I remember thinking that I was so lucky to have DACA status.

4 *My Decision to Attend Law School*

5 54. I decided at an early age that I wanted to become a lawyer. I was inspired to pursue a  
6 career in law by my grandfather, who suggested that becoming an attorney would give me “the power  
7 to fight injustice with words.” Even at a young age, I witnessed and personally experienced many  
8 injustices that my community faced in several areas of life, including those related to immigration,  
9 gender discrimination and gender violence, and lack of access to quality education.

10 55. When I was growing up, a frequent topic of conversation was the workplace. My  
11 uncles spoke about not being permitted to take breaks and receiving paychecks that short-changed  
12 their pay, and being unable to complain about this for fear of reprisals. A family friend told us that  
13 she was fired for being pregnant and could do nothing about it due to her immigration status. I was  
14 always struck by the unfairness of how they were treated and felt like what was going on was illegal.

15 56. As a teenager, I also got to experience firsthand the power the law has to effect  
16 positive change. I attended Garfield High School, which was part of the lawsuit *Williams v.*  
17 *California*. It was because of *Williams* that I saw conditions improve at Garfield. We had cleaner  
18 bathrooms *because* of *Williams*. We had enough seats to sit on *because* of *Williams*. I began to think  
19 that I could use the law to fix things and that the law would give me the skills to advocate for myself  
20 and others like me. When I joined an academic decathlon at Garfield, I went to other schools in the  
21 Los Angeles area for practice tests and I remember thinking that the facilities at these other schools,  
22 such as Bravo Medical Magnet, were so much better than where I attended. I saw that schools on the  
23 West Side offered private music lessons and Garfield did not. I saw the disparity and unfairness  
24 between these schools and mine. This reinforced the idea that being a lawyer is not just filing  
25 lawsuits, but also having the skills to become a better advocate for myself and others in everyday life.

26 57. I was further inspired to become a lawyer after meeting a Latino judge from East Los  
27 Angeles in connection with participating in a mock trial event through my elementary school. His  
28

1 eloquence, impressive academic credentials, and commitment to his family and community left a  
2 deep impression on me.

3 58. Additionally, through my activities in college and my work at Public Counsel, I  
4 developed firm aspirations to serve individuals and communities marginalized within society who do  
5 not have adequate access to legal services and to help them learn about and exercise their basic rights  
6 and obtain legal redress when necessary.

7 59. Furthermore, while I was working at Public Counsel, I was selected to be a Munger,  
8 Tolles and Olson Law Fellow, which enabled me to participate in a ten-month program aimed at  
9 preparing aspiring diverse students for admission to and success in law school.

10 60. My belief that the DACA program was secure was central to my decision to apply for  
11 law school—a three-year degree program—and to enroll at U.C. Irvine School of Law in 2015.  
12 Although California permits undocumented immigrants to take the California bar exam, I would not  
13 have applied to law school without DACA and the expectation of renewal. Without work  
14 authorization through DACA, I would not have had the confidence that I would be able to secure a  
15 job at the end of law school. I otherwise would have used the time I had as a DACA recipient to earn  
16 and save as much money as I could, while I was still eligible to work at a job that paid me well and  
17 offered me benefits.

18 61. I confirmed my decision to attend U.C. Irvine School of Law in 2016, but I decided to  
19 defer my attendance for a year to continue working at Public Counsel. I began my first year of law  
20 school in the fall of 2017.

21 62. I was awarded the Public Service Scholarship by Irvine School of Law, which covers  
22 the cost of tuition and fees for three years.

23 63. I am still not eligible for federal financial aid. But because I have a social security  
24 number through DACA, I was able to secure a private loan through Discover for \$17,000 at 7.24%  
25 interest to pay for my living expenses and books for my first year of law school.

26 64. Private educational loans do not have the same benefits as federal financial aid. For  
27 example, I am not eligible to defer interest on my loans. I was only willing to take on this debt  
28 through Discover because I believed that my DACA status and work authorization would enable me

1 to work during the summers between law school and after graduation and repay this loan. I would  
2 need to take out loans (in a similar amount as my first year Discover loan) to cover my living  
3 expenses for my second and third years of law school.

4 **Impact of Losing DACA Status**

5 65. Since the government announced its decision to rescind DACA in September 2017, I  
6 have been extremely anxious about the future and what the rescission of DACA will mean for me and  
7 my family. I would be devastated if my DACA status were rescinded. My whole life would be  
8 upended. I am deeply worried that the information I gave the government will be used against me  
9 and my family for enforcement purposes.

10 66. Ever since the government announced that DACA recipients might lose their status, I  
11 have been suffering from anxiety attacks and health issues.

12 67. I have also become paranoid about finances and feel an overwhelming pressure to  
13 rethink all of my spending decisions. If my DACA status were rescinded, I would not be able to  
14 work and would lose the ability to support myself financially and to pay back my car loan and the  
15 other debt I am incurring for law school. Accordingly, I feel the need to save as much as I can as a  
16 protective measure.

17 68. I am struggling to decide whether to continue making personal and financial  
18 investments in attending law school, since the rescission will limit, if not eliminate, my ability to  
19 work as an attorney.

20 69. If my DACA status were to be rescinded and had to return to Mexico, it would be a  
21 huge hardship on me, both financially and on a personal level. The possibility of being sent to live in  
22 Mexico when all I have ever known is the United States and U.S. culture is terrifying to me.

23 70. I have no close contacts or close family in Mexico. And, although my biological  
24 father still lives in Mexico, I have not had any significant contact with him since I was born and I  
25 have not spoken to him at all since I was a child. My family is all in the United States. My maternal  
26 grandparents, aunts, uncles, and cousins all live in the United States. They are my support system.

27 71. Although I feel culturally Mexican, that same Mexican identity is rooted in the United  
28 States. My experience is that of a culturally Mexican person from Los Angeles, California. I am

1 equally as culturally American. When I have met international students from Mexico in the past, it  
2 quickly becomes strikingly clear just how different our views and experiences are.

3 72. Working in Mexico would also be a great hardship for me. I have worked hard to be a  
4 good citizen and to learn about the legal system in the United States. I do not know anything about  
5 what it is like to practice law in Mexico and feel that I would be unable to fulfill my dream of  
6 becoming a lawyer if I had to live there. I fear that if I had to move to Mexico, I would have no  
7 future there, and I know that all my hard work—since I was a child—would have been wasted. In  
8 addition to the language barrier, I have studied law here in the United States and believe trying to find  
9 a law school in Mexico would be incredibly difficult, not to mention transitioning my education to  
10 Spanish and to a civil law system.

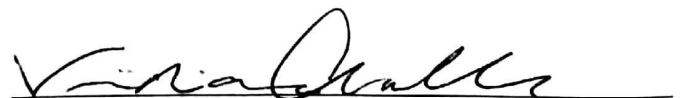
11 73. I also fear for my personal safety if I had to live in Mexico. I fear that if I were to  
12 have to leave to Mexico, I will be perceived as an outsider and that a simple thing like the way I  
13 speak will put me at risk for being robbed or otherwise targeted. Specifically, the city that I am from  
14 has recently seen several homicides and robberies and I would be afraid for my personal safety,  
15 particularly if I am seen as a tourist or outsider without ties to the town.

16 74. If my DACA status is rescinded, my law school studies would also suffer. I would be  
17 unable to take advantage of opportunities available to law students. For example, I would be unable  
18 to take advantage of working for a law professor as a research assistant because I would have no  
19 work authorization and those are paid positions.

20 75. If my DACA status is rescinded my entire life as I know it will be upended. That  
21 prospect terrifies me.

22 I declare under penalty of perjury under the laws of the United States of America that the  
23 foregoing is true and correct.

24 Executed on October 30, 2017, in Irvine, California.

25   
26 Viridiana Chabolla Mendoza

27  
28

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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

THE REGENTS OF THE UNIVERSITY OF  
CALIFORNIA and JANET NAPOLITANO,  
in her official capacity as President of the  
University of California,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND  
SECURITY and ELAINE DUKE, in her  
official capacity as Acting Secretary of the  
Department of Homeland Security,

Defendants.

CASE NO. 17-CV-05211-WHA

**DECLARATION OF ANGELA CHUAN-RU  
CHEN**



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STATE OF CALIFORNIA, STATE OF MAINE, STATE OF MARYLAND, and STATE OF MINNESOTA,  
  
Plaintiffs,  
  
v.  
  
U.S. DEPARTMENT OF HOMELAND SECURITY, ELAINE DUKE, in her official capacity as Acting Secretary of the Department of Homeland Security, and the UNITED STATES OF AMERICA,  
  
Defendants.

CASE NO. 17-CV-05235-WHA

CITY OF SAN JOSE, a municipal corporation,  
  
Plaintiffs,  
  
v.  
  
DONALD J. TRUMP, President of the United States, in his official capacity, ELAINE C. DUKE, in her official capacity, and the UNITED STATES OF AMERICA,  
  
Defendants.

CASE NO. 17-CV-05329-WHA

DULCE GARCIA, MIRIAM GONZALEZ AVILA, SAUL JIMENEZ SUAREZ, VIRIDIANA CHABOLLA MENDOZA, NORMA RAMIREZ, and JIRAYUT LATTHIVONGSKORN,  
  
Plaintiffs,  
  
v.  
  
UNITED STATES OF AMERICA, DONALD J. TRUMP, in his official capacity as President of the United States, U.S. DEPARTMENT OF HOMELAND SECURITY, and ELAINE DUKE, in her official capacity as Acting Secretary of Homeland Security,  
  
Defendants.

CASE NO. 17-CV-05380-WHA

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<p>COUNTY OF SANTA CLARA and SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 521,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>DONALD J. TRUMP, in his official capacity as President of the United States, JEFFERSON BEAUREGARD SESSIONS, in his official capacity as Attorney General of the United States; ELAINE DUKE, in her official capacity as Acting Secretary of the Department of Homeland Security; and U.S. DEPARTMENT OF HOMELAND SECURITY,</p> <p style="text-align: center;">Defendants.</p>
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CASE NO. 17-CV-05813-WHA

1 I, ANGELA CHEN, DECLARE:

2 **I. Background.**

3 1. I have been the Director of Pre-Health Dreamers, the organization that Jirayut “New”  
4 Latthivongskorn co-founded, since June 2015. From January 2013 to June 2015, I was the Director of  
5 the Undocumented Students Program at UCLA. Prior to that role, I was completing my PhD at UCLA  
6 and co-chairing the UCLA Undocumented Student Ally Committee, coordinating over 60 faculty and  
7 staff in creating resources across campus. I have personal knowledge of the facts set forth in this  
8 declaration, and if called as a witness, I could and would competently testify to them.

9 2. Pre-Health Dreamers is an organization that New co-founded in 2013. It increases  
10 the knowledge-base of medical and health professional schools with respect to DACA beneficiaries and  
11 undocumented students, in order to demonstrate to them that New and others like him meet admissions  
12 and degree requirements such as employment authorization, and could fulfill the requirements of  
13 medical residency. As Director of the Pre-Health Dreamers, I oversee all aspects of the project,  
14 including day-to-day operations, staffing, and programming.

15 3. The Undocumented Students Program at UCLA was established to support  
16 undocumented students who are interested in attending UCLA or who are already students at  
17 UCLA. When I was its Director, it served about 600 students on campus, providing meal vouchers, a  
18 text book loan program, and advocacy for resources and programs like research fellowships. It also  
19 conducted outreach to students’ families, to help their parents become more involved on campus.

20 4. I first came to know New while I was working as the Director of the Undocumented  
21 Students Program at UCLA. New was a pre-med student at UC-Berkeley, in the process of applying to  
22 medical school in early 2012, before the issuance of DACA. He contacted me, as well as many others in  
23 the UC system, in order to try and find out more information about how to apply. At the time, many  
24 programs were not admitting any undocumented students because they could not become resident  
25 physicians.

26 5. In June 2015, I transitioned from my role as Director of the UCLA Undocumented  
27 Students Program to begin working with New as Director of Pre-Health Dreamers, the organization he  
28 co-founded in 2013. I have spoken with New on many occasions about his undocumented status; how

1 DACA affects him and those in his situation; DACA's impact on pre-med and other pre-health students,  
2 medical students, and other professional and graduate students; how to educate health professional  
3 programs regarding DACA's benefits; and how to educate the same programs regarding DACA's  
4 cancellation. From the beginning, New has understood how important DACA is to pre-health students,  
5 acting as a resource regarding DACA's benefits for me and others; and I have understood how much  
6 DACA means to him and how deeply he has relied on it. DACA made students like New eligible for  
7 medical school. This program transformed admissions and enrollment policies and practices to be more  
8 inclusive of students with undocumented status. In this way, DACA was one of the most life-changing  
9 programs available to many undocumented individuals in terms of educational and professional  
10 opportunities, including the ability to contribute to the health care system.

11 **II. New's personal qualities.**

12 6. New is highly committed to uplifting those around him, including his family, friends,  
13 and students like himself. He is approachable, personable, outgoing, and generous with his time. He  
14 makes it easy to relate to him and makes others feel comfortable reaching out to him for support. In  
15 additional to his role as founder of Pre-Health Dreamers and medical student, he goes above and beyond  
16 to work individually to advise and mentor students following his footsteps. His kindness is felt by all  
17 who have had the opportunity to work with New.

18 **III. New's roles in the Undocumented Students Program and Pre-Health Dreamers.**

19 7. When I was Director of the Undocumented Students Program at UCLA, New acted as  
20 an educational resource for me, providing a tremendous amount of information regarding DACA's  
21 benefits for pre-health students, which I passed on to interested, similarly-situated students at UCLA.

22 8. New subsequently cofounded Pre-Health Dreamers after building a significant  
23 network to educate medical and other schools, including those in the UC System, regarding DACA  
24 benefits. Pre-Health Dreamers started with 3 people, including New, and now has over 1,000 members  
25 across the country, in over 40 states. It has expanded beyond medicine, into research, dentistry,  
26 pharmacy, nursing, and public health. And it has fulfilled a need among DACA beneficiaries and  
27 undocumented students in higher education, who are often interested in the STEM fields (i.e., science,  
28

1 technology, engineering, and math), but need specific advice related to their immigration status in order  
2 to effectively pursue graduate and professional programs.

3 9. New used the knowledge he gained through his own journey to found Pre-Health  
4 Dreamers and help these students. He took the initiative to cultivate donors, applying the same  
5 resourcefulness he applied as a student fundraising for own education costs, and ultimately found  
6 funding to support Pre-Health Dreamers' work and to build a platform.

7 10. When New founded Pre-Health Dreamers, there were zero undocumented students in  
8 medical school. Now, Pre-Health Dreamers is associated with 65 DACA beneficiaries in medical  
9 schools across the country, and hundreds of others in allied health programs. New is building a network  
10 and a legacy that very clearly benefit the communities with which these students identify, and that  
11 ultimately will help fulfill needs in hospitals for a diverse medical profession and increase the quality of  
12 healthcare and medical outcomes.

13 11. New is also on the Council of the University of California Office of the President, as  
14 an advisor on issues related to undocumented students. When he was an undergraduate student seeking  
15 information regarding medical school admissions, the support network he built led numerous people in  
16 the UC system to become familiar with him and the issues he advocated, and he continues to play a  
17 similar role as adviser for the Office of the President.

18 **IV. DACA benefited New.**

19 12. The most transformative aspect of DACA was that it provided New an opportunity to  
20 be admitted and enrolled in UCSF as a medical student. It allowed him to pass background and similar  
21 employment-related checks; work in hospitals; complete rotations; and work directly with  
22 patients. After he completes his fourth year, it would allow him to apply for medical residency  
23 programs. This has been transformative for him personally, academically, and professionally. I have  
24 seen this first-hand, and discussed it with him through our work together at Pre-Health Dreamers and  
25 our personal conversations. Moreover, in my role as Director of Pre-Health Dreamers, interacting with  
26 numerous similarly-situated students, I know that New's journey is similar to the journey of other  
27 students benefiting from DACA.  
28

1           13.           Through my conversations with New, I also know that the dignity and value afforded  
2 by simply being able to work are incredibly important to him. He is very close to his family, and his  
3 ability to assist them financially is very important to him.

4           14.           I also recall New telling me about working with underserved immigrant patients  
5 during his rotations, and being able to relate to them, and how their shared experiences have been very  
6 powerful for both him and his patients. Although he has multiple aspirations as a doctor, it is very clear  
7 that he wants to work with underserved patients.

8           **V.     DACAs cancellation would harm New.**

9           15.           DACAs is the most essential program for opening the door to a health-field education  
10 for most members of Pre-Health Dreamers. About 93% of Pre-Health Dreamers' members are DACAs  
11 recipients. DACAs cancellation will mean that the more than 65 medical students who Pre-Health  
12 Dreamers has helped place in medical school will not be able to complete their education, complete their  
13 residencies, or fulfill their aspirations to become physicians.

14           16.           Because so much is at stake, it has been difficult for New to discuss the impact that  
15 DACAs cancellation would have on him. But I know that the affects would be the same for him as for  
16 other DACAs beneficiaries. It would mean that he likely would not be able to complete his education,  
17 and could not become a resident physician; that he might not be able to qualify for any funding to  
18 continue as a student; that he would be ineligible for student loans; that he might not have employment  
19 opportunities to pay back any loans; and that necessary tasks, like traveling in his capacity as a medical  
20 student and an advocate for Pre-Health Dreamers, would expose him to increased uncertainty, including  
21 risk of detention and deportation solely due to his immigration status.

22           17.           New is in an uncertain state, waiting for the proverbial ball to drop. Waiting for the  
23 rug to be pulled out from under him. He does not know if he will be asked to leave his program due to  
24 DACAs cancellation, leaving him in a precarious, challenging position. The same is true of other pre-  
25 health students, who will have increased trouble applying and pulling together the necessary resources to  
26 support their professional education.

27           18.           Currently, health education programs are trying to determine what steps to take in  
28 connection with existing and future students who benefit from DACAs. I have communicated with Pre-

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Health Dreamers' liaisons at many of these programs, and there is considerable uncertainty. While Pre-Health Dreamers has issued guidance and recommendations to programs, it remains unclear what actions they will take.

**VI. New's impact on me.**

19. Witnessing New's advocacy and persistence has taught me many lessons on what it means to love and to give of oneself to a family, community, and country. I have to come to understand New's life work arises out of a deep love and desire to create a positive impact in this country. From his example, I learned a new framework of civic engagement, one that is not limited or bounded by immigration status. Instead, meaningful civic engagement has to transcend limitations and to be grounded in a profound desire to cultivate collective social good.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 26, 2017, in Santa Ana, California.



\_\_\_\_\_  
Angela Chuan-Ru Chen



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18 **UNITED STATES DISTRICT COURT**  
19 **NORTHERN DISTRICT OF CALIFORNIA**  
20 **SAN FRANCISCO DIVISION**

21 THE REGENTS OF THE UNIVERSITY OF  
CALIFORNIA and JANET NAPOLITANO,  
22 in her official capacity as President of the  
University of California,

23 Plaintiffs,

24 v.

25 U.S. DEPARTMENT OF HOMELAND  
SECURITY and ELAINE DUKE, in her  
26 official capacity as Acting Secretary of the  
Department of Homeland Security,

27 Defendants.  
28

CASE NO. 17-CV-05211-WHA

**DECLARATION OF SARA H. CODY, M.D.**

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STATE OF CALIFORNIA, STATE OF MAINE, STATE OF MARYLAND, and STATE OF MINNESOTA,  
  
Plaintiffs,  
  
v.  
  
U.S. DEPARTMENT OF HOMELAND SECURITY, ELAINE DUKE, in her official capacity as Acting Secretary of the Department of Homeland Security, and the UNITED STATES OF AMERICA,  
  
Defendants.

CASE NO. 17-CV-05235-WHA

CITY OF SAN JOSE, a municipal corporation,  
  
Plaintiffs,  
  
v.  
  
DONALD J. TRUMP, President of the United States, in his official capacity, ELAINE C. DUKE, in her official capacity, and the UNITED STATES OF AMERICA,  
  
Defendants.

CASE NO. 17-CV-05329-WHA

DULCE GARCIA, MIRIAM GONZALEZ AVILA, SAUL JIMENEZ SUAREZ, VIRIDIANA CHABOLLA MENDOZA, NORMA RAMIREZ, and JIRAYUT LATTHIVONGSKORN,  
  
Plaintiffs,  
  
v.  
  
UNITED STATES OF AMERICA, DONALD J. TRUMP, in his official capacity as President of the United States, U.S. DEPARTMENT OF HOMELAND SECURITY, and ELAINE DUKE, in her official capacity as Acting Secretary of Homeland Security,  
  
Defendants.

CASE NO. 17-CV-05380-WHA

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COUNTY OF SANTA CLARA and  
SERVICE EMPLOYEES INTERNATIONAL  
UNION LOCAL 521,  
  
Plaintiffs,  
  
v.  
  
DONALD J. TRUMP, in his official capacity  
as President of the United States, JEFFERSON  
BEAUREGARD SESSIONS, in his official  
capacity as Attorney General of the United  
States; ELAINE DUKE, in her official  
capacity as Acting Secretary of the Department  
of Homeland Security; and U.S.  
DEPARTMENT OF HOMELAND  
SECURITY,  
  
Defendants.

CASE NO. 17-CV-05813-WHA

1 I, SARA H. CODY, M.D., DECLARE:

2 1. I am a resident of the State of California. I submit this declaration in support of the  
3 Plaintiffs' Motions for Preliminary Injunction and for Summary Judgment. I have personal knowledge  
4 of the facts set forth in this declaration. If called as a witness, I could and would testify competently to  
5 the matters set forth herein.

6 2. This declaration provides an overview of the Santa Clara County Public Health  
7 Department's work and explains why these efforts are undermined by federal policies that increase  
8 immigrants' reluctance to interact with government institutions that play a critical role in protecting  
9 public health.

10 3. I am the Director of the County of Santa Clara's ("County") Public Health Department,  
11 as well as the Health Officer for the County and each of the 15 cities located within Santa Clara County.  
12 I have held the Health Officer position from 2013 to the present, and I have held the Public Health  
13 Department Director position from 2015 to the present. In these roles, I provide leadership on public  
14 health issues for all of Santa Clara County and oversee approximately 450 Public Health Department  
15 employees who provide a wide array of services to safeguard and promote the health of the community.

16 4. Prior to becoming the Health Officer for the County and each of its cities, I was  
17 employed for 15 years as a Deputy Health Officer/Communicable Disease Controller at the County's  
18 Public Health Department, where I oversaw surveillance and investigation of individual cases of  
19 communicable diseases, investigated disease outbreaks, participated in planning for public health  
20 emergencies, and responded to Severe Acute Respiratory Syndrome (also known as "SARS"), influenza  
21 A virus subtype H1N1 (also known as "swine flu" or H1N1), and other public health emergencies.

22 5. The mission of the Public Health Department is to promote and protect the health of  
23 Santa Clara County's 1.9 million residents. None of Santa Clara County's 15 cities have a health  
24 department. All 15 cities within the county, and all Santa Clara County residents, rely on the Public  
25 Health Department to perform essential public health functions. The Public Health Department's work  
26 is guided by core public health principles of equity, the value of every life, and harm prevention.

27 6. The work of the Public Health Department is focused on three main areas: (1) infectious  
28 disease and emergency response, (2) maternal, child, and family health, and (3) healthy communities.

1           7.       First, the Public Health Department is responsible for safeguarding the public health by  
2 preventing and controlling the spread of infectious diseases and planning for and responding to public  
3 health emergencies. Programs in this branch of the Public Health Department receive reports on 85  
4 different diseases and conditions; track overall trends in infectious diseases; investigate individual cases  
5 of concern; provide long term case management for certain categories of patients (e.g., active  
6 tuberculosis cases); provide immunizations and preventive therapy; identify, investigate and control  
7 outbreaks; and plan for and respond to public health emergencies. They also ensure that all children  
8 attending school or child care facilities in Santa Clara County comply with State immunization  
9 requirements; conduct HIV and other STD testing and education for vulnerable communities; and  
10 distribute opioid overdose prevention kits for at-risk individuals.

11           8.       This branch of the Public Health Department also operates two pharmacies. One of these  
12 pharmacies provides free, donated medicine to individuals who cannot afford the retail cost of such  
13 drugs. The other pharmacy specializes in serving patients with HIV/AIDS, patients with tuberculosis,  
14 patients from the Public Health Department's STD clinic, and patients being discharged from the  
15 County jail. Pharmacy staff also support communicable disease control by procuring, storing,  
16 maintaining, and distributing essential medications and vaccines during outbreaks; distributing  
17 approximately 20,000 state-funded influenza vaccines, annually, to health care providers in Santa Clara  
18 County to administer to low-income and elderly residents at no charge; and overseeing all enrollment  
19 workers in Santa Clara County for the State-sponsored AIDS Drug Assistance Program.

20           9.       Second, in the area of maternal, child, and family health, the Public Health  
21 Department provides services for Santa Clara County's most vulnerable children and families. This  
22 includes, but is not limited to, (1) the Special Supplemental Nutrition Program for Women, Infants and  
23 Children (WIC) program, which provides low-income pregnant, postpartum, and breastfeeding women,  
24 infants, and children up to age 5 with nutritious foods to supplement their diets, information on healthy  
25 eating, and referrals to health care; (2) the Child Health and Disability Prevention (CHDP) Program,  
26 which ensures that low-income children and youth, including foster care youth, receive routine health  
27 assessments and treatment services; (3) the Childhood Lead Poisoning Prevention Program, which  
28 provides nursing and environmental case management and follow-up for lead-poisoned children,

1 promotes screening for lead poisoning, and provides community education regarding lead poisoning  
2 prevention; (4) the California Children’s Services (CCS) program, which provides diagnostic and  
3 treatment services, medical case management, and physical and occupational therapy to children under  
4 21 years of age with CCS-eligible medical conditions, such as cystic fibrosis, hemophilia, cerebral palsy,  
5 muscular dystrophy, spina bifida, cancer, and traumatic injuries; and (5) the Nurse Family Partnership,  
6 which provides young, low-income first-time mothers with home visitation services from specially-  
7 trained nurses to improve pregnancy outcomes and child health and development.

8 10. Third, to create and maintain healthy communities, the Department conducts localized  
9 health assessments and planning throughout Santa Clara County, and works with community partners  
10 and County leadership to promote system wide and environmental changes to reduce the incidence of  
11 chronic diseases and injuries in Santa Clara County.

12 11. The Public Health Department’s work is undermined by federal policies that increase  
13 immigrant communities’ reluctance to interact with government institutions. One of the Department’s  
14 major priorities is to advance health equity to eliminate health disparities, including health disparities  
15 that exist between immigrant and non-immigrant communities and different racial and ethnic  
16 communities. However, the Department is limited in its ability to develop partnerships with community  
17 organizations, to engage communities of color and immigrant and refugee communities, and to improve  
18 health equity when such communities and organizations fear or lose trust in the government and are  
19 unwilling to access necessary health services.

20 12. The rescission of DACA would likely lead to greater health inequity within Santa Clara  
21 County. I have heard from community-based service providers in Santa Clara County that the current  
22 political climate has already caused immigrants to miss medical appointments; to avoid going out in  
23 public for fear of being detained by immigration agents; to avoid utilizing public safety services; and to  
24 suffer from increased stress, anxiety and depression. Rescission of DACA would only cause more of the  
25 same. Through the Department’s work in serving vulnerable communities, I am acutely aware that the  
26 loss of employment and employer-provided healthcare can mean greater economic instability and stress  
27 on the affected individuals and the families they support; less access to food, medicine, other basic  
28 necessities, and essential services; and increased need for safety net services.



1           13.    Beyond health equity, the rescission of DACA could negatively impact the Department's  
2 core areas of work in controlling infectious disease and providing emergency response; promoting  
3 maternal, child, and family health; and ensuring healthy communities. Individuals unwilling to access  
4 necessary health services may miss necessary vaccinations. Immigrants—for whom their country of  
5 birth can provide important information for risk of diseases such as hepatitis B and tuberculosis—may  
6 be reluctant to share their national origin with their health care providers. Infectious individuals who  
7 wish to avoid detection by the government may be less likely to cooperate with public health efforts to  
8 monitor and control their diseases, thereby putting other community members at risk.

9           14.    Healthy families and communities cannot be sustained when residents are suffering from  
10 illness, injury, or mental health issues but unwilling to access health services, when residents are too  
11 afraid to avail themselves of necessary public safety services, and when residents do not dare to leave  
12 their homes for fear of being deported.

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on Oct 26, 2017 in San José, California.

  
SARA H. CODY, M.D.

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18 UNITED STATES DISTRICT COURT  
19 NORTHERN DISTRICT OF CALIFORNIA  
20 SAN FRANCISCO DIVISION

21 THE REGENTS OF THE UNIVERSITY OF  
22 CALIFORNIA and JANET NAPOLITANO,  
in her official capacity as President of the  
University of California,

23 Plaintiffs,

24 v.

25 U.S. DEPARTMENT OF HOMELAND  
26 SECURITY and ELAINE DUKE, in her  
official capacity as Acting Secretary of the  
Department of Homeland Security,

27 Defendants.  
28

CASE NO. 17-CV-05211-WHA

**DECLARATION OF NORBERTO DUENAS**

Date: December 20, 2017  
Time: 8:00 a.m.  
Judge: Honorable William Alsup  
Dept.: Courtroom 8

Complaint Filed: September 14, 2017  
Trial Date: February 05, 2018

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STATE OF CALIFORNIA, STATE OF MAINE, STATE OF MARYLAND, and STATE OF MINNESOTA,  
  
Plaintiffs,  
  
v.  
  
U.S. DEPARTMENT OF HOMELAND SECURITY, ELAINE DUKE, in her official capacity as Acting Secretary of the Department of Homeland Security, and the UNITED STATES OF AMERICA,  
  
Defendants.

CASE NO. 17-CV-05235-WHA

CITY OF SAN JOSE, a municipal corporation,  
  
Plaintiffs,  
  
v.  
  
DONALD J. TRUMP, President of the United States, in his official capacity, ELAINE C. DUKE, in her official capacity, and the UNITED STATES OF AMERICA,  
  
Defendants.

CASE NO. 17-CV-05329-WHA

DULCE GARCIA, MIRIAM GONZALEZ AVILA, SAUL JIMENEZ SUAREZ, VIRIDIANA CHABOLLA MENDOZA, NORMA RAMIREZ, and JIRAYUT LATTHIVONGSKORN,  
  
Plaintiffs,  
  
v.  
  
UNITED STATES OF AMERICA, DONALD J. TRUMP, in his official capacity as President of the United States, U.S. DEPARTMENT OF HOMELAND SECURITY, and ELAINE DUKE, in her official capacity as Acting Secretary of Homeland Security,  
  
Defendants.

CASE NO. 17-CV-05380-WHA

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CASE NO. 17-CV-05813-WHA

<p>COUNTY OF SANTA CLARA and SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 521,</p> <p>Plaintiffs,</p> <p>v.</p> <p>DONALD J. TRUMP, in his official capacity as President of the United States, JEFFERSON BEAUREGARD SESSIONS, in his official capacity as Attorney General of the United States; ELAINE DUKE, in her official capacity as Acting Secretary of the Department of Homeland Security; and U.S. DEPARTMENT OF HOMELAND SECURITY,</p> <p>Defendants.</p>
---

I, **NORBERTO DUENAS**, declare and state as follows:

1. I have personal knowledge of the facts set forth in this declaration and, if called as a witness, could and would testify competently thereto.

2. I was the City Manager of the City of San Jose, California (“San Jose”) from 2015 until October 2017. I began my career in public service in 1984 as an intern, before ultimately taking on a variety of roles over my 33 years of rising through the ranks of city government. Prior to my current position, I attended San Jose State University for both my bachelor’s in political science and master’s in public administration.

3. My experience as a Cuban refugee and international upbringing, along with my decades of educational and administrative experience in San Jose, have singularly enabled me act as a link between the immigrant community and the City. It has been my judgment based on the many projects I have overseen during my tenure that our employees’ collaborative spirit and dedication to public service are what have most contributed to our City’s successes and achievements. This same collaborative spirit and dedication has served us well during the good as well as the challenging times.

4. San Jose is the third largest city in California, the tenth largest city in the United States, and one of the most racially diverse cities in California. Immigrants from all over the world have come to San Jose. On its website, San Jose has a Fact Sheet that provides important information about the

1 city. Attached hereto as Exhibit A is a true and correct copy of the Fact Sheet, which can also be found  
2 at <http://www.sanjoseca.gov/DocumentCenter/View/780>.

3 5. San Jose is extremely diverse, with recent immigrants making up nearly 40% of its  
4 population. Immigrants contribute an estimated \$77 billion to the economy of Santa Clara County as a  
5 whole. Of these immigrants, it is estimated that at least 77,000 are either eligible for or have received the  
6 benefits of the DACA program.

7 6. San Jose has made it a central mission to aid these DACA recipients, and to foster full  
8 participation among them in our community. Consistent with that, the City Council authorized the  
9 creation of an Office of Immigrant Affairs to coordinate responses upon the advent of DACA. The  
10 following is a sample of the City's dedication to and dependence on immigration communities within its  
11 borders:

- 12 a. In September 2016, the Mayor and City Council adopted a "Welcoming San Jose"  
13 Resolution that described guiding principles for making San Jose a more welcoming  
14 and inclusive place for all residents. Afterward, the Office of Immigrant Affairs  
15 developed a three-year immigrant integration plan.
- 16 b. Also in 2016, the City of San Jose became a member of Welcoming America, a  
17 national organization leading the movement to create more inclusive communities.
- 18 c. San Jose partnered thereafter with the White House's Building Welcoming  
19 Communities Campaign and Cities United for Action. As a result of active  
20 participation in these networks and successful progress made on developing the Plan,  
21 San Jose has benefitted from national attention on the issue of immigration.
- 22 d. The White House selected ten cities to co-host a convening to discuss immigrant  
23 integration strategies, and San Jose was one of the cities honored with the  
24 opportunity.
- 25 e. San Jose's Office of Immigrant Affairs is a recipient of the "Gateways for Growth  
26 Challenge" grant from the Partnership for a New American Economy. This grant  
27 provides the Office a research brief with data on local immigrants.

28



1           7. In order to properly serve its residents, San Jose must have employees who are fluent in  
2 languages other than English, and who are sensitive to the different cultures and backgrounds of its  
3 residents. This is especially true when San Jose experiences a disaster: it is critical to have city  
4 employees who can communicate with the affected residents and understand the residents' immediate  
5 needs. We were again reminded of this all too powerfully during recent flooding events, when the  
6 language and cultural skills unique to DACA recipients were in short supply.

7           8. Finding qualified employees is always difficult for municipalities, but it is particularly  
8 challenging for San Jose because of competition with Silicon Valley companies. San Jose has not been  
9 able to hire all the qualified employees that it needs. As the Fact Sheet, Exhibit A, confirms, Silicon  
10 Valley employers like Cisco Systems, eBay, PayPal, IBM Corporation, Adobe Systems, and Kaiser  
11 Permanente hire thousands of San Jose residents as employees. Luckily, unemployment in San Jose is  
12 low. It is therefore important for San Jose and the companies in the Silicon Valley to have as many  
13 potential employees as possible.

14           9. As a result of the enactment of DACA (Deferred Action for Childhood Arrivals) in June  
15 of 2012, the employment pool for San Jose and Silicon Valley companies increased. San Jose does not  
16 ask about immigration status on its employment applications; therefore, it cannot quantify the number of  
17 DACA recipients who work for the City of San Jose. However, there is no question that San Jose has  
18 benefited by being able to hire DACA recipients because the pool of qualified applicants has increased.

19           10. Under federal regulations, employees who begin work are required to demonstrate that  
20 they have authorization to work in the United States. If DACA is rescinded, San Jose would have to  
21 take steps to make sure that all of its employees have valid authorization to continue working. If DACA  
22 is rescinded, San Jose will not be able to retain as employees anyone who is not authorized to work.

23           11. The loss of even one San Jose employee because of the rescission of DACA will hurt San  
24 Jose, not to mention the individual employee, because San Jose spends time and resources to train  
25 employees. San Jose has spent particular resources for training and outreach related to the DACA  
26 program. Moreover, the experience that employees gain in their jobs is invaluable in the provision of  
27 critical City services.

28

1           12. I speak to community leaders and residents on a regular basis as part of my job duties.  
 2 Since President Trump's election, there has been fear in the immigrant community that his  
 3 administration would start mass deportations, especially of people of Mexican heritage. After the  
 4 announcement that DACA would be rescinded, that fear and anxiety has increased. It is not only fear  
 5 and anxiety by DACA recipients, but also their families and the entire immigrant community. Not only  
 6 with DACA's rescission harm San Jose's workforce, but based upon projections I have reviewed, San  
 7 Jose stands to lose tax revenues if DACA is rescinded.

8           13. DACA's recession will result in direct harm to our city residents insofar as it would result  
 9 in the City's losing employees. The residents would lose critical services at a time when we are already  
 10 stretched thin with hundreds of vacancies at City Hall. The City would suffer tangible losses from  
 11 DACA's rescission given the significant services, work product, and taxes that these employees  
 12 currently contribute.

13           14. As an immigrant to the United States myself, I have a deep and personal appreciation of  
 14 the challenges of joining a new society, the opportunities that exist in America, and the contributions  
 15 that immigrants make that enrich our communities. I also have profound respect for the courage and  
 16 talents of immigrants to our community, for I know it is not an easy transition. The City of San Jose  
 17 understands that our neighborhoods and our businesses gain so much from what immigrants bring: their  
 18 energy, their skills, and their perspectives that strengthen the vitality of our city.

19           I declare under the penalty of perjury under the laws of the United States that the foregoing is  
 20 true and correct and that this declaration was executed on October 27, 2017 at San Jose,  
 21 California.

22  
 23   
 24 NORBERTO DUENAS

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# EXHIBIT 20

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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

THE REGENTS OF THE UNIVERSITY OF  
CALIFORNIA and JANET NAPOLITANO,  
in her official capacity as President of the  
University of California,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND  
SECURITY and ELAINE DUKE, in her  
official capacity as Acting Secretary of the  
Department of Homeland Security,

Defendants.

CASE NO. 17-CV-05211-WHA

**DECLARATION OF KATHRYN EIDMANN**

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STATE OF CALIFORNIA, STATE OF MAINE, STATE OF MARYLAND, and STATE OF MINNESOTA,  
  
Plaintiffs,  
  
v.  
  
U.S. DEPARTMENT OF HOMELAND SECURITY, ELAINE DUKE, in her official capacity as Acting Secretary of the Department of Homeland Security, and the UNITED STATES OF AMERICA,  
  
Defendants.

CASE NO. 17-CV-05235-WHA

CITY OF SAN JOSE, a municipal corporation,  
  
Plaintiffs,  
  
v.  
  
DONALD J. TRUMP, President of the United States, in his official capacity, ELAINE C. DUKE, in her official capacity, and the UNITED STATES OF AMERICA,  
  
Defendants.

CASE NO. 17-CV-05329-WHA

DULCE GARCIA, MIRIAM GONZALEZ AVILA, SAUL JIMENEZ SUAREZ, VIRIDIANA CHABOLLA MENDOZA, NORMA RAMIREZ, and JIRAYUT LATTHIVONGSKORN,  
  
Plaintiffs,  
  
v.  
  
UNITED STATES OF AMERICA, DONALD J. TRUMP, in his official capacity as President of the United States, U.S. DEPARTMENT OF HOMELAND SECURITY, and ELAINE DUKE, in her official capacity as Acting Secretary of Homeland Security,  
  
Defendants.

CASE NO. 17-CV-05380-WHA



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COUNTY OF SANTA CLARA and  
SERVICE EMPLOYEES INTERNATIONAL  
UNION LOCAL 521,  
  
Plaintiffs,  
  
v.  
  
DONALD J. TRUMP, in his official capacity  
as President of the United States, JEFFERSON  
BEAUREGARD SESSIONS, in his official  
capacity as Attorney General of the United  
States; ELAINE DUKE, in her official  
capacity as Acting Secretary of the Department  
of Homeland Security; and U.S.  
DEPARTMENT OF HOMELAND  
SECURITY,  
  
Defendants.

CASE NO. 17-CV-05813-WHA

1 **DECLARATION OF KATHRYN EIDMANN**

2 I, KATHRYN EIDMANN, declare as follows:

3 1. I am a Supervising Senior Staff Attorney at Public Counsel. Public Counsel is the  
4 nation's largest not-for profit law firm specializing in delivering pro bono legal services. Founded in  
5 1970, Public Counsel strives to protect the legal rights of disadvantaged children, represent immigrants  
6 who have been the victims of torture, persecution, domestic violence, trafficking, and other crimes, and  
7 foster economic justice by providing individuals and institutions in underserved communities with  
8 access to quality legal representation. I have personal knowledge of the facts set forth in this  
9 declaration, and if called as a witness, I could and would competently testify to them.

10 2. I am the Robins Kaplan Supervising Senior Staff Attorney in Public Counsel's  
11 Opportunity Under Law Project. In this capacity, I bring impact litigation to advance economic justice,  
12 including in the areas of education equity, children's rights, economic rights, and immigrants' rights. I  
13 currently supervise a team of six attorneys, two community organizers, and one paralegal. I have  
14 worked at Public Counsel since January 2013. (The Opportunity Under Law Project was called the  
15 Impact Litigation Project until approximately August 2014). Previously, I was a litigation associate at  
16 the law firm of Munger, Tolles & Olson LLP and clerked for Judge Thomas B. Griffith of the U.S.  
17 Court of Appeals, District of Columbia Circuit. I graduated from Yale Law School in 2009 and Harvard  
18 College in 2006.

19 3. I came to know Viridiana Chabolla (Viri) through her work at Public Counsel. I  
20 participated in Viri's hiring at Public Counsel. Together with Catherine Lhamon, the Directing Attorney  
21 of the Impact Litigation Project at the time, I initially interviewed Viri in April 2013. At the time, I was  
22 particularly impressed with Viri's emotional intelligence, passion, and commitment to working on  
23 behalf of disenfranchised communities. Over the course of four years, Viri worked closely with me and  
24 the other lawyers in our unit to develop and pursue innovative education equity and civil rights litigation  
25 as a community organizer in Public Counsel's Opportunity Under Law project.

26 4. Viri's contribution to Public Counsel has been quite significant. She was the driving  
27 force behind *Cruz v. California*, an education rights class action that resulted in the elimination of  
28 contentless courses through statewide legislation. *Cruz v. California* involved students at low-income



1 elementary, middle, and high schools in the Bay Area and Southern California, who were receiving less  
2 meaningful learning time than students in better-resourced California schools serving more affluent  
3 students. After two years of litigation, we were successfully resolved the litigation. A new state law,  
4 AB 1012 was passed to eliminate the scheduling and course assignment practices that led to students  
5 losing valuable learning time statewide. The California Department of Education, the State Board of  
6 Education, and the State Superintendent of Public Instruction additionally agreed to immediately assist  
7 six schools in Compton, Los Angeles, and Oakland to secure compliance with AB 1012.

8 5. Viri's work was indispensable to the initiation and ultimate success of *Cruz v. California*.  
9 Viri identified, developed, and maintained relationships with scores of student declarants and teachers  
10 throughout Southern California, including coordinating all communications regarding declarations,  
11 discovery, and potential trial testimony. She did much of the work that attorneys would otherwise be  
12 doing, including interviewing witnesses and drafting declarations.

13 6. Public Counsel trusted Viri to represent our work in the community and in the media.  
14 She initiated and fostered relationships with numerous, diverse community-based organizations, work  
15 that has been instrumental in developing consistent and reliable advocacy partners. She also served  
16 effectively as a spokesperson for Spanish-language media.

17 7. Viri is an intelligent, capable, and skilled advocate, as well as an empathetic, passionate,  
18 and inspiring person. She developed impressive rapport and skillfully gained the trust of clients,  
19 witnesses, and community partners. She demonstrated remarkable sensitivity and empathy in  
20 appropriately addressing emotional, delicate, or challenging conversations. She treated everyone she  
21 encountered with honor and respect, taking time and care not only to develop, but to maintain,  
22 longstanding and effective relationships with clients and community members. She quietly did a  
23 tremendous amount of work that sometimes went unnoticed to foster a solid and trusting relationship  
24 with clients: sending birthday and graduation cards,  
25 providing help with college admissions, or stopping by to offer emotional support to young people in  
26 crisis.

27 8. Viri is incredibly hard-working and demonstrated impressive flexibility, reliability, and  
28 responsiveness in response to the urgency and unpredictability that often characterize litigation, often


1 working late at night, early in the mornings, and all through the weekends. Through her work at Public  
2 Counsel, Viri has already become a tremendously skilled advocate. She has a rare combination of  
3 intellect and interpersonal skills that will no doubt make her an outstanding attorney.

4 9. I have had several conversations with Viri over the years about her professional plans  
5 after leaving Public Counsel. Based on these conversations, I understand that Viri would not have  
6 elected to attend law school if she did not have DACA status, which would permit her to obtain  
7 employment in the legal field after she completes her studies.

8 10. Based on numerous conversations I had with her over the years, I understand that Viri is  
9 pursuing a legal degree so she can advocate on behalf of families and communities like her own. She is  
10 precisely the type of lawyer that our profession desperately needs. If DACA were rescinded and Viri  
11 were not able to obtain employment as at attorney, the years of training and preparation that Viri has  
12 spent working to prepare to enter the legal field would be lost. Moreover, immigrant and low-income  
13 communities—communities that are often in desperate need of legal services but are often unable to  
14 obtain these services due to resource limitations—would be deprived of a rare advocate who is not only  
15 capable and zealous, but has a deep and nuanced understanding of the concerns and perspectives of the  
16 community derived from her own personal experiences.

17 I declare under penalty of perjury under the laws of the United States of America that the  
18 foregoing is true and correct.

19 Executed on October 27, 2017, in Los Angeles, California.

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22 KATHRYN EIDMANN  
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# EXHIBIT 21

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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

THE REGENTS OF THE UNIVERSITY OF  
CALIFORNIA and JANET NAPOLITANO,  
in her official capacity as President of the  
University of California,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND  
SECURITY and ELAINE DUKE, in her  
official capacity as Acting Secretary of the  
Department of Homeland Security,

Defendants.

CASE NO. 17-CV-05211-WHA

**DECLARATION OF CHRISTOPHER  
ENGELMANN**



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STATE OF CALIFORNIA, STATE OF MAINE, STATE OF MARYLAND, and STATE OF MINNESOTA,  
  
Plaintiffs,  
  
v.  
  
U.S. DEPARTMENT OF HOMELAND SECURITY, ELAINE DUKE, in her official capacity as Acting Secretary of the Department of Homeland Security, and the UNITED STATES OF AMERICA,  
  
Defendants.

CASE NO. 17-CV-05235-WHA

CITY OF SAN JOSE, a municipal corporation,  
  
Plaintiffs,  
  
v.  
  
DONALD J. TRUMP, President of the United States, in his official capacity, ELAINE C. DUKE, in her official capacity, and the UNITED STATES OF AMERICA,  
  
Defendants.

CASE NO. 17-CV-05329-WHA

DULCE GARCIA, MIRIAM GONZALEZ AVILA, SAUL JIMENEZ SUAREZ, VIRIDIANA CHABOLLA MENDOZA, NORMA RAMIREZ, and JIRAYUT LATTHIVONGSKORN,  
  
Plaintiffs,  
  
v.  
  
UNITED STATES OF AMERICA, DONALD J. TRUMP, in his official capacity as President of the United States, U.S. DEPARTMENT OF HOMELAND SECURITY, and ELAINE DUKE, in her official capacity as Acting Secretary of Homeland Security,  
  
Defendants.

CASE NO. 17-CV-05380-WHA

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<p>COUNTY OF SANTA CLARA and SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 521,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>DONALD J. TRUMP, in his official capacity as President of the United States, JEFFERSON BEAUREGARD SESSIONS, in his official capacity as Attorney General of the United States; ELAINE DUKE, in her official capacity as Acting Secretary of the Department of Homeland Security; and U.S. DEPARTMENT OF HOMELAND SECURITY,</p> <p style="text-align: center;">Defendants.</p>
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CASE NO. 17-CV-05813-WHA

1 I, CHRISTOPHER ENGELMANN, DECLARE:

2 1. I am a currently a psychology student at Fuller Theological Seminary – School of  
3 Psychology. I have my masters in psychology and I am working towards earning my Ph.D in clinical  
4 psychology. I am also working as a therapist-in-training at Fuller Psychological and Family Services.  
5 Fuller Theological Seminary is a Christian academic institution that takes a holistic approach to  
6 psychological therapy and that incorporates a faith perspective and understanding into our therapeutic  
7 work. Our school and clinic are located in Pasadena, California.

8 2. I have personal knowledge of the facts set forth in this declaration, and if called as a  
9 witness, I could and would competently testify to them.

10 3. Norma Ramirez and I are in the same Ph.D program at Fuller. We have gotten to know  
11 one another on a professional level, and have also developed a close personal friendship. We worked  
12 together as therapists-in-training at Pacific Clinics in Monrovia, California from September 2016-June  
13 2017, and we now work together at Fuller Psychological and Family Services also as therapists-in-  
14 training. In our work together and in class together, we help sharpen each other’s skills and develop our  
15 research interests.

16 4. Ms. Ramirez is one of the most kind-hearted people I know. She consistently puts other  
17 people first, and it is a privilege to know her as a friend and a colleague. Ms. Ramirez has a unique  
18 ability to understand and to empathize with others, and she meets people where they are emotionally and  
19 psychologically. She is also able to balance the role of being kind with being firm when necessary,  
20 which is critical in the field of psychology. She has incredible insight into the field of psychology, and  
21 her personal background adds to that insight and also to our classroom experience.

22 5. I learned that Ms. Ramirez is an immigrant when I first met her back in 2015. She  
23 explained to me that, because of her personal background, she worked to help people who had just  
24 immigrated to the United States when she was in Las Vegas. Her background as an immigrant and the  
25 challenges she has faced as a result of her undocumented status have allowed her to develop unique and  
26 meaningful relationships with her clients, which I myself have witnessed while working with her. Ms.  
27 Ramirez is able to help clients with similar backgrounds feel like they are fully understood and  
28 empathized with, and I believe that this helps immensely with their healing process. Whereas she



1 generally does not disclose her own personal background to clients, I believe that she is able to forge a  
2 deeper connection with those with similar backgrounds and connect with them on a deeper level in a  
3 way that facilitates deep healing, compared to therapists who do not share her experience as an  
4 immigrant.

5 6. As a fellow trainee in two different locations over the past year and a half, I have been in  
6 supervision groups with Ms. Ramirez. As such, I have personally heard de-identified stories of clients  
7 she has seen as a therapist-in-training. Thus, I have personal knowledge of the fact that Ms. Ramirez has  
8 helped many individuals with therapy. Among other things, her work has involved helping those dealing  
9 with trauma, including those with trauma related to immigration status. In such cases, Ms. Ramirez's  
10 own experiences as an undocumented immigrant have enabled her to empathize more deeply and she  
11 has facilitated hope and therapeutic progress in ways that would have been less likely for a therapist  
12 without these experiences.

13 7. Ms. Ramirez's work as a therapist-in-training has had a critical impact on her clients'  
14 lives, particularly in crisis situations. I have seen her respond readily in such circumstances, going well  
15 beyond the regular weekly therapy session and providing additional support and help as was necessitated  
16 by the crisis, even when this involved meeting more frequently and at multiple locations (e.g., school,  
17 home). She is clearly a person who is willing to give her all in her efforts to provide the best services  
18 possible.

19 8. Based on my hearing the descriptions of multiple cases in our joint supervision sessions, I  
20 can attest that many clients have improved significantly as a result of the therapy that Ms. Ramirez has  
21 provided to them. I have no doubt that Ms. Ramirez's work as a therapist-in-training has significantly  
22 helped clients, and for those in acute crisis, this might have even involved the avoidance of self-injurious  
23 or suicidal behavior.

24 9. If Ms. Ramirez is not allowed to continue with her education and her therapy work on  
25 account of her loss of Deferred Action for Childhood Arrivals ("DACA") status, the impact on her  
26 clients and the community more generally will be devastating. Simply put, the consequences of Ms.  
27 Ramirez losing her DACA status will be measured in countless missed opportunities for her to provide  
28 valuable psychological help to those in need. Moreover, it will prevent other clinicians from learning

1 from her, both regarding her therapeutic work and her ongoing research regarding the impacts of  
2 immigration status on mental health.

3 10. In the United States, there is a shortage of qualified therapists—let alone therapists and  
4 researchers as skilled as Ms. Ramirez. Not only will Ms. Ramirez’s current and future clients suffer if  
5 Ms. Ramirez loses her DACA status, but Ms. Ramirez’s loss of DACA will be a huge loss to the field of  
6 clinical psychology as a whole. Her cutting-edge research into the effects of parental immigration status  
7 on Latino youth and their academic aspirations would go unfinished, and its potentially exponential  
8 positive impact on clinicians and clients would not be realized. Moreover, Mr. Ramirez has already had  
9 an enormous impact on our fellow students at Fuller. She has shared her experiences as an immigrant in  
10 the classroom, and in doing so has taught other students at Fuller about the unique difficulties and  
11 emotional challenges that immigrants in the United States face. This has made us better students and  
12 therapists-in-training for our immigrant patients.

13 11. Ms. Ramirez also has made an incredible impact on me personally as her colleague and  
14 friend. I am even more inspired and impressed by her achievements in light of the potential  
15 discontinuation of DACA. We have had conversations about how she depends on DACA to work in the  
16 United States and to obtain the education she needs to follow her vocational calling. The fear of being  
17 deported is a huge source of stress and anxiety for her, although we never spoke about it before we  
18 learned the results of the presidential election in 2016, and the threat of losing her DACA status became  
19 a reality. Since then, she has shared with me her great sadness and deep fears of being deported. Her  
20 ability to continue her work helping others in light of that personal stress and fear, however, reinforces  
21 my belief that Ms. Ramirez truly is a selfless and remarkable individual. Our society would be  
22 irreparably harmed if Ms. Ramirez is not permitted to continue her life-changing work.

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 30, 2017, in Pasadena, CA.



Christopher Engelmann

# EXHIBIT 22

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Service Employees International Union Local 521*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

THE REGENTS OF THE UNIVERSITY OF  
CALIFORNIA and JANET NAPOLITANO,  
in her official capacity as President of the  
University of California,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND  
SECURITY and ELAINE DUKE, in her  
official capacity as Acting Secretary of the  
Department of Homeland Security,

Defendants.

CASE NO. 17-CV-05211-WHA

**DECLARATION OF ALAN ESSIG, MEG  
WIEHE, AND MISHA HILL**

STATE OF CALIFORNIA, STATE OF MAINE, STATE OF MARYLAND, and STATE OF MINNESOTA,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND SECURITY, ELAINE DUKE, in her official capacity as Acting Secretary of the Department of Homeland Security, and the UNITED STATES OF AMERICA,

Defendants.

CASE NO. 17-CV-05235-WHA

CITY OF SAN JOSE, a municipal corporation,

Plaintiffs,

v.

DONALD J. TRUMP, President of the United States, in his official capacity, ELAINE C. DUKE, in her official capacity, and the UNITED STATES OF AMERICA,

Defendants.

CASE NO. 17-CV-05329-WHA

DULCE GARCIA, MIRIAM GONZALEZ AVILA, SAUL JIMENEZ SUAREZ, VIRIDIANA CHABOLLA MENDOZA, NORMA RAMIREZ, and JIRAYUT LATTHIVONGSKORN,

Plaintiffs,

v.

UNITED STATES OF AMERICA, DONALD J. TRUMP, in his official capacity as President of the United States, U.S. DEPARTMENT OF HOMELAND SECURITY, and ELAINE DUKE, in her official capacity as Acting Secretary of Homeland Security,

Defendants.

CASE NO. 17-CV-05380-WHA

COUNTY OF SANTA CLARA and  
SERVICE EMPLOYEES INTERNATIONAL  
UNION LOCAL 521,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity  
as President of the United States, JEFFERSON  
BEAUREGARD SESSIONS, in his official  
capacity as Attorney General of the United  
States; ELAINE DUKE, in her official  
capacity as Acting Secretary of the Department  
of Homeland Security; and U.S.  
DEPARTMENT OF HOMELAND  
SECURITY,

Defendants.

CASE NO. 17-CV-05813-WHA



We, Alan Essig, Meg Wiehe, and Misha Hill, declare:

1. We are tax policy experts working for the Institute on Taxation and Economic Policy (ITEP). ITEP is a non-profit, nonpartisan research organization that provides in-depth analyses on the effects of federal, state, and local tax policies. ITEP's mission is to ensure the nation has a fair and sustainable tax system that raises enough revenue to fund our common priorities, including education, health care, infrastructure, and public safety. ITEP researchers use a microsimulation tax model to produce distributional and revenue analyses of current tax systems and proposed changes at the federal, state, and local level.

2. Alan Essig has been the Executive Director of ITEP since April 2017. He holds a master's degree from the Nelson A. Rockefeller College of Public Affairs and Policy at the State University of New York at Albany and an undergraduate degree from the State University of New York at Buffalo. Attached as Exhibit A is a true and correct copy of Alan Essig's curriculum vitae.

3. Meg Wiehe is the Deputy Director of ITEP. She has worked with ITEP since 2010. Meg is nationally recognized expert on state and local taxation. She studies, writes, and provides commentary and insight to a wide range of audiences on historical and current trends in state tax and budget policy. In particular, her analyses focus both on how tax and budget policies affect low- and moderate-income families as well as the intersection of fiscal policies and state and local governments' ability to fund basic public priorities, including education, infrastructure, and health care. Meg has conducted hundreds of revenue and distributional analyses of proposed tax changes in more than 40 states using ITEP's microsimulation tax model. She also is a lead author of ITEP's flagship report, *Who Pays? A Distributional Analysis of the Tax Systems in All Fifty States*. Meg holds a Master of Public Administration from the Maxwell School at Syracuse University and a Bachelor of Arts in Anthropology from the University of Virginia. Attached as Exhibit B is a true and correct copy of Meg Wiehe's curriculum vitae.

4. Misha Hill has been a State Policy Fellow at ITEP since 2016. She holds a Master of Public Policy from The George Washington University and Bachelor of Arts in Hispanic Studies from the University of Pennsylvania. Attached as Exhibit C is a true and correct copy of Misha Hill's curriculum vitae.

5. According to U.S. Citizenship and Immigration Services (USCIS), the agency that administers Deferred Action for Childhood Arrivals (DACA), as of September 4, 2017, approximately 689,800 young people who were brought to the United States as children without documentation are currently enrolled in DACA.<sup>1</sup> This population estimate from USCIS takes into account the latest estimates of former DACA recipients who have become lawful permanent resident (about 40,000) and those who were granted DACA but failed to reapply or whose reapplication was denied (about 70,000). The Migration Policy Institute, a non-profit, non-partisan think tank that analyzes the movement of people worldwide, estimates an additional 617,000 individuals are eligible for DACA but not currently enrolled.<sup>2</sup>

6. We used the above estimates of the current population receiving and eligible for, but not receiving DACA, in each state to estimate the annual aggregate state and local tax contributions of the DACA-eligible population.<sup>3</sup>

7. Young undocumented immigrants eligible for or enrolled in DACA, like all people living and working in the U.S., pay state and local income, property, sales, and excise taxes. We estimate that the population currently enrolled in DACA contributes more than \$1.25 billion in state and local taxes. Further, the population eligible for DACA but not currently enrolled contributes an additional \$497.6 million in state and local taxes. This brings the total contribution of the DACA-eligible population to just under \$1.8 billion annually in state and local taxes. The following assumptions were made to calculate the sales and excise, income, and property taxes of the DACA-eligible population:

- a. Taxpaying units and employment status:

<sup>1</sup> “Approximate Active DACA Recipients.” Available at: [https://www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/Immigration%20Forms%20Data/All%20Form%20Types/DACA/daca\\_population\\_data.pdf](https://www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/Immigration%20Forms%20Data/All%20Form%20Types/DACA/daca_population_data.pdf).

<sup>2</sup> Migration Policy Institute, “Deferred Action for Childhood Arrivals (DACA) Data Tools.” Available: <http://www.migrationpolicy.org/programs/data-hub/deferred-action-childhood-arrivals-daca-profiles#overlay-context=events>.

<sup>3</sup> ITEP released a report in April 2017 that used USCIS data from September 2016. This analysis uses the same methodology with the most currently available population figures.

- i. ITEP's analysis treats each DACA-eligible immigrant who is working as a single taxpaying unit.
  - ii. The employment rate of immigrants depends on legal status.
  - iii. A 2017 national survey of 3,063 DACA recipients found that 91.4 percent of respondents were employed.<sup>4</sup> DACA enrollees pay the same income taxes (in states with income taxes) as other lawfully present individuals. DACA enrollees receive a temporary social security number which allows them to file federal and state income taxes and, additionally payroll taxes are deducted from their paychecks.
  - iv. The previously mentioned national survey also found that prior to obtaining DACA, only 44% of survey respondents were employed. Our analysis assumes that 44% of the population that is eligible for DACA but not currently enrolled are employed.
- b. Income of DACA-eligible population
- i. Immigrant wages change depending on legal status. Undocumented workers earn \$22,029 a year on average and granting DACA increases wages by 8.5 percent, according to a 2014 report by the Center for American Progress.<sup>5</sup> The average wages applied to the estimated DACA working population in ITEP's analysis are:
    - \$23,901 for the DACA-eligible population working and enrolled in the program.

<sup>4</sup> "Results of Tom K. Wong et al., 2017 National DACA Study." Center for American Progress, <https://cdn.americanprogress.org/content/uploads/2017/08/27164928/Wong-Et-Al-New-DACA-Survey-2017-Codebook.pdf>.

The April 2017 ITEP report used employment figures from the 2016 survey.

<sup>5</sup> Wong's 2017 survey found a higher average salary for the DACA-eligible population enrolled and working (\$36,232) than the Center for American Progress report. Thus, by using an average salary of \$23,901, this analysis provides a conservative tax contribution estimate.

- \$22,029 for the DACA-eligible population working, but not enrolled in the program.
- c. Estimated effective tax rates (taxes as share of income) for sales, income, and property taxes paid by DACA-eligible population in each state.
- i. ITEP's microsimulation computer model is a sophisticated program that applies the state and local tax laws in each state (including sales, excise, income, and property tax laws) to a statistically valid database of tax returns to generate estimates of the effective tax rates paid by taxpayers at various income levels under state and local tax law. In January of 2015, ITEP released the 5th edition of *Who Pays?* which estimates the effect of the state and local tax laws as of January 2015 on taxpayers at 2012 income levels. This report applies effective tax rates calculated in the 2015 *Who Pays?* report to the DACA eligible population with some modifications in states with major tax changes since *Who Pays?* was published.
- d. The methodology used to calculate the contributions of the DACA-eligible population differs from the methodology used to calculate the contributions of all undocumented immigrants. The primary differences are that we assume a higher average income and employment rate for the DACA-eligible population. Thus the state and local tax contributions of the DACA-eligible population are not proportional to their share of the undocumented population.

8. We estimate that the population currently enrolled in DACA contribute \$242.4 million in state and local income taxes annually. The population that is eligible for but not enrolled in DACA contributes an additional \$44.5 million bringing the total contributions of the DACA-eligible population to \$286.9 million in state and local income taxes annually.

- a. Eligible immigrants enrolled in DACA are required to pay personal income taxes using a temporary social security number. Thus, this study assumes the 626,437 DACA-enrolled workers are fully complying with state personal income taxes. Personal income tax effective rates in each state were applied accordingly. Various studies have estimated

between 50 and 75 percent of undocumented immigrants currently pay personal income taxes predominantly using Individual Tax Identification (ITIN) numbers or with false social security numbers. This analysis assumes a 50 percent compliance rate for DACA-eligible immigrants who are not enrolled and applies 50 percent compliance if DACA protections are lost. Personal income tax effective rates in each state were applied to 50 percent of the estimated income.

b. Enrolled DACA recipients are eligible to receive the federal Earned Income Tax Credit (EITC) and the state versions of the credit as well, however state EITC benefits were not included in this study for two reasons: 1) all DACA-eligible workers are treated as single taxpaying units and 2) the average income of the enrolled DACA population is above the EITC income eligibility amounts for single workers. The impact of state EITCs was also left out of the other policy options given that DACA-eligible immigrants not enrolled in the program are ineligible for the credit.

9. We estimate the population currently enrolled in DACA contributes \$281.1 million in state and local property taxes. The population eligible for not enrolled in DACA contributes an additional \$131.9 million bringing the total \$413 million annually in state and local property taxes. The DACA-eligible population pays property taxes either directly as homeowners, or indirectly through higher rents as tenants.

a. The first step in calculating property taxes was to identify the share of DACA-eligible immigrants who are homeowners or renters in each state. This analysis used state-by-state data from the Migration Policy Institute to estimate homeownership rates for undocumented immigrants in each state. The ITEP model assumes that for renters, half of the cost of the property tax paid initially by owners of rental properties is passed through to renters.

10. We estimate the population currently enrolled in DACA contributes \$726.1 million state and local sales and excise taxes. The population eligible but not enrolled in DACA contributes an additional \$321.2 million bringing the total contributions of the DACA-eligible population to over \$1 billion annually in state and local sales and excise taxes. The DACA-eligible population, like anyone

purchasing goods or services, pays consumption taxes directly at the point of sale on taxable items.

- a. Sales and excise taxes are collected by retailers every time a purchase is made on a taxable good or service. It is reasonable to assume that DACA eligible immigrants pay sales and excise taxes at similar rates to U.S. citizens and legal immigrants with similar incomes, thus the estimated rates in ITEP's *Who Pays?* for each state were applied to the various estimated DACA-eligible population incomes.

11. A useful way to compare taxes paid across income levels is the effective tax rate. This is the total of all taxes paid - income, property, and sales and excise - as a share of income. The DACA-eligible population pays an average effective tax rate of 8.3%. ITEP's 2015 report, *Who Pays: A Distributional Analysis of the Tax Systems in All Fifty States* found that the middle 20% of taxpayers pays on average an effective tax rate of 9.4%, and the top 1% of taxpayers pays just 5.4% of their income in taxes.<sup>6</sup> This means the DACA-eligible population pays state and local taxes at a similar rate to middle income taxpayers across the country.

12. We also estimate that if DACA protections were lost, the population would continue to contribute to state and local revenues, but at much lower levels. We estimate a total loss of \$696 million in state and local tax revenues.

- a. DACA protections increase state and local tax contributions because they increase employment rates, increase average salaries, and increase the share paying state personal income taxes from 50 to 100 percent. Surveys of DACA recipients found that after receiving DACA protections respondents were employed at higher rates and earned higher wages. This is likely because the work authorizations and deferral from deportation provided by DACA allow recipients to better compete with legally present workers, pursue advanced degrees, and protects them from wage theft by unscrupulous employers. Thus, a loss of DACA protections would eliminate the revenue gained from the increased salaries DACA affords.

13. There are residents of every state who are eligible for or enrolled in DACA, which means

<sup>6</sup> Carl Davis, et al., *Who Pays? A Distributional Analysis of the Tax Systems in All 50 States*, 5th ed., Institute on Taxation and Economic Policy, Jan. 2015, www.whopays.org.

every state revenue stream could be harmed by the loss of DACA protections. Some examples relevant to this case are below:

- a. In California, approximately 197,900 residents are currently enrolled in DACA. They contribute \$358.3 million in state and local taxes. An additional 181,100 residents are eligible for but not enrolled in DACA. They contribute \$136.8 million bringing the total contributions of the 379,000 DACA-eligible California residents to \$495.1 million in state and local taxes annually. If DACA protections were lost, the contributions of California's total DACA-eligible population would decrease by \$208.7 million to \$286.4 million.
  - i. Those currently enrolled in DACA in California contribute \$222.9 million in sales and excise taxes. Those eligible for but not enrolled in DACA contribute an additional \$90.3 million bringing the total sales and excise tax contributions of California's total DACA-eligible population to \$313.2 million.
  - ii. Those currently enrolled in DACA contribute \$41 million in state personal income taxes. Those eligible for but not enrolled in DACA contribute an additional \$8.3 million bringing the total personal income tax contribution of California's total DACA-eligible population to \$49.3 million.
  - iii. Those currently enrolled in DACA contribute \$94.3 million in property taxes. Those eligible for but not enrolled in DACA contribute an additional \$38.2 million bringing the total property tax contributions of California's total DACA-eligible population to \$132.5 million.
  - iv. Santa Clara County has the twelfth largest DACA-eligible population of counties nationwide. Approximately 15,000 Santa Clara residents are currently enrolled in DACA.<sup>7</sup> They contribute \$14.8 million in state taxes (personal income tax and state sales tax) and \$12.4 million to local taxes (property taxes and local sales taxes). An additional 13,700 are eligible but not enrolled bringing the total

<sup>7</sup> "State and County Estimates of DACA-Eligible Populations," Migration Policy Institute, <https://www.migrationpolicy.org/programs/data-hub/deferred-action-childhood-arrivals-daca-profiles>.



DACA-eligible population to 28,700. The population that is eligible but not enrolled contributes \$5.4 million in state and \$5 million in local taxes.

Altogether, the total DACA-eligible population in Santa Clara County contributes \$20.2 million in state and \$17.4 million in local taxes.

b. In Maine, approximately 40 residents are currently enrolled in DACA. They contribute over \$67,600 in state and local taxes. An additional 60 residents are eligible for but not enrolled in DACA. They contribute over \$41,100 bringing the total contributions of the 100 DACA-eligible Maine residents to over \$108,700 in state and local taxes annually. If DACA protections were lost, their contributions would decrease by \$40,300 to \$68,400.

i. Those currently enrolled in DACA contribute \$32,000 in sales and excise taxes. Those eligible but not enrolled contribute an additional \$26,000 in sales and excise taxes bringing the total sales and excise tax contributions of Maine's DACA-eligible population to \$58,000.

ii. Those currently enrolled in DACA contribute \$23,000 in state personal income taxes. Those eligible but not enrolled contribute an additional \$5,000 in personal income taxes bringing the total personal income tax contributions of Maine's DACA-eligible population to \$28,000.

iii. Those currently enrolled in DACA contribute \$11,000 in property taxes. Those eligible but not enrolled contribute an additional \$9,000 in property taxes bringing the total property tax contributions of Maine's DACA-eligible population to \$20,000.

c. In Maryland, approximately 8,100 residents are currently enrolled in DACA. They contribute \$18.1 million in state and local taxes. An additional 15,900 residents are eligible for but not enrolled in DACA. They contribute \$15.5 million bringing the total contributions of the 24,000 DACA-eligible Maryland residents to \$33.6 million in state and local taxes annually. If DACA protections were lost, their contributions would

decrease by \$10.3 million to \$23.3 million.

- i. Those currently enrolled in DACA contribute \$7.5 million in sales and excise taxes. Those eligible but not enrolled contribute an additional \$8.5 million in sales and excise taxes bringing the total sales and excise tax contributions of Maryland's DACA-eligible population to \$16 million in sales and excise taxes.
- ii. Those currently enrolled in DACA contribute \$7.4 million in state income taxes. Those eligible but not enrolled contribute an additional \$2.3 million in income taxes bringing the total state income tax contributions of Maryland's DACA-eligible population to \$9.7 million.
- iii. Those currently enrolled in DACA contribute \$3.2 million in property taxes. Those eligible but not enrolled contribute an additional \$4.4 million in property taxes bringing the total property tax contributions of Maryland's DACA-eligible population to \$7.6 million.

d. In Minnesota, approximately 5,550 residents are currently enrolled in DACA. They contribute \$10.8 million in state and local taxes. An additional 4,500 residents are eligible for but not enrolled in DACA. They contribute \$3.3 million bringing the total contributions of the 10,000 DACA-eligible residents to \$14.1 million in state and local taxes annually. If DACA protections were lost, their contributions would decrease by \$6.8 million to \$7.3 million.

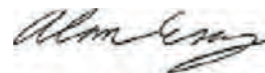
- i. Those currently enrolled in DACA contribute \$5.5 million in sales and excise taxes. Those eligible but not enrolled contribute an additional \$2 million bringing the total sales and excise tax contributions of Minnesota's DACA-eligible population to \$7.5 million.
- ii. Those currently enrolled in DACA contribute \$3.5 million in state income taxes. Those eligible but not enrolled contribute an additional \$640,000 bringing the total state income tax contributions of Minnesota's DACA-eligible population to \$4.1 million.

iii. Those currently enrolled in DACA contribute \$1.8 million in property taxes. Those eligible but not enrolled contribute an additional \$671,000 bringing the total property tax contributions of Minnesota's DACA-eligible population to just under \$2.5 million.

14. For all the foregoing reasons, in our professional opinions, rescinding DACA would reduce the state and local tax contributions of the population eligible for DACA by at least half. This would hamper state and local revenues and hurt their economies.

We declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of our knowledge.

Executed on October 26, 2017, at Washington, DC.



Alan Essig



Meg Wiehe



Misha Hill

# EXHIBIT 23

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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

THE REGENTS OF THE UNIVERSITY OF  
CALIFORNIA and JANET NAPOLITANO,  
in her official capacity as President of the  
University of California,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND  
SECURITY and ELAINE DUKE, in her  
official capacity as Acting Secretary of the  
Department of Homeland Security,

Defendants.

CASE NO. 17-CV-05211-WHA

**DECLARATION OF MIRIAM FELDBLUM**

STATE OF CALIFORNIA, STATE OF MAINE, STATE OF MARYLAND, and STATE OF MINNESOTA,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND SECURITY, ELAINE DUKE, in her official capacity as Acting Secretary of the Department of Homeland Security, and the UNITED STATES OF AMERICA,

Defendants.

CASE NO. 17-CV-05235-WHA

CITY OF SAN JOSE, a municipal corporation,

Plaintiffs,

v.

DONALD J. TRUMP, President of the United States, in his official capacity, ELAINE C. DUKE, in her official capacity, and the UNITED STATES OF AMERICA,

Defendants.

CASE NO. 17-CV-05329-WHA

DULCE GARCIA, MIRIAM GONZALEZ AVILA, SAUL JIMENEZ SUAREZ, VIRIDIANA CHABOLLA MENDOZA, NORMA RAMIREZ, and JIRAYUT LATTHIVONGSKORN,

Plaintiffs,

v.

UNITED STATES OF AMERICA, DONALD J. TRUMP, in his official capacity as President of the United States, U.S. DEPARTMENT OF HOMELAND SECURITY, and ELAINE DUKE, in her official capacity as Acting Secretary of Homeland Security,

Defendants.

CASE NO. 17-CV-05380-WHA

COUNTY OF SANTA CLARA and  
SERVICE EMPLOYEES INTERNATIONAL  
UNION LOCAL 521,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity  
as President of the United States, JEFFERSON  
BEAUREGARD SESSIONS, in his official  
capacity as Attorney General of the United  
States; ELAINE DUKE, in her official  
capacity as Acting Secretary of the Department  
of Homeland Security; and U.S.  
DEPARTMENT OF HOMELAND  
SECURITY,

Defendants.

CASE NO. 17-CV-05813-WHA



**DECLARATION OF MIRIAM FELDBLUM**

I, MIRIAM FELDBLUM, declare as follows:

1. I am the Vice President for Student Affairs and the Dean of Students at Pomona College. I am also a Politics professor and an immigration scholar. Located in Claremont, California, Pomona College is a highly selective, private liberal arts college that provides a comprehensive education in the liberal arts and sciences to a student body of about 1,650 undergraduates, awarding bachelor of arts and bachelor of science degrees to approximately 400 students each year. Since 2008, the college has fully reviewed undocumented students who graduate from a U.S. high school both for need-blind admission and for every type of private full-need financial aid the college offers.

2. I first met Ms. Viridiana Chabolla (“Viri”) during her first year at Pomona in 2009. As part of our practice at Pomona, we sought to reach out to undocumented students to let them know about the resources and support on campus. Viri was very engaged and committed, working with my colleagues and me about how best to support undocumented students on campus. Viri was also a student leader at Pomona, working in the Draper Center for Community Partnerships, and in student peer mentoring and campus organizations.

3. As a Politics professor and immigration scholar, I had the pleasure of hearing from Viri about her work as a sociology major. Over the four years I interacted with Viri, her skills and abilities grew in wonderful ways, and she matured impressively both as a student-scholar and leader. Her current accomplishments in law school and the community continue to impress me.

4. The challenges facing undocumented students prior to the advent of Deferred Action for Childhood Arrivals (DACA) were tremendous. Prior to DACA, undocumented students at Pomona faced significant barriers to fully take advantage of their education, find support on and off campus, and as importantly, to contribute back to their community.

5. Prior to DACA, undocumented students at Pomona had no access to employment on campus, even as many student employment positions are key student leadership and educational opportunities that foster students’ skills, abilities, and talents. These positions include resident advisor, research assistant, program assistant, head mentor positions, and so on. While Viri was a student at Pomona, we worked with her and other undocumented students to identify student leadership

opportunities that they could pursue that did not require work authorization. While we worked over the years to identify and develop potential experiential learning fellowship positions that were not employment based positions, these opportunities were very limited, as they could not be in service to the College, faculty, staff, or other students, and they must incorporate specific kinds of educational components.

6. Undocumented students at Pomona and elsewhere were also unable to participate in Study Abroad, which is integral to the undergraduate educational experience, and required, in fact, for some majors. While we worked with students and faculty to identify alternative domestic programs or provide waivers from a study abroad requirement in certain majors, the inability to go abroad for educational reasons detracted from the liberal arts educational experience for these students.

7. Overall, while Pomona College treated undocumented students as domestic students for the purposes of admission and institutional financial aid, undocumented students on our campus still faced numerous challenges both on and off campus. Beyond issues of employment and academic opportunities, undocumented students at Pomona were not sure they could trust us with information regarding their status, or who they should go to with questions about financial issues, academic concerns, or family situations that were related to their status. Off-campus, undocumented Pomona students faced numerous barriers as well, including lack of drivers' licenses or official state-issued identification cards, inability to access federal or state financial aid, and so on. Undocumented students at Pomona came from across the country, and so many also had to travel domestically to get to and from home. These students were worried about immigration enforcement for themselves and their families.

8. As a student at Pomona before she received DACA, Viri faced all these significant challenges. And, even as a student, Viri was also very involved in helping us at the college identify the ways in which we could provide effective support for the growing numbers of undocumented students on our campus.

9. Prior to the advent of DACA, we worked with Viri and other students to develop support for undocumented students in terms of policy, people, practices, and programs. As noted above, a foundational part of the College's support has been our policy in place since 2008, to treat undocumented students as domestic students for the purposes of admission and financial aid. However,

in listening to and working with our undocumented students, we recognized that access to campus was only one component of the support that students needed to thrive and succeed at Pomona. Other key components included: (1) identifying key staff members and faculty advisors to provide direct support to students, and who could serve as links to a student support network and other kinds of outreach; (2) providing program funding for the student support network and peer mentoring; (3) training staff and providing consultation for faculty on how to support undocumented students, including providing historical and policy contexts; (4) developing non-employment based opportunities for leadership and learning opportunities; and (5) identifying emergency grant funding for student needs.

10. Overall, we worked to develop a proactive, visible network of support, programs, and funding for undocumented students on campus, and moved away from a “don’t ask, don’t tell” approach. At the same time, we were also very mindful of the need to safeguard student privacy and confidentiality.

11. Because of our extensive work with undocumented students prior to the advent of DACA, Pomona College is well positioned to comment on the already powerful benefits of DACA for Viri, and other college students, as well as the devastating impact that the termination of the program has already had and will certainly continue to have unless something is done. Approximately 4% of the Pomona undergraduate population is “DACAmended” or undocumented, with the vast majority of students being DACA recipients.

12. As DACA recipients, we have witnessed numerous Pomona College students who have now been able to further their educational experiences through study abroad, research assistantships, job opportunities, internships, and work on campus as student leaders, future scholars and leaders of our communities. Pomona College alumni, who are DACA recipients, have gone on to medical school, teaching and graduate school, as well as work in the high tech industry, business and community organizations. Viri’s incredible success as a law student, as well as her work in the community, are a testament to her potential as a future leader and societal contributor.

13. DACA transformed the daily lives of our undocumented students, including through employment on campus as resident advisors, research assistants, head mentors, tutors, and more, the ability to go on Study Abroad, work in community-based organizations, and to travel to conferences and

research or job opportunities during the academic year and summer, all without the fear of deportation. Our undocumented students were able to receive drivers' licenses, which also opened up additional opportunities. While DACAmented students continued to face challenges on and off campus, the level of anxiety among these students significantly decreased, and many of them engaged in long-term planning. In the past five years, among Pomona College DACAmented students and alumni, many have pursued and received outstanding job offers across many different industries and graduate school acceptances (academic fields, law, and medicine), which in turn, have helped them to provide for their families and start to build for their future. Almost without exception, all these students and alumni have also been very engaged in the community, looking to pay it forward, and to contribute to supporting others and the communities in which they live.

14. With the new changes in interior enforcement since January 2017, and the announcement of the rescinding of DACA in September 2017, life has once again changed for our students and alumni who are DACA recipients – this time in devastating ways. From deteriorating emotional wellbeing to reporting grave concerns about family members, from losing access to go on study abroad to the diminishment and precariousness of future work and life prospects, our students and alumni have been gravely harmed by the rescinding of DACA.

15. Since the termination of DACA earlier this year, I have had the opportunity to speak with Viri, other alumni and many of our current students like Viri about how they are feeling. In a gathering of our DACAmented and undocumented students after the announcement on September 5, students expressed deep fear, anxiety, numbness, uncertainty, and concern. The termination has devastated those students who are DACA recipients. They are scared about what their futures hold, and uncertain about whether they will be able to continue their schooling or continue on to the dream jobs that they all are striving for. The fear and stress have manifested itself as depression and increased anxiety in many of our students, and has impacted their ability to excel in school as they did before. The impacts of the termination are already palpable on campus and, unless it is stopped, the harm to these students and our campus generally will be irreparable.

16. In an September 5, 2017 op-ed piece for *USA Today*, Victor Cuicahua, a senior history major at Pomona College who grew up in Alabama, where he was a co-founder of the Immigrant Youth

Leadership Initiative of Alabama, wrote eloquently about what the loss of the DACA means to him personally: “DACA changed everything. It allowed me to work in cramped restaurant kitchens across Birmingham for 60 hours a week to save for an education that was expensive but no longer inaccessible. It allowed me to become the first undocumented student at the University of Alabama, from which I later transferred to one of the best colleges in the country. It allowed me to imagine returning to Alabama as a history teacher after graduation, ready to serve a future generation of students. But the rescindment of DACA closes the door to a classroom I had hoped to enter for years.”

17. While the College continues to provide emergency grant funding for students, and has developed a pro-bono legal resource network for students, alumni, and their families along with other resources, the winding down of DACA is forcing our students and alumni back into a precarious “limbo” as Roberto Gonzales describes in his 2015 book on undocumented immigrant youth. In a letter written to other college and university presidents, our current President Gabi Starr and President Emeritus David Oxtoby wrote: “Ending DACA means that these young people – Americans in all but legal status – will be vulnerable to deportation,” said Starr and Oxtoby. “They will lose their ability to contribute fully to our campuses, to our communities and to our country. Their loss, and that of other undocumented young people, is fundamentally our country’s loss.” We at Pomona are very proud to support Viri Chabolla, a student leader while she was on campus, and now, an inspiring community leader.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on October 30, 2017, in Claremont, California.



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MIRIAM FELDBLUM

# EXHIBIT 24

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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

20 THE REGENTS OF THE UNIVERSITY OF  
21 CALIFORNIA and JANET NAPOLITANO,  
22 in her official capacity as President of the  
23 University of California,

Plaintiffs,

v.

25 U.S. DEPARTMENT OF HOMELAND  
26 SECURITY and ELAINE DUKE, in her  
27 official capacity as Acting Secretary of the  
28 Department of Homeland Security,

Defendants.

CASE NO. 17-CV-05211-WHA

**DECLARATION OF MOISES FUENTES**



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STATE OF CALIFORNIA, STATE OF MAINE, STATE OF MARYLAND, and STATE OF MINNESOTA,  
  
Plaintiffs,  
  
v.  
  
U.S. DEPARTMENT OF HOMELAND SECURITY, ELAINE DUKE, in her official capacity as Acting Secretary of the Department of Homeland Security, and the UNITED STATES OF AMERICA,  
  
Defendants.

CASE NO. 17-CV-05235-WHA

CITY OF SAN JOSE, a municipal corporation,  
  
Plaintiffs,  
  
v.  
  
DONALD J. TRUMP, President of the United States, in his official capacity, ELAINE C. DUKE, in her official capacity, and the UNITED STATES OF AMERICA,  
  
Defendants.

CASE NO. 17-CV-05329-WHA

DULCE GARCIA, MIRIAM GONZALEZ AVILA, SAUL JIMENEZ SUAREZ, VIRIDIANA CHABOLLA MENDOZA, NORMA RAMIREZ, and JIRAYUT LATTHIVONGSKORN,  
  
Plaintiffs,  
  
v.  
  
UNITED STATES OF AMERICA, DONALD J. TRUMP, in his official capacity as President of the United States, U.S. DEPARTMENT OF HOMELAND SECURITY, and ELAINE DUKE, in her official capacity as Acting Secretary of Homeland Security,  
  
Defendants.

CASE NO. 17-CV-05380-WHA

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COUNTY OF SANTA CLARA and  
SERVICE EMPLOYEES INTERNATIONAL  
UNION LOCAL 521,  
  
Plaintiffs,  
  
v.  
  
DONALD J. TRUMP, in his official capacity  
as President of the United States, JEFFERSON  
BEAUREGARD SESSIONS, in his official  
capacity as Attorney General of the United  
States; ELAINE DUKE, in her official  
capacity as Acting Secretary of the Department  
of Homeland Security; and U.S.  
DEPARTMENT OF HOMELAND  
SECURITY,  
  
Defendants.

CASE NO. 17-CV-05813-WHA

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I, Moises Fuentes, declare and state as follows:

1. My name is Moises Fuentes and I am a resident of the Kern County. I arrived in the U.S. when I was only 1.

2. My mom works harvesting the fruits that make this state so economically powerful and its agriculture business one of the biggest and most successful ones of the world. For a summer, I went to the fields to see what my mother’s job was all about, but I did not last more than a week. Thankfully, I have a work permit under DACA, which gives me the opportunity to be employed in an area that needs my professional and personal experience.

3. I am a technology enthusiast, I like programming and want to work in computer engineering or as a computer technician and in building computers after finishing college. I hope to make a career out of the education I am receiving now. However, the day I am ready for the job force, I will not be able to pursue a career because DACA will no longer be in place. DACA would have allowed me to enter the labor force and continue making this country successful.

4. My work permit expires soon, in 2018. Without DACA, I cannot receive financial aid.

5. I want a job in the technology field, for big companies to work with security purposes. I want to help companies with their financial security problems, with hacking issues and in development of products that will advance the technological world. Being able to continue having a work permit will allow me to get finish my education and get a job in the field that needs my experience. I would like the opportunity to contribute to the economy.

6. Now that DACA is terminated, I have a tight deadline where I must have enough money saved before my DACA expires so that I have money to pay off tuition and that is challenging because I am a full-time student.

7. DACA gave me a work permit, and it’s going to be difficult not having a work permit and that itself has taken away the ability of being secure knowing that I can attend school and get a job to even pay for school if I can make it to school. Even if I work very hard to make it through college, without DACA I will not be able to get a job in my field of study.

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I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on October 27, 2017, in Bakersfield, CA.

Moises R Fuentes  
MOISES FUENTES

# EXHIBIT 25



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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

THE REGENTS OF THE UNIVERSITY OF  
CALIFORNIA and JANET NAPOLITANO,  
in her official capacity as President of the  
University of California,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND  
SECURITY and ELAINE DUKE, in her  
official capacity as Acting Secretary of the  
Department of Homeland Security,

Defendants.

CASE NO. 17-CV-05211-WHA

**DECLARATION OF DULCE GARCIA**

Action Filed: September 18, 2017

Hon. William H. Alsup

STATE OF CALIFORNIA, STATE OF MAINE, STATE OF MARYLAND, and STATE OF MINNESOTA,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND SECURITY, ELAINE DUKE, in her official capacity as Acting Secretary of the Department of Homeland Security, and the UNITED STATES OF AMERICA,

Defendants.

CASE NO. 17-CV-05235-WHA

CITY OF SAN JOSE, a municipal corporation,

Plaintiffs,

v.

DONALD J. TRUMP, President of the United States, in his official capacity, ELAINE C. DUKE, in her official capacity, and the UNITED STATES OF AMERICA,

Defendants.

CASE NO. 17-CV-05329-WHA

DULCE GARCIA, MIRIAM GONZALEZ AVILA, SAUL JIMENEZ SUAREZ, VIRIDIANA CHABOLLA MENDOZA, NORMA RAMIREZ, and JIRAYUT LATTHIVONGSKORN,

Plaintiffs,

v.

UNITED STATES OF AMERICA, DONALD J. TRUMP, in his official capacity as President of the United States, U.S. DEPARTMENT OF HOMELAND SECURITY, and ELAINE DUKE, in her official capacity as Acting Secretary of Homeland Security,

Defendants.

CASE NO. 17-CV-05380-WHA



COUNTY OF SANTA CLARA and  
SERVICE EMPLOYEES INTERNATIONAL  
UNION LOCAL 521,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity  
as President of the United States, JEFFERSON  
BEAUREGARD SESSIONS, in his official  
capacity as Attorney General of the United  
States; ELAINE DUKE, in her official  
capacity as Acting Secretary of the Department  
of Homeland Security; and U.S.  
DEPARTMENT OF HOMELAND  
SECURITY,

Defendants.

CASE NO. 17-CV-05813-WHA

I, Dulce Garcia, declare as follows:

1. I am a party in the above-captioned action. I make this declaration based on my personal knowledge. If called as a witness, I could and would testify competently on the facts stated herein.

**My Early Life**

2. I was born in Mexico and was brought to the United States by my parents when I was four years old. Since then, I have never left the United States. It is my home.

3. I grew up in Logan Heights, a low-income, predominately Latino community in San Diego, California. Throughout my childhood, my family was quite poor and, from time to time, was forced to deal with homelessness. For a time, we shared a home with multiple families in order to save money on rent. I remember at one point in time my siblings and I were sleeping under a table in a home, because that was the part of the home my family had rented out.

4. We also lacked access to healthcare. I never stepped into a dentist's office, for example, until I was an adult. And I remember one time, as a young child, my father hurt his arm at work (he was a welder). He shattered his arm and wrist in several places. We didn't have health insurance, so he tried to just bear the pain. Plus, the thought of going to the hospital was frightening for my family. We were nervous that the doctors would ask about our immigration status or ask him to file a report about where he was working. But, after about a week, we realized it was getting infected and he was forced to go see a doctor. The doctor told us if we'd waited any longer, he would have had to have it amputated. That was terrifying – but it was also terrifying to leave the walls of our home and expose ourselves to the outside world – we were always scared of what could happen to us.

5. I certainly didn't have the typical San Diego experience as a child. I didn't do any of the things that I heard my friends and classmates talk about. For many years growing up, I didn't go to the beach or the park, the movies, and I certainly didn't get to go to Disneyland like my friends did. We felt scared every time we stepped out of the house.

6. I don't remember when I first learned that I was an undocumented immigrant. I know that even when I first learned this about myself, I didn't fully understand the implications of that on my life. I do remember that from a very young age, my family and I feared the local police and immigration

authorities. We led a very sheltered life and were afraid to leave the security of our home. However, I can remember seeing federal agents raid homes in my neighborhood and arrest one or more of the individuals living in a house. Often times, multiple families would be living in one home.

7. When I was seven years old, my grandmother passed away. I remember not understanding why my family couldn't return to Mexico to attend her funeral. I didn't understand that our lack of documentation made that impossible.

8. I am one of four children. I have three brothers, the youngest of which is a United States citizen. One of my brothers, like me, is a DACA recipient. I am incredibly close to my immediate family. I also have an uncle and three cousins who are U.S. citizens, living in Colorado, who I have seen a few times over the course of my life. After thirty years of living here in the United States, we have lost touch completely with any extended family in Mexico. My parents and siblings are really the only close family I know.

9. The first tangible experience I had with my undocumented status impacting my daily life was when I was in high school and I wanted to apply for a driver's license. I had taken a course in high school with all my friends to prepare us for taking the exam. After taking the class, an exam was to be administered and all passing students would receive a driving permit. My father had warned me that I would not be able to apply for a driver's license because I didn't have a social security number or any of the proper documentation. I didn't understand this – or believe him. Unfortunately, he was correct. After taking the class, my teacher asked us all to provide her with our social security numbers. When I was unable to provide one, I was not able to take get a drivers permit. I remember feeling angry, embarrassed, confused, and incredibly frustrated by the situation.

10. My next experience dealing with the ramifications of my undocumented status, which was even more devastating, came when I was preparing to apply for college. I was excited at the prospect of going to college. I thought the most daunting part of the process would be deciding which university to attend. One day, I made an appointment with my high school counselor to discuss my choices of potential colleges, having already been accepted to quite a few that sounded interesting to me. At that meeting, my counselor told me that not only was I not going to be able to attend any of the

colleges I had been accepted to attend, and that I wouldn't even be able to enroll in the local community college. I remember he delivered the news very bluntly, at one point calling me "an illegal."

11. When I went home from school that day I asked my mother if what my counselor had told me was true. My mother confirmed that my counselor was correct. I remember how sad my mother was, and how she went out of her way to tell me how proud of me she was for how hard I worked in school but that my family would not be able to afford to send me to school.

12. I was devastated when I thought that college might be out of reach for me. I had pushed myself throughout high school to excel academically and had always been driven by the idea of a college education and a chance to go to law school and become a lawyer.

13. Before learning about my undocumented status, I can remember feeling like I was going to conquer the world. After learning about my status, I remember being confronted for the first time with the harsh reality that some of my dreams might not come true.

#### **Getting an Education: College and Law School**

14. I graduated high school in 2001. I had applied to and gotten accepted at my dream school: the University of California, Davis. However, without a social security number, I couldn't apply for student loans and my parents certainly could not afford to put me through school.

15. Instead, I enrolled at a local community college and stayed in San Diego.

16. Eventually, after graduating from community college, I was able to transfer to the University of California, San Diego ("UCSD"). I managed to secure honors every quarter I attended UCSD, despite working full time as a legal assistant at the same time. I also often had to find other part time jobs to supplement my income and pay for tuition and books. I graduated college in 2009. I was, and remain to this day, incredibly proud to be a college graduate.

17. For me, the next step was law school. I have wanted to be a lawyer for as long as I can remember. From a very young age, I can remember witnessing injustice, intolerance, and aggression against members of my community. For example, I can remember seeing overzealous police officers pull over individuals simply because of the color of their skin. I knew this wasn't right and I wanted to be able to do something about it.

18. In fact, my younger brother was once pulled over for suspicious driving. As a result of a traffic stop, he was turned over to immigration officials and placed in a detention center. I remember going to visit him at the detention center. I saw how crushed he was, and I was devastated. I knew then that I had to continue to work hard and become an immigration attorney, so I could help people like my brother.

19. I was invited by the Cleveland Marshall School of Law to apply, and was offered a private scholarship to attend. For my first year, I had a full scholarship and received some much smaller scholarships in subsequent years. During law school I worked hard to help pay for tuition and living expenses.

20. During my last year of law school, money was especially tight for me. My mother gave me \$5,000 to help pay for my tuition. This money represented almost her entire life's savings, which she had earned working the night shift as a hotel housekeeper. She was so proud of me and she wanted me to achieve my dreams. I was, and remain, so grateful to her for her all her sacrifices for me.

### **The DACA Program**

21. The government announced the creation of the DACA program my during my second year in law school. I remember that when I heard the announcement, I was so overjoyed that I immediately broke down in tears. I recall vividly hearing President Obama announce the program and talk about the need to protect immigrant youth, like myself, and I felt deeply grateful and encouraged to apply.

22. I remember reading up on the program and reviewing the various guidelines and requirements very closely. I remember specifically noting that the government promised that USCIS would not refer applicants to ICE or use the information provided to the government against an applicant, unless of course there was some sort of national security threat. I also watched some informational videos on the USCIS website dedicated to the DACA program. After studying the program and watching these videos, I felt encouraged to apply and safe in doing so.

23. Although initially skeptical, I decided that I could trust the government to honor its promise and I decided to apply. Ultimately, it was the only option available to me that would allow me to work lawfully here in the United States – my home. And I knew that so long as I continued to renew

my DACA status, I would not be deportable. That also lifted a huge weight off of my shoulders. I knew that as long as I followed the very explicit rules laid out in the DACA program, I would be able to maintain and renew my DACA status.

24. One of the critical factors was that it was renewable. I would never have stepped forward out of the shadows, borrowed money, submitted to a background check, and provided all of my sensitive information to the government without a guarantee that I could renew my status every two years.

25. On January 24, 2014, I submitted my application for DACA status and work authorization. Attached herein as Exhibit A is a true and correct copy of my initial DACA Application (Form I-821D) that I submitted to USCIS on January 24, 2014. Attached herein as Exhibit B is a true and correct copy of my Application for Employment Authorization (Form I-765) that I submitted to USCIS on January 24, 2014. Attached herein as Exhibit C is a true and correct copy of my Application for Employment Authorization Worksheet (Form I-765WS) that I submitted to USCIS on January 24, 2014. Attached as Exhibit D is a true and correct copy of the Form I-797C Notice of Action that I received from USCIS on January 29, 2014, acknowledging receipt of my 2014 DACA Application. Attached as Exhibit E is a true and correct copy of the Form I-797C Notice of Action that I received from USCIS on January 29, 2014, acknowledging receipt of my Application for Employment Authorization.

26. Coming up with the fee required for the initial application was difficult. It was very difficult to come up with this money. I was already running low on money at this point, since I was in the midst of law school and unable to find a job without valid authorization. All of my money was going towards tuition, books and other school expenses. Ultimately, I had to borrow the money to pay for the application fee. When I applied for DACA status I submitted to all of the government's requirements, including paying the required fee, providing my personal information to the government, and submitting to a government background check.

27. The application process was extremely burdensome. As an undocumented immigrant, who had lived her life in the shadows, it was difficult to pull together enough documentation to meet all the requirements of the program. It took exhaustive efforts on my part to gather all the necessary

information, but, of course, I was willing to do it if it meant that I could be living here lawfully and be allowed to work.

28. In connection with my DACA application, I went to a USCIS application support center on February 26, 2014 to have my biometrics taken so that the government could perform a background check on me. Attached as Exhibit F is a true and correct copy of my ASC Appointment Notice dated February 7, 2014. The experience of appearing for and submitting to this background check was both surreal and terrifying. After living in the shadows for so long, voluntarily coming forward and stepping in to the light in this manner – especially when I didn't really know what to expect – was unnerving to say the least. I remember feeling almost as though I was a criminal being put through processing – even though I knew that I hadn't committed any crimes.

29. I received approval of my DACA application on April 16, 2014. Attached as Exhibit G is a true and correct copy of the Form I-797 DACA Application Approval Notice that I received from USCIS on April 16, 2014.

30. I also received employment authorization at this time. Attached as Exhibit H is a true and correct copy of the mailing that I received from USCIS on April 18, 2014 with my employment authorization card.

31. I applied for renewal of my DACA status and work authorization on December 8, 2015. Attached as Exhibit I is a true and correct copy of the Form I-821D DACA Application that I submitted to USCIS on December 8, 2015. Attached as Exhibit J is a true and correct copy of the Form I-765 Application for Employment Authorization that I submitted to USCIS on December 8, 2015. Attached as Exhibit K is a true and correct copy of the Form I-765WS (Application for Employment Authorization Worksheet) that I submitted to USCIS on December 8, 2015. I remember that before my DACA status was set to expire, I received a notice from USCIS alerting me to the fact that my status was set to expire, and encouraging me to apply to renew my status 120-150 days before expiration, in order to avoid any lapse. I experienced this as an encouragement on the part of the government to continue to rely on the program. Attached as Exhibit L is a true and correct copy of the Form I-797C Notice of Action reminding me to renew my DACA Application that I received from USCIS on November 1, 2015.



32. In my employment renewal application worksheet, I provided an explanation of my current financial situation to justify my need for employment authorization as follows: “I need employment authorization to work to pay off the debt currently totaling about \$34,000 and to continue to pay for living expenses.” See Exhibit K. This debt was from college and law school tuition, books, other school-related expenses, and other debts incurred while I was enrolled in college and law school and unable to work without a valid work permit.

33. In connection with my renewal DACA application, I again went to a USCIS application support center on January 6, 2016 to have my biometrics taken. Attached as Exhibit M is a true and correct copy of my ASC Appointment Notice dated December 18, 2015.

34. I received approval of my DACA renewal application on February 17, 2016, and also received a renewed employment authorization card around that time. Attached as Exhibit N is a true and correct copy of the Form I-797 DACA Application Approval Notice that I received from USCIS on February 17, 2016. I received my work authorization renewal on February 17, 2016. Attached as Exhibit O is a true and correct copy of the Form I-797 Application for Employment Authorization Approval Notice that I received from USCIS on February 17, 2016.

35. I applied for renewal of my DACA status and work authorization a second time on September 27, 2017. Attached as Exhibit P is a true and correct copy of my second renewal application, including the Form I-281D DACA Application, Form I-765 Application for Employment Authorization, Form I-765WS Application for Employment Authorization Worksheet, and supporting materials. I have not yet received approval of this second renewal application.

36. My DACA status currently expires on February 16, 2018.

### **The American Dream**

37. Simply put, DACA has allowed me to realize the American Dream. Growing up, my parents instilled in me and my siblings that they had come to this country and overcome numerous obstacles in so doing, so that my brothers and I could live the American Dream.

38. Being granted DACA status and being able to renew that status (and rely on a promise of future renewals to come) has had an empowering and transformative impact on my life. For the first time in my life, I came to believe that nothing could hold me back – that anything was possible. I

believed that I would finally be able to achieve all the things I had always dreamed of, including becoming a lawyer, setting up a thriving law practice, and serving my community. I once again believed in that American Dream that my parents had taught me to aspire to.

39. For me, the American Dream means being able to get a good education, to own a car, to buy a house, to pursue the career of your dreams, and to fall in love and start a family. It means that anyone and everyone, if they work hard, play by the rules, contribute to society, and generally look out for their friends, family and community at large, can succeed. I have always lived my life that way and I am devastated to think that might not be enough.

#### *Peace of Mind and Freedom*

40. Having DACA status has also provided me with a more peaceful state of mind. I have finally come to trust that I can travel beyond the four corners of my home without the constant fear of being picked up by the police or immigration authorities.

41. Before having DACA status, I used to have to take a Greyhound bus ride whenever I traveled between San Diego and law school (in Cleveland, Ohio), which took anywhere between 54 and 62 hours.

42. Just last week, my fiancé and I flew to Washington, D.C. together. It felt incredible to hand over our California driver's licenses and board the plane, just like every other American waiting in line with us.

#### *Home Ownership*

43. Even before DACA, my fiancé and I had taken one step towards achieving the American Dream – we bought our first home. The process of buying the home, however, was fraught with difficulties and roadblocks as a result of our undocumented status. We spent well-over one year trying unsuccessfully to apply for a home loan. While our applications always looked good, including our credit history and employment history, without a social security number we were never able to secure a loan. As such, we had to wait until we had saved up enough cash to purchase a home without a loan. This was incredibly difficult to do, and we also had to borrow about \$10,000 from my fiancé's mother.

44. In May 2009, we were able to pull together enough to buy a condo in San Diego, California. We have been paying property taxes on the condo ever since.

45. Becoming a homeowner was a pivotal moment in my life. I felt like I was an American. I felt like I was achieving the American Dream that my parents had set out for me and that I myself had imagined.

#### ***Driving and Buying a Car***

46. As soon as I was granted DACA status, I applied for a social security number. Using my social security number, I was able to open a credit card. This allowed me to start building up a credit history, which I knew would be crucial both for my personal and professional future.

47. After receiving DACA, I immediately applied for a social security number. As soon as I received my social security number, I applied for a driver's license. I got my driver's license on May 1, 2014. It is hard to put in words how much that license meant – and means – to me. For one thing, it meant that I could drive around – to visit family and friends, to go to work, and to see clients – without fear of being pulled over and arrested. And it meant that I was like every other American.

48. Driving and owning an “American muscle car” has always featured prominently in my vision of what it meant to live the American Dream. My fiancé Luis and I had purchased a 1965 Ford Mustang that we spent a long time restoring. We love that car. The thought of being able to drive around in that car, without feeling like I was breaking the law or like I had to be scared, was truly a dream come true. Again, it felt like I was an American.

#### ***My Dream Career***

49. I was admitted to the California Bar in May 2016.

50. I opened up my own law practice immediately thereafter, in San Diego, California in June 2016. As soon as I knew that I wanted to be a lawyer, I knew that I wanted to open my own practice. That has always been my dream. I wanted to be able to help my community and to have the freedom to decide what types of cases and clients I took on. I knew that there were many people in my community who needed access to competent legal representation and I wanted to be able to help them in a meaningful way. For me, being a lawyer was always about providing access to justice for those who needed it most.

51. Today, I have over 50 clients, two offices, and I employ 2 people (until the filing of this lawsuit I employed 3 people but one employee has since resigned). I pay taxes and consider myself to be a valuable contributor to the American economy.

52. Many of my most rewarding cases as a lawyer have been on behalf of low-income and, sometimes, undocumented individuals. Being able to provide legal representation to these people – and being able to prevail in a David vs. Goliath type of case, is why I went to law school and why it is so important to me that I am able to continue practicing.

53. One case I remember in particular involved the representation of an undocumented woman who fell prey to an unscrupulous notario. The woman had paid the notario a fee of \$2000 to prepare a DAPA application, at a point in time when DAPA was not even available. Ultimately, I was able to recover all of the woman's money. Moreover, I formed a close bond with the woman who now turns to me for advice whenever she is concerned that she might be falling prey to another scam. Because she knows my history as an undocumented immigrant, I believe that she is more likely to feel comfortable coming to me and is more likely to trust my advice.

54. In May 2017, I opened a second office in Chula Vista, California. After the 2016 presidential election, President Trump made a number of public statements promising that the Dreamers would be safe and that he would deal with DACA "with heart." These sorts of statements led me to believe that – despite the negative, anti-immigrant rhetoric he engaged in during the campaign, he actually had no intention of rescinding DACA, and that he and his administration would live up to the government's promises to Dreamers like myself. When I signed the lease on my second office, I was convinced that – while the new administration might increase deportations of undocumented immigrants, Dreamers like myself would be safe. As such, I signed a new five-year lease on my new office.

55. My status as a DACA recipient gave me the confidence to do all this – to open and expand my own law practice, to hire employees, and to represent dozens of clients in immigration proceedings, civil litigation, and criminal defense.

56. And it is my status or identity as a Latina Dreamer that has allowed me to relate to the underserved, undocumented individuals who I represent. This allows me to represent them more effectively, I believe, than many other lawyers would be able to.

#### *My Fiancé's Career*

57. My fiancé Luis Tinoco also has DACA status. Like me, he has had to overcome incredible hardships in his life to get where he is today. And, like me, DACA has opened up so many doors for him.

58. Among other things, he has become a very successful small business owner. He owns a mechanics shop, where he employs 3 full-time U.S. citizen employees as independent contractors.

59. He also spends a considerable amount of time and energy giving back to the community. He has contracted with several of the local schools to create an internship program, whereby the schools send young children (often from low-income, immigrant communities) to intern at his business. The purpose of the program is to keep these children off the street, to teach them a valuable trade, and to inspire them to stay in school and find a career they are passionate about. I am very proud of him.

#### *Marriage and Children*

60. Finally, and most importantly, I had always dreamed that one day I would fall in love, get married and start a family here in this country. And, until the announcement of the DACA rescission, that dream was also becoming a reality.

61. My fiancé, Luis, and I have actually known each other since we were just small children in elementary school. I remember that Luis always did exceptionally well in school, ultimately graduating with a 4.0 or close to that. He wanted to join the military and go to college. However, because he was also undocumented, that dream was foreclosed for him.

62. It was the year after we graduated high school that Luis and I really connected and, ultimately, fell in love. Most of our friends had left town to go to college. He and I were left behind. I remember how surprised I was that he hadn't gone off to college, given what a strong student he had been. We immediately bonded over what it meant to be undocumented.

63. Luis proposed to me during my second year in law school, right before the DACA program was announced. He came to my law school and proposed to me in the law library, which is

where I was spending most of my time those days. Since then we have built a life together. We bought a car together, a home together, and began to plan for our wedding and our future. We were very excited at the prospect getting married. Of course, the announcement terminating DACA has put all of that on hold.

64. Part of that future has, for me, always included children. Specifically, I have always dreamed of fostering and eventually adopting a child. Growing up I saw so many children in my community in need of a good home. It was always a dream of mine to be a person to provide one of those children with a safe, secure, happy place to grow up. Luis and I had done all the research necessary to become foster parents and had started putting the pieces in place. I even attended an orientation session on what was entailed with the process. DACA allowed us believe that we could, in fact, become foster parents – and eventually adoptive parents. We were very excited at the prospect of becoming parents. But, again, the announcement terminating DACA has put all of that on hold.

#### **Devastating Impact of the DACA Recission**

65. Today, in the wake of the administration's September 5, 2017 announcement terminating the DACA program, all that I have worked for my entire life is at risk. My entire life feels uncertain and I can already feel the American Dream that I worked so hard to achieve slipping away. I am terrified.

66. The administration's announcement of the rescission of the DACA program has left me emotionally and physically drained. I have already had physical manifestations of the anxiety and stress related to the termination, including finding my first gray hair just the other day.

67. I am very scared about what will happen to my house if DACA is rescinded. Nearly all of our assets are tied up in that house. If we are deported, all of my assets would be tied up in this country and I would not be able to access it. I have already started considering the very real possibility that we may need to sell our condo – and sell it quickly – if either one of us is served with removal papers. Of course, we might not be able to sell it at all and, even if we could, we might not be able to afford to hold out for the best deal. I think it is very likely that we would end up losing at least some, if not all of the money that we put into the home if that were to happen.

68. If DACA is terminated I think it is likely that my practice – that I am so proud of – will collapse. At the very least, I will have to shut down a significant portion of it. For one thing, I would be

could span many months or years, when my status in this country was tenuous. Even thinking about losing my practice has completely overwhelmed and devastated me.

69. As I mentioned earlier, I have also put my plans to get married on hold. While we were having fun planning and saving for a wedding, those plans have had to take a back seat to our new focus on finding a way to ensure that our documented status here in the United States is preserved.

70. Similarly, while DACA had enabled me to finally dream about becoming a mother, that dream is also being put on hold. My fiancé and I just do not think that it would be fair to bring a child into our lives if we can't guarantee that child a stable, safe home.

71. For now I am still trying to live my life, do my job, and support my family. However, I am terrified that the life I have built for myself here in this country that I call home is about to be entirely uprooted. I am counting on this lawsuit to ensure that does not happen to me and to thousands of other Dreamers.

72. This lawsuit is especially meaningful to me as a lawyer, in addition of course to how much it means to me to do this on behalf of Dreamers around the country. As a lawyer, I am trusting in this country's judicial system to do the right thing. As I have become increasingly engaged in fighting for the rights of fellow Dreamers in the recent weeks and months, I have become increasingly disheartened at the politicized nature of so many of the discussions. However, I firmly believe that we can rely on this nation's judicial system to protect my rights and the rights of my fellow Americans, my fellow Dreamers.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 30, 2017, in San Diego, California.



DULCE GARCIA



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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA and JANET NAPOLITANO, in her official capacity as President of the University of California,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND SECURITY and ELAINE DUKE, in her official capacity as Acting Secretary of the Department of Homeland Security,

Defendants.

CASE NO. 17-CV-05211-WHA

**DECLARATION OF EDGARDO GARCIA**

Date: December 20, 2017  
Time: 8:00 a.m.  
Judge: Honorable William Alsup  
Dept.: Courtroom 8

Complaint Filed: September 14, 2017  
Trial Date: February 05, 2018

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STATE OF CALIFORNIA, STATE OF MAINE, STATE OF MARYLAND, and STATE OF MINNESOTA,  
  
Plaintiffs,  
  
v.  
  
U.S. DEPARTMENT OF HOMELAND SECURITY, ELAINE DUKE, in her official capacity as Acting Secretary of the Department of Homeland Security, and the UNITED STATES OF AMERICA,  
  
Defendants.

CASE NO. 17-CV-05235-WHA

CITY OF SAN JOSE, a municipal corporation,  
  
Plaintiffs,  
  
v.  
  
DONALD J. TRUMP, President of the United States, in his official capacity, ELAINE C. DUKE, in her official capacity, and the UNITED STATES OF AMERICA,  
  
Defendants.

CASE NO. 17-CV-05329-WHA

DULCE GARCIA, MIRIAM GONZALEZ AVILA, SAUL JIMENEZ SUAREZ, VIRIDIANA CHABOLLA MENDOZA, NORMA RAMIREZ, and JIRAYUT LATTHIVONGSKORN,  
  
Plaintiffs,  
  
v.  
  
UNITED STATES OF AMERICA, DONALD J. TRUMP, in his official capacity as President of the United States, U.S. DEPARTMENT OF HOMELAND SECURITY, and ELAINE DUKE, in her official capacity as Acting Secretary of Homeland Security,  
  
Defendants.

CASE NO. 17-CV-05380-WHA

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CASE NO. 17-CV-05813-WHA

<p>COUNTY OF SANTA CLARA and SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 521,</p> <p>Plaintiffs,</p> <p>v.</p> <p>DONALD J. TRUMP, in his official capacity as President of the United States, JEFFERSON BEAUREGARD SESSIONS, in his official capacity as Attorney General of the United States; ELAINE DUKE, in her official capacity as Acting Secretary of the Department of Homeland Security; and U.S. DEPARTMENT OF HOMELAND SECURITY,</p> <p>Defendants.</p>
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I, **EDGARDO GARCIA**, declare and state as follows:

1. I have personal knowledge of the facts set forth in this declaration and, if called as a witness, could and would testify competently thereto.
2. I am the Chief of Police of the San Jose Police Department (“SJPd”) of the City of San Jose, California (“San Jose”). I have served as a police officer since 1992, including as a patrolman, sergeant, lieutenant, captain, deputy chief, assistant chief, and now chief of police. I have a Bachelor’s Degree from Union Institute and University after having moved to San Jose from San Juan, Puerto Rico at a young age.
3. As stated on its website, <http://www.sjpd.org/COP/MissionStatement.html>, the “San Jose Police Department is a dynamic, progressive and professional organization dedicated to maintaining community partnerships which promote a high quality of life for the City’s diverse population. The Department is committed to treating all people with dignity, fairness and respect, protecting their rights and providing equal protection under the law.” The website can be translated into 40 languages, which demonstrates the diversity of our city.
4. SJPd’s mission is: “To promote public safety; To prevent, suppress, and investigate crimes; To provide emergency and non-emergency services; To create and maintain strong community

1 partnerships; To adapt a multidisciplinary approach to solving community problems; To develop and  
2 promote a diverse, professional workforce.”

3 5. To fulfill its mission, the SJPD engages in community policing. The community policing  
4 model requires active, engaged, and empowered neighborhood residents who freely interact with police  
5 without reservations. It is critical that all residents, no matter their immigration status, are able to report  
6 crimes and assist in criminal investigations without fear that their immigration status will also be  
7 investigated.

8 6. San Jose has consistently been rated one of the “Safest Big Cities” in the nation. I  
9 believe that part of the reason for our low crime rate is the trust that the SJPD has with all segments of  
10 our community.

11 7. As part of SJPD’s mission to keep San Jose safe, I and the entire SJPD engage in  
12 community outreach. Among the activities we undertake as part of that mission are “Coffee with a Cop,”  
13 regular informal neighborhood meetings, “day walks” and “night walks” with officers,  
14 community/police workshops, neighborhood watch, and others. These events are particularly  
15 concentrated in the most diverse neighborhoods, where the immigrant population is dominant. The City  
16 also has created the role of community liaison officer with the Mexican Consulate for the specific  
17 purpose of reaching out to new immigrant communities.

18 8. Additionally, the SJPD during the course of its investigations routinely deals with  
19 immigrants. Our officers are explicit in telling those who participate in these investigations that  
20 immigration status does not matter, and we encourage victims and witnesses, even those who may be  
21 undocumented, not to be afraid to report crimes and deal with law enforcement.

22 9. My officers and I have already seen in the community fear and uncertainty in the  
23 immigrant community since the election of President Donald Trump and the announcement of the  
24 DACA’s rescission. This presence of fear and uncertainty makes it harder for the SJPD to fulfill its  
25 mission to protect the public and also imposes obstacles in the focus on treating all people equally. It  
26 has been my experience that the SJPD that increases in federal immigration enforcement invariably  
27 require police officers to work even harder to make clear the distinction between immigration  
28

DECLARATION OF EDGARDO GARCIA

1 enforcement and local law enforcement, which is necessary to maintain trust and cooperation in  
2 immigrant communities.

3 I declare under the penalty of perjury under the laws of the United States that the foregoing is  
4 true and correct and that this declaration was executed on October 26, 2017 at SAN JOSE,  
5 California.

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8 **EDGARDO GARCIA**  
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DECLARATION OF EDGARDO GARCIA

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18 **UNITED STATES DISTRICT COURT**  
19 **NORTHERN DISTRICT OF CALIFORNIA**  
20 **SAN FRANCISCO DIVISION**

21 THE REGENTS OF THE UNIVERSITY OF  
CALIFORNIA and JANET NAPOLITANO,  
22 in her official capacity as President of the  
University of California,

23 Plaintiffs,

24 v.

25 U.S. DEPARTMENT OF HOMELAND  
SECURITY and ELAINE DUKE, in her  
26 official capacity as Acting Secretary of the  
Department of Homeland Security,

27 Defendants.  
28

CASE NO. 17-CV-05211-WHA

**DECLARATION OF GABRIEL GARCIA,  
MD**

STATE OF CALIFORNIA, STATE OF MAINE, STATE OF MARYLAND, and STATE OF MINNESOTA,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND SECURITY, ELAINE DUKE, in her official capacity as Acting Secretary of the Department of Homeland Security, and the UNITED STATES OF AMERICA,

Defendants.

CASE NO. 17-CV-05235-WHA

CITY OF SAN JOSE, a municipal corporation,

Plaintiffs,

v.

DONALD J. TRUMP, President of the United States, in his official capacity, ELAINE C. DUKE, in her official capacity, and the UNITED STATES OF AMERICA,

Defendants.

CASE NO. 17-CV-05329-WHA

DULCE GARCIA, MIRIAM GONZALEZ AVILA, SAUL JIMENEZ SUAREZ, VIRIDIANA CHABOLLA MENDOZA, NORMA RAMIREZ, and JIRAYUT LATTHIVONGSKORN,

Plaintiffs,

v.

UNITED STATES OF AMERICA, DONALD J. TRUMP, in his official capacity as President of the United States, U.S. DEPARTMENT OF HOMELAND SECURITY, and ELAINE DUKE, in her official capacity as Acting Secretary of Homeland Security,

Defendants.

CASE NO. 17-CV-05380-WHA

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COUNTY OF SANTA CLARA and  
SERVICE EMPLOYEES INTERNATIONAL  
UNION LOCAL 521,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity  
as President of the United States, JEFFERSON  
BEAUREGARD SESSIONS, in his official  
capacity as Attorney General of the United  
States; ELAINE DUKE, in her official  
capacity as Acting Secretary of the Department  
of Homeland Security; and U.S.  
DEPARTMENT OF HOMELAND  
SECURITY,

Defendants.

CASE NO. 17-CV-05813-WHA

1 I, GABRIEL GARCIA, MD, DECLARE:

2 1. I am a Professor of Medicine at Stanford University School of Medicine and served  
3 as the Associate Dean of Admissions from 1999 to 2014.

4 2. As Associate Dean for Medical School Admissions, my duties consisted of chairing  
5 the committee that made admissions decisions on applicants to Stanford University School of Medicine.

6 3. In approximately October 2012, in my capacity as Associate Dean, I spoke to Jirayut  
7 “New” Latthivongskorn about his interest in applying to medical school during an annual pre-med  
8 student conference at UC Davis. We discussed his immigration status, which was undocumented at that  
9 time, as he informed me. We also discussed the recent DACA executive action and its impact on  
10 medical school admissions policies.

11 4. I indicated to him that there was still significant uncertainty regarding the effects of  
12 DACA on medical school admissions policies. I indicated to him, that some medical schools would be  
13 hesitant to invest their resources in training undocumented individuals who might be unable to stay in  
14 the United States to complete their medical education or a physician residency program

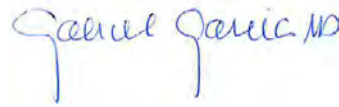
15 5. I next interacted with Mr. Latthivongskorn by email in approximately February to  
16 March 2013, regarding Stanford Medicine’s admissions policies for DACA beneficiaries. I indicated to  
17 him that under Stanford Medicine’s then-current policy, he would be treated as an international student  
18 applicant if he applied, which raised the issue of eligibility for financial aid. Even if he were admitted,  
19 paying for tuition and related costs could be challenging—financial aid available to United States  
20 citizens or eligible noncitizens would likely not be available to a student like him. Furthermore, there  
21 was still uncertainty regarding how DACA’s provisions would impact admissions at Stanford Medicine  
22 under its then-current policy.

23 6. Subsequent to my email exchanges with New, however, Stanford Medicine instituted  
24 clear policies that individuals who have been granted DACA at the time of application are eligible to  
25 apply and matriculate to Stanford Medicine. Additionally, individuals who have met all other  
26 requirements and are otherwise undocumented are permitted to apply and matriculate to Stanford  
27 Medicine, and eventually became eligible to participate in Stanford’s financial aid program. However, if  
28

1 DACA is canceled without any legislative provision for the status of undocumented pre-med students  
2 who benefited from the program, the uncertainty and challenges that such students previously faced may  
3 return.

4  
5 I declare under penalty of perjury under the laws of the United States that the foregoing is true  
6 and correct.

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8 Executed on October 30, 2017, in Palo Alto, California.

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11 Gabriel Garcia, MD  
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# EXHIBIT 28

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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

THE REGENTS OF THE UNIVERSITY OF  
CALIFORNIA and JANET NAPOLITANO,  
in her official capacity as President of the  
University of California,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND  
SECURITY and ELAINE DUKE, in her  
official capacity as Acting Secretary of the  
Department of Homeland Security,

Defendants.

CASE NO. 17-CV-05211-WHA

**DECLARATION OF SAN FRANCISCO  
DISTRICT ATTORNEY GEORGE GASCÓN**



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STATE OF CALIFORNIA, STATE OF MAINE, STATE OF MARYLAND, and STATE OF MINNESOTA,  
  
Plaintiffs,  
  
v.  
  
U.S. DEPARTMENT OF HOMELAND SECURITY, ELAINE DUKE, in her official capacity as Acting Secretary of the Department of Homeland Security, and the UNITED STATES OF AMERICA,  
  
Defendants.

CASE NO. 17-CV-05235-WHA

CITY OF SAN JOSE, a municipal corporation,  
  
Plaintiffs,  
  
v.  
  
DONALD J. TRUMP, President of the United States, in his official capacity, ELAINE C. DUKE, in her official capacity, and the UNITED STATES OF AMERICA,  
  
Defendants.

CASE NO. 17-CV-05329-WHA

DULCE GARCIA, MIRIAM GONZALEZ AVILA, SAUL JIMENEZ SUAREZ, VIRIDIANA CHABOLLA MENDOZA, NORMA RAMIREZ, and JIRAYUT LATTHIVONGSKORN,  
  
Plaintiffs,  
  
v.  
  
UNITED STATES OF AMERICA, DONALD J. TRUMP, in his official capacity as President of the United States, U.S. DEPARTMENT OF HOMELAND SECURITY, and ELAINE DUKE, in her official capacity as Acting Secretary of Homeland Security,  
  
Defendants.

CASE NO. 17-CV-05380-WHA

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CASE NO. 17-CV-05813-WHA

<p>COUNTY OF SANTA CLARA and SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 521,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>DONALD J. TRUMP, in his official capacity as President of the United States, JEFFERSON BEAUREGARD SESSIONS, in his official capacity as Attorney General of the United States; ELAINE DUKE, in her official capacity as Acting Secretary of the Department of Homeland Security; and U.S. DEPARTMENT OF HOMELAND SECURITY,</p> <p style="text-align: center;">Defendants.</p>
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1 I, George Gascón, declare:

2 1. I am the District Attorney for the City and County of San Francisco. I have been the San  
3 Francisco District Attorney since 2011. Prior to becoming the District Attorney, I served as the San  
4 Francisco Chief of Police from August, 2009 through January, 2011. Before moving to San Francisco, I  
5 served as the Chief of Police in Mesa, Arizona for three years, and served in the Los Angeles Police  
6 Department for over twenty years. I have over 30 years' experience in law enforcement.

7 2. The goal and mission of my agency is to make San Francisco the safest large city in  
8 America by working to implement a modern justice system that focuses on crime prevention, victims,  
9 and violent offenders. I believe we are safer together when we remove barriers for victims of crime,  
10 work with the community to address neighborhood concerns, and provide services to our city's most  
11 vulnerable populations.

12 3. It is impossible to meet this goal and effectively police and prosecute if the communities  
13 you serve do not trust you. The absence of trust leads to reduced reporting of crimes and an  
14 unwillingness to work with law enforcement in order to ensure dangerous people are held accountable  
15 for their actions. This dynamic results in violent offenders getting away with crimes and recidivating  
16 because many members of our community are afraid to come forward. It is naïve to think that  
17 unreported crimes and criminals do not pose a threat that extends far beyond immigrant communities.

18 4. Immigrants, and in particular undocumented immigrants, fear interactions with law  
19 enforcement and distrust government agencies. Research shows that 70 percent of undocumented  
20 immigrants polled in a 2013 study were less likely to contact law enforcement authorities if they were  
21 victims of a crime. What's worse, 44 percent of Latinos surveyed, not just undocumented immigrants,  
22 reported being less likely to contact police officers if they have been the victim of a crime because they  
23 fear that police officers will use this interaction as an opportunity to inquire into their immigration status  
24 or that of people they know. University of Illinois at Chicago, Lake Research Partners: Insecure  
25 Communities: Latino Perceptions of Police Involvement in Immigration Enforcement, May 2013.

26 5. The current fear and distrust of law enforcement agencies is currently impacting my  
27 agency's ability to effectively ensure public safety. For example, my office recently prosecuted a  
28 domestic violence case that went to trial. At trial, a witness was cross-examined by a Deputy Public



1 Defender about her immigration status, with the line of questioning suggesting that she was testifying in  
2 order to secure a U-VISA for her cooperation. A judge ruled that the line of questioning was irrelevant,  
3 as the witness learned about the U-VISA program only after having reported the crime. The jury was  
4 unable to reach a verdict, and when we sought to retry the case the witness indicated she was unwilling  
5 to testify again in part due to the fact that her immigration status had become a focal point during the  
6 trial. As a result, we had to dismiss the case and the offender was not held accountable for his violent  
7 actions.

8 6. That fear and distrust of law enforcement has a detrimental impact on public safety has  
9 been my historical experience as well. When I came to Mesa to serve as Chief of Police, the city was  
10 experiencing increased violent and property crime. During my tenure there we were able to reduce both  
11 kinds of crime substantially. However, during that same time, in the unincorporated area of Maricopa  
12 County policed by Joe Arpaio's Sheriff's Department, crime was increasing. Between 2004 and 2007,  
13 Sheriff Arpaio presided over a 69 percent *increase* in violent crime rates, a 166 percent *increase* in  
14 homicides, and a *plummeting* arrest rate. Bolick, Clint. "Mission Unaccomplished: The Misplaced  
15 Priorities of the Maricopa County Sheriff's Office." *Goldwater Institute*, 2 Dec. 2008. We found that a  
16 reason crime was going up just across city lines, while in similar communities within city limits crime  
17 was going down, was because we began to develop a relationship with our community members who  
18 were willing to report crime and work with us. In the case of the Maricopa County Sheriff's  
19 Department, people were afraid to report crimes because they did not know if they, or a neighbor, could  
20 be deported as a result.

21 7. It is these experiences that have led me to take steps to ensure my office is accessible to  
22 all communities. For example, in 2013 my agency partnered with local community leaders to launch an  
23 immigration fraud public education campaign. The multilingual campaign in English, Spanish, and  
24 Chinese educated immigrant communities how to ensure an immigration consultant they had chosen was  
25 licensed or bonded. The campaign helped warn immigrant communities about scammers who made  
26 false claims of influence with government officials. Many were being defrauded by people who said  
27 they could move a client to the front of the line for work permits or U.S. visas. I have also moved our  
28 victim advocates out into the community in places where members of our immigrant community feel

1 safe coming to report crimes. It is my experience that undocumented immigrants often do not feel safe  
2 entering the Hall of Justice due to the significant police presence.

3 8. On a citywide basis, a key strategy is San Francisco's Sanctuary City status. This enables  
4 victims and witnesses to report crimes without fear that there will be an inquiry into their immigration  
5 status or someone they know.

6 9. Establishing trust will remain difficult as long as undocumented immigrants feel unsafe  
7 coming forward. That is why the language we are seeing from our President in the media, which is  
8 making entire immigrant communities-our neighbors, friends and family-feel unsafe, is so harmful.  
9 These statements are making our immigrant communities less likely to come forward and work with  
10 authorities both as victims and witnesses. Our system only functions when the community works with  
11 us, and it is incredibly difficult to make people feel like they are part of our community and to bring  
12 them out of the shadows and ensure they feel safe reporting crimes to police when they often view local  
13 law enforcement authorities as closely associated with the views and aims of the federal government and  
14 this President.

15 10. Having served in multiple states and jurisdictions, and working with various communities  
16 as both a police officer and prosecutor, I have seen that public safety is highly dependent on cooperation  
17 from all members of our community-including immigrants. In fact, a recent study from the University  
18 of California, San Diego demonstrates the benefit of policies proven to enhance cooperation. Their  
19 study found that there are broad benefits for local jurisdictions that resist complying with federal  
20 immigration enforcement, concluding that there are, on average, 35.5 fewer crimes committed per  
21 10,000 people in sanctuary jurisdictions compared to non-sanctuary counties. Wong, Tom. "The Effects  
22 of Sanctuary Policies on Crime and the Economy." *Center for American Progress*, 26 Jan. 2017. The  
23 study also found that working with federal immigration made it harder for local police agencies to  
24 investigate crime because witnesses and victims who were in the country illegally were less likely to  
25 come forward if they thought they risked being detained or deported.

26 11. Based on my own experiences and studies such as the aforementioned, I can conclude  
27 that my agency's ability to fulfill its mission depends on immigrants being able to come out of the  
28 shadows and work with law enforcement without fear of immigration consequences.



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12. The rescission of DACA will add to the number of undocumented persons in our community, will perpetuate mistrust of law enforcement authorities and further depress cooperation among immigrant communities with police. Therefore, the rescission of DACA will be detrimental to my agency's ability to maintain public safety and enforce the law.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on October 25, 2017, at San Francisco, California.

  
\_\_\_\_\_  
George Gascon  
San Francisco District Attorney

# EXHIBIT 29



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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

20 THE REGENTS OF THE UNIVERSITY OF  
21 CALIFORNIA and JANET NAPOLITANO,  
22 in her official capacity as President of the  
23 University of California,

23 Plaintiffs,

24 v.

25 U.S. DEPARTMENT OF HOMELAND  
26 SECURITY and ELAINE DUKE, in her  
27 official capacity as Acting Secretary of the  
28 Department of Homeland Security,

Defendants.

CASE NO. 17-CV-05211-WHA

**DECLARATION OF KATHARINE GIN**

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STATE OF CALIFORNIA, STATE OF MAINE, STATE OF MARYLAND, and STATE OF MINNESOTA,  
  
Plaintiffs,  
  
v.  
  
U.S. DEPARTMENT OF HOMELAND SECURITY, ELAINE DUKE, in her official capacity as Acting Secretary of the Department of Homeland Security, and the UNITED STATES OF AMERICA,  
  
Defendants.

CASE NO. 17-CV-05235-WHA

CITY OF SAN JOSE, a municipal corporation,  
  
Plaintiffs,  
  
v.  
  
DONALD J. TRUMP, President of the United States, in his official capacity, ELAINE C. DUKE, in her official capacity, and the UNITED STATES OF AMERICA,  
  
Defendants.

CASE NO. 17-CV-05329-WHA

DULCE GARCIA, MIRIAM GONZALEZ AVILA, SAUL JIMENEZ SUAREZ, VIRIDIANA CHABOLLA MENDOZA, NORMA RAMIREZ, and JIRAYUT LATTHIVONGSKORN,  
  
Plaintiffs,  
  
v.  
  
UNITED STATES OF AMERICA, DONALD J. TRUMP, in his official capacity as President of the United States, U.S. DEPARTMENT OF HOMELAND SECURITY, and ELAINE DUKE, in her official capacity as Acting Secretary of Homeland Security,  
  
Defendants.

CASE NO. 17-CV-05380-WHA

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<p>COUNTY OF SANTA CLARA and SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 521,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>DONALD J. TRUMP, in his official capacity as President of the United States, JEFFERSON BEAUREGARD SESSIONS, in his official capacity as Attorney General of the United States; ELAINE DUKE, in her official capacity as Acting Secretary of the Department of Homeland Security; and U.S. DEPARTMENT OF HOMELAND SECURITY,</p> <p style="text-align: center;">Defendants.</p>
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CASE NO. 17-CV-05813-WHA

1 I, KATHARINE GIN, DECLARE:

2 1. I am the co-founder and executive director of Educators for Fair Consideration  
3 (“E4FC”), a fiscally sponsored project of Community Initiatives. We empower undocumented young  
4 people in their pursuit of education and careers, and as part of our programs we provide scholarships to  
5 undocumented college and graduate students. I have personal knowledge of the facts set forth in this  
6 declaration, and if called as a witness, I could and would competently testify to them.

7 2. I first met Jirayut “New” Latthivongksorn in 2010 when he applied to and was awarded a  
8 scholarship from E4FC. Although application to our scholarship is highly competitive (only 4-6%  
9 acceptance rate), New immediately rose to the top of our selection pile in 2010, and again in 2011. He  
10 was academically outstanding, had overcome numerous financial obstacles in order to pursue his  
11 undergraduate education at UC Berkeley, and was committed to supporting low-income students in  
12 higher education and beyond.

13 3. In 2012, New founded Pre-Health Dreamers (PHD) with two other undocumented young  
14 people whom he met through E4FC’s scholarship program. They saw the need to share information  
15 among undocumented students nationally because of their own challenges pursuing careers in  
16 health/sciences. About six months after PHD was founded, PHD officially became a project of E4FC,  
17 and for the past five years I have had the privilege of advising PHD with fundraising, administration,  
18 and overall organizational growth. New and PHD inspire and support youth in underserved  
19 communities to pursue education and career in the health and sciences fields. New personally is engaged  
20 in mentorship for PHD members, and has led workshops on application review, interview preparation,  
21 and self-advocacy skills.

22 4. I have met many extraordinary young people in my more than 20 years of working with  
23 highly motivated, low-income students. New stands well above the rest. His steadfast devotion to public  
24 service, his commitment to removing systemic barriers to education, and his impact as a healthcare  
25 provider are all at a capacity far beyond what his age, position and academic commitments would seem  
26 to allow.

27 5. New, like many of the young people I work with, is a DACA recipient. The work  
28 authorization that New receives through DACA enables him to work in the medical profession and to

1 continue his education, which involves real-world training in hospitals and other health facilities. By  
2 affording him the opportunity to attend medical school, DACA also allows him to contribute to the  
3 education of his fellow classmates through the sharing of his story and the challenges he has faced in  
4 accessing healthcare on account of his low-income and immigrant status.

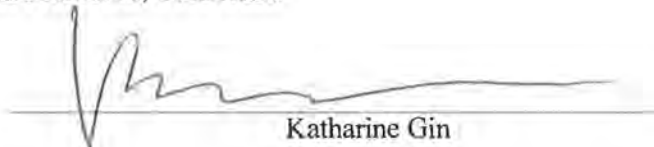
5 6. Without continued access to DACA and the work authorization that it provides him, New  
6 would be unable to complete his medical training and reach his full potential, and it is unlikely New  
7 would be able to work in the United States as a medical doctor.

8 7. If New is not allowed to work as a medical doctor, it would be a tremendous loss to the  
9 underserved communities he wants to serve. His personal experience growing up in a low-income  
10 immigrant family with limited access to medical care allows him to connect emotionally to underserved  
11 communities and makes him extremely adept at delivering care. Low-income communities need medical  
12 professionals like New who can relate to people who do not necessarily speak English, are unfamiliar  
13 with the U.S. health care system, and/or are undocumented and afraid to come forward and access care.

14 8. New's story is just the tip of the iceberg: discontinuation of DACA would mean that  
15 thousands of other bright and talented undocumented young people would likely abandon their pursuit  
16 of careers in health and sciences. This would be a huge loss of people ready and able to positively affect  
17 society, and would inflict harm on the medical community. There is already a shortage of qualified  
18 medical professionals. Discontinuing DACA would prevent people like New from joining their ranks,  
19 further reduce the future supply of qualified medical professionals, and make this country's need for  
20 medical professionals even more serious, particularly for those who are low-income or who do not speak  
21 English. In my opinion, this creates a public safety and public health risk.

22 I declare under penalty of perjury that the foregoing is true and correct.

23 Executed on October 30 2017, in San Francisco, California.

24   
25  
26 Katharine Gin

# EXHIBIT 30



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Service Employees International Union Local 521*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

THE REGENTS OF THE UNIVERSITY OF  
CALIFORNIA and JANET NAPOLITANO,  
in her official capacity as President of the  
University of California,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND  
SECURITY and ELAINE DUKE, in her  
official capacity as Acting Secretary of the  
Department of Homeland Security,

Defendants.

CASE NO. 17-CV-05211-WHA

**DECLARATION OF LISA M. GONZALES**



STATE OF CALIFORNIA, STATE OF MAINE, STATE OF MARYLAND, and STATE OF MINNESOTA,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND SECURITY, ELAINE DUKE, in her official capacity as Acting Secretary of the Department of Homeland Security, and the UNITED STATES OF AMERICA,

Defendants.

CASE NO. 17-CV-05235-WHA

CITY OF SAN JOSE, a municipal corporation,

Plaintiffs,

v.

DONALD J. TRUMP, President of the United States, in his official capacity, ELAINE C. DUKE, in her official capacity, and the UNITED STATES OF AMERICA,

Defendants.

CASE NO. 17-CV-05329-WHA

DULCE GARCIA, MIRIAM GONZALEZ AVILA, SAUL JIMENEZ SUAREZ, VIRIDIANA CHABOLLA MENDOZA, NORMA RAMIREZ, and JIRAYUT LATTHIVONGSKORN,

Plaintiffs,

v.

UNITED STATES OF AMERICA, DONALD J. TRUMP, in his official capacity as President of the United States, U.S. DEPARTMENT OF HOMELAND SECURITY, and ELAINE DUKE, in her official capacity as Acting Secretary of Homeland Security,

Defendants.

CASE NO. 17-CV-05380-WHA

COUNTY OF SANTA CLARA and  
SERVICE EMPLOYEES INTERNATIONAL  
UNION LOCAL 521,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity  
as President of the United States, JEFFERSON  
BEAUREGARD SESSIONS, in his official  
capacity as Attorney General of the United  
States; ELAINE DUKE, in her official  
capacity as Acting Secretary of the Department  
of Homeland Security; and U.S.  
DEPARTMENT OF HOMELAND  
SECURITY,

Defendants.

CASE NO. 17-CV-05813-WHA

1 I, Lisa M. Gonzales, declare:

2 1. I am the Assistant Superintendent of Educational Services at Dublin Unified School  
3 District, and my prior experience includes working as a superintendent, principal, and math/science  
4 teacher. I am also currently the President of the Association of California School Administrators  
5 (ACSA), and in that capacity I have had the opportunity to speak with educators around the State of  
6 California regarding the impact of the federal government's decision to terminate the Deferred Action  
7 for Childhood Arrivals (DACA) program. I am providing this declaration in my individual capacity  
8 based on my personal knowledge and experience, which includes conversations with students, parents  
9 and educators around the state.

10 2. One of the responsibilities of my current job is to create the best possible teaching and  
11 learning environment for all the students and staff at Dublin USD. Although there are many factors  
12 involved in creating an optimal learning environment, without question schools must be considered safe  
13 places where students and parents feel welcome. In California, one of the ways we ensure that students  
14 feel safe and are ready to learn is that we promise them that the simple act of coming to school will not  
15 expose them or their families to federal immigration enforcement action. This is not a matter of taking a  
16 position on immigration policy, it is a basic necessity for a school environment where all students can  
17 learn and thrive.

18 3. My understanding is that the point of the DACA program is to provide security and  
19 stability for the "Dreamers," young people who were brought to this country as children and who have  
20 demonstrated they will be productive contributors to our society by succeeding in school and in the  
21 workforce. Dreamers include college students and young working adults, but within the K-12 public  
22 school system they also include high school students, teachers and other school staff, and the parents of  
23 our students. As school officials we do not ask our students or parents about their federal immigration  
24 status, and do not always know which students and parents are in the DACA program. But we are  
25 keenly aware of the school environment in all of our schools, including those serving largely immigrant  
26 populations.  
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1           4.       Since the beginning of this year, I have noticed an increasing amount of uncertainty and  
2 fear among students, parents and staff due to statements and actions by federal officials related to  
3 immigration policy. From my perspective, there appears to be a cumulative impact of the threat that  
4 many members of our community may face deportation, followed by announcements that the federal  
5 government would retaliate against state and local entities that declare themselves “sanctuary”  
6 jurisdictions, and now the decision to terminate the DACA program.

7           5.       I am aware of many examples of harm to students, parents and staff from the general  
8 actions of the federal government related to immigration enforcement, threatening statements of federal  
9 officials, and more specifically, from the decision to terminate the DACA program. Most of the  
10 information I have gathered is from fellow educators from different regions of the state who, like me,  
11 are constantly interacting with students, parents and staff in our schools. The common denominator in  
12 these stories is that many California students are effectively being denied an education because threats to  
13 their security, and the security of their peers and families, have stolen their hope for the future and left  
14 them unwilling or unable to continue to engage and thrive in school.

15           6.       For example, a colleague and superintendent from Monterey County, has collected some  
16 heartbreaking stories about students, former students, parents and teachers who are in the DACA  
17 program. One Dreamer comes from a family in severe poverty and has worked to help support the  
18 family while attending high school. She was recently accepted to the University of California and wants  
19 to study medicine and, given her 4.1 GPA, tenacity and work ethic, she was poised to succeed. The  
20 announcement that DACA will be terminated has left her feeling abandoned and she has fallen into  
21 depression. Her grades are falling and she is afraid to commit to a future that may no longer be  
22 available for her.

23           7.       Another student in high school in Salinas, California, dreams of joining the Air Force and  
24 studying electronics. A local teacher describes him as a passionate patriot who wants to serve this  
25 country, the only country he has ever known. She believes the DACA decision could make or break this  
26 young man, and potentially deprive our armed forces of an amazing and intelligent talent.  
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1           8.     I was provided details of an interview with a parent who, for obvious reasons, wished to  
2 remain anonymous. She came to the United States 13 years ago and has three children in the public  
3 school system; the eldest is a citizen and the other two are in the DACA program. Although her  
4 youngest son has been a straight "A" student and hopes to go to college to study the sciences, his future  
5 is now uncertain, his grades are falling, and he has withdrawn from his family and friends.

6           9.     Finally, a principal of a middle school in Riverside County told me that she reviewed the  
7 parent sign-in sheets from parent-teacher conferences that were conducted just a couple weeks ago, and  
8 found she had 67% less parent participation compared to last year. She also discussed a major drop in  
9 parents attending the school's English-Learner Advisory Council, with monthly meetings that used to  
10 average about 130 parents down to only 20 to 30 parents during the last two months. She noted that  
11 many of the families that do still attend school events are no longer willing to sign-in, and have spoken  
12 to her about concerns regarding their safety going to and from school events. I heard a similar account  
13 from an elementary school principal in Yolo County.

14           10.    These stories are just a few illustrations of the broad and harmful impact of the  
15 termination of DACA on students and parents. Students are showing increased anxiety and fear,  
16 decreased engagement and attendance, increased behavioral issues, and a general disillusionment and  
17 lack of motivation to complete school and/or continue to progress toward their former goals of attending  
18 college or joining the workforce. Parents are no longer participating in classroom and school activities,  
19 sometimes not even enrolling their children in free and reduced lunch programs. Many of the students  
20 and parents are afraid that their families will be separated in the process of deportation.

21           11.    Many California students attend schools serving largely immigrant populations. But it is  
22 important to note that the deteriorating school environment impacts all of our students, not just those  
23 threatened by the elimination of DACA. An optimal teaching and learning environment requires a  
24 vibrant and diverse community of students, parents and staff. Targeting some members of the  
25 community for exclusion harms the entire community. As an educator, I know that we must restore a  
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healthy school environment for all our kids if we hope to ensure our social, economic and political future.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on October 26, 2017, at Alameda County, California.

  
\_\_\_\_\_  
Lisa M. Gonzales

# EXHIBIT 31



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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

THE REGENTS OF THE UNIVERSITY OF  
CALIFORNIA and JANET NAPOLITANO,  
in her official capacity as President of the  
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Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND  
SECURITY and ELAINE DUKE, in her  
official capacity as Acting Secretary of the  
Department of Homeland Security,

Defendants.

CASE NO. 17-CV-05211-WHA

**DECLARATION OF ROBERTO  
GONZALES, PH.D.**

STATE OF CALIFORNIA, STATE OF MAINE, STATE OF MARYLAND, and STATE OF MINNESOTA,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND SECURITY, ELAINE DUKE, in her official capacity as Acting Secretary of the Department of Homeland Security, and the UNITED STATES OF AMERICA,

Defendants.

CASE NO. 17-CV-05235-WHA

CITY OF SAN JOSE, a municipal corporation,

Plaintiffs,

v.

DONALD J. TRUMP, President of the United States, in his official capacity, ELAINE C. DUKE, in her official capacity, and the UNITED STATES OF AMERICA,

Defendants.

CASE NO. 17-CV-05329-WHA

DULCE GARCIA, MIRIAM GONZALEZ AVILA, SAUL JIMENEZ SUAREZ, VIRIDIANA CHABOLLA MENDOZA, NORMA RAMIREZ, and JIRAYUT LATTHIVONGSKORN,

Plaintiffs,

v.

UNITED STATES OF AMERICA, DONALD J. TRUMP, in his official capacity as President of the United States, U.S. DEPARTMENT OF HOMELAND SECURITY, and ELAINE DUKE, in her official capacity as Acting Secretary of Homeland Security,

Defendants.

CASE NO. 17-CV-05380-WHA

COUNTY OF SANTA CLARA and  
SERVICE EMPLOYEES INTERNATIONAL  
UNION LOCAL 521,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity  
as President of the United States, JEFFERSON  
BEAUREGARD SESSIONS, in his official  
capacity as Attorney General of the United  
States; ELAINE DUKE, in her official  
capacity as Acting Secretary of the Department  
of Homeland Security; and U.S.  
DEPARTMENT OF HOMELAND  
SECURITY,

Defendants.

CASE NO. 17-CV-05813-WHA

I, Roberto Gonzales, declare:

1. I am a Professor of Education with tenure at Harvard University. I teach in the Harvard Graduate School of Education, which was ranked by the U.S. News & World Report as the number one school of education nationally. I write this declaration in support of all Plaintiffs in the related-lawsuits regarding the Deferred Action for Childhood Arrivals program, commonly known as DACA.

2. I am an expert on immigrant incorporation. I have written two peer-reviewed books and have authored several peer-reviewed journal articles, book chapters, and reports on this subject. I have studied undocumented immigrant youth and young adults for more than fifteen years. In fact, my research, including a twelve-year longitudinal study in Los Angeles and a five-year national study on the effects of DACA, are the most comprehensive studies on this population. I received a Ph.D. in sociology in 2008. I have held tenure track academic appointments at the University of Washington and the University of Chicago. I have attached a true and complete copy of my curriculum vitae to this Declaration.

3. When DACA was created in 2012, I launched a national research project to study the program's effects on its recipients. In 2013, sixteen months after the program's implementation, my team at Harvard surveyed 2,684 DACA eligible young adults, of those, 2,381 had obtained DACA by the time of the survey. We recruited respondents through a range of local and national organizations, consular offices, college and university campuses, GED programs, and community-based organizations. Because we were interested in understanding how a range of the DACA-eligible population was accessing this new status, we purposely drew our sample so as to include roughly one-third respondents with a high school diploma or less, one-third with some college experience, and one-third with a college degree (Associate's degree or higher). It is difficult to obtain survey data from undocumented populations because they comprise a fairly small proportion of the U.S. population, and because of their legal vulnerability and their low-income background (Bloch, 2006). Surveying them through random dialing methods, respondent driven sampling, or other types of probability sampling can be quite costly, and sometimes cost-prohibitive, especially on a national scale. We therefore relied on a sample drawn through a web survey and a multistage recruitment process—including "gateway" organizations (immigrant service agencies, law offices, churches, schools, universities, and local and national

undocumented young adult organizations), snowball sampling, and targeted efforts to find harder-to-reach individuals to learn about the short-term benefits of DACA on the lives of some recipients.

#### Life Before DACA

4. My research into undocumented immigrants long predates DACA—extending back 15 years. From 2002 to 2015, I followed 150 undocumented young adults in Los Angeles, examining the ways they responded to adolescent and adult transitions and an accompanying shrinking of rights.<sup>1</sup> Comparing the experiences of a group of college-goers with a group of young people who discontinued their schooling at or before high school graduation, I found that over time even those who had attained advanced degrees shared similar work and life outcomes with their less-educated peers. That is, once they finished their academic programs, their options for employment were similar to those of their lesser achieving counterparts who had not finished high school—college graduates had little choice but to enter into the informal, low-wage labor market.

5. My research into the adolescent and adult transitions of undocumented immigrant young people shows how they undergo unique developmental trajectories during adolescence that compare negatively to their American born and citizen peers.<sup>2</sup> I conceptualize this process as a *transition to illegality*.

6. Undocumented young adults cannot legally work, vote, receive financial aid, or drive in most states, and deportation remains a constant threat. Unauthorized residency status thus has little direct impact on most aspects of childhood but is a defining feature of late adolescence and adulthood. As such, the life course trajectories of undocumented immigrant young people look markedly different than those of their American-born and citizen peers.

7. Due to their constitutional access to K-12 education, undocumented children grow up to a large extent protected from the limits of their immigration status, as they attend public schools and

<sup>1</sup> I highlight their stories in my book, *Lives in Limbo: Undocumented and Coming of Age in America* (2016).

<sup>2</sup> Jeffrey Jensen Arnett, *Emerging Adulthood: A Theory of Development from the Late Teens through the Twenties*, 55 AMERICAN PSYCHOLOGIST 469 (2000).

develop their identities alongside U.S.-born and citizen peers. Childhood thus constitutes a period of integration for undocumented children, as their school experiences allow them to develop feelings of belonging to the United States as well as expectations and life aspirations rooted in American culture.

8. It is not until adolescence that undocumented youth begin to directly confront the social implications of their undocumented status, at which point they enter a critical developmental period of discovery. Although some undocumented youth are cognizant of their immigration status before their teenage years, being undocumented only becomes salient when matched with experiences of exclusion. At the time when they begin to require state identifications for driving, working, and travelling, undocumented youth come to realize how lacking legal status will thwart them from developing their desired adult lives. Characterized by confusion, frustration, and vulnerability, this critical developmental period comprises a major “turning point” in the lives of undocumented youth, producing a jolting shift in their self-perceptions and pressing them to make their transitions into adulthood within same social confines as their undocumented parents.

9. For many undocumented youth, knowledge about their immigration status depresses their motivations and renders pursuing educational trajectories both financially unrealistic and meaningless.<sup>3</sup> Unable to access federal financial aid makes it impossible for most undocumented youth to finance their higher education.

10. Further, just as they experience a shrinking of access, their familial and financial responsibilities increase, pressing them to find work in the underground economy and help support their families. A small minority of undocumented youth are able to enroll in postsecondary institutions due in large part to other external factors such as consistent support from educators, counselors, parents, and

<sup>3</sup> Leisy J. Abrego, *Legitimacy, Social Identity, and the Mobilization of Law: The Effects of Assembly Bill 540 on Undocumented Students in California*, LAW & SOCIAL INQUIRY 33(3) (2009); Leisy J. Abrego, *I Can't Go to College Because I Don't Have Papers: Incorporation Patterns of Undocumented Latino Youth*, 4 LATINO STUDIES 212-231 (2006); Roberto G. Gonzales, *On the Wrong Side of the Tracks: The Consequences of School Stratification Systems for Unauthorized Mexican Students*, 85 PEABODY JOURNAL OF EDUCATION 469 (2010); Carola Suárez-Orozco, Marcelo M. Suárez-Orozco, and Irina Todorova, *LEARNING IN A NEW LAND: IMMIGRANT STUDENTS IN AMERICAN SOCIETY* (2008).

other mentors—all of whom contribute to instilling in youth optimistic outlooks and work ethics to pursue their dreams. This, however, is not the norm.

11. Ultimately, the transition to “illegality” for undocumented youth involves a gradual, adaptive process that wears them down and leaves them precarious in uncertain legal conditions. Without work authorization or financial aid to pursue their educational goals, undocumented youth are pressed to relinquish their aspirations to accept poorly paid and often physically demanding work with other undocumented workers in the underground economy.

12. Further, having to lead adult lives without work authorization or driver’s licenses not only increases their risk of police encounters and deportation, but undermines their moral standing, diminishing their feelings of self-worth and belonging to mainstream society.<sup>4</sup> In response, undocumented youth learn to avoid immigration authorities, abide closely to traffic laws, and constantly look over their shoulders in case of police.

13. Further, they grow vigilant toward strangers, avoid potentially threatening situations, and learn to conceal their immigration status to strangers, authorities, employers, and even friends and romantic partners. Over time these conditions take their toll on young immigrants’ minds and bodies, leaving them physically fatigued, emotionally drained, and feeling increasingly hopeless about their future possibilities. The young people I met described physical and emotional manifestations of stress: chronic headaches, toothaches, ulcers, difficulty sleeping problems, eating disorders, and thoughts of suicide.

14. Further, as they associate themselves with other low-skilled and undocumented migrant laborers, they adopt similar lifestyles and perspectives, gradually assuming roles as undocumented immigrants who must live in fear, with minimal prospects, and limited rights. By their late twenties, undocumented young people complete their transition to “illegality,” finding themselves in stagnated

<sup>4</sup> Hirokazu Yoshikawa, Carola Suárez-Orozco, and Roberto G. Gonzales, *Unauthorized status and youth development in the United States: Consensus statement of the society for research on adolescence*, 27 JOURNAL OF RESEARCH ON ADOLESCENCE 4-19 (2017); Carola Suárez-Orozco, Hirokazu Yoshikawa, Robert Teranishi, and Marcelo Suárez-Orozco, *Growing Up in the Shadows: The Developmental Implications of Unauthorized Status*, 81 HARVARD EDUC. REV. 438-473 (2011).



and uncertain situations. Accordingly, the transition to “illegality” involves a process that leaves them emotionally worn down and feeling hopeless about their futures.

15. Those who make it to postsecondary education are able to minimize and delay some of these transformations by avoiding low-wage work and remaining in institutional contexts that tend to support their aspirations and educational progress. However, college goers are not immune to immigration status-related threats, family responsibilities, financial concerns, and fears of deportation. Accordingly, few are able to avoid low-wage informal work to finance their studies, and many leave school in order to save money for their education.

16. Even college goers learn to accept that their immigration status—not their dreams—will shape most of their future plans. Without access to work authorization at the end of their studies, educated undocumented young persons face the same limited range of low-wage job opportunities as other undocumented immigrants, arriving even less prepared and more vulnerable than their peers who dropped out of school before them.

17. Undocumented young people grow up in communities around the country and attend school alongside American-born and citizen peers. But as friends are obtaining driver’s licenses, taking after-school jobs, and thinking about college, their immigration status prohibits them from accessing important rites of passage. For many, these barriers are debilitating. And, over the years, their levels of stress and anxiety grow. Excluded from financial aid for college and unable to secure the kinds of jobs their American born and citizen peers were taking, my respondents had no choice but to exist as second-class members of our society, living in fear in a shadow economy.

### **The Benefits of DACA**

18. But things changed for many young people in 2012 when DACA was created. In five years, DACA has provided its recipients opportunities to access broader forms of adult life and to benefit from their investments in education. It has also allowed them important opportunities to contribute to their families, communities, and the United States economy. DACA recipients have made enormous gains. They have experienced social mobility. They have increased their educational attainment. They have experienced improved mental health. And they have a greater sense of belonging. None of these gains are trivial. DACA has provided its recipients access to the American

Dream and new forms of social mobility. They now lead everyday lives with much more breathing room and without fear of deportation.

19. My team at Harvard surveyed 2,684 DACA eligible young adults in 2013, sixteen months after DACA was created. Of those, 2,381 had obtained DACA by the time of the survey.

20. Just sixteen months into the program, 59 percent of respondents had obtained a new job, and a significant portion (45 percent) had increased their job earnings. Just over one fifth of survey respondents had obtained a paid internship, which likely provided valuable career training not typically available in jobs for young adults with limited employment histories. In addition, DACA recipients began building credit.<sup>5</sup> Almost one-half of survey respondents opened up their first bank account after receiving DACA. And roughly one-third of our respondents had acquired their first credit card. Close to 60 percent of our respondents had obtained a driver's license. And, twenty-one percent of those we surveyed had acquired health care after receiving DACA, perhaps due to new education- or employment-based plans or to greater facility in providing documentation to clinics and hospitals.

21. Particularly impressive, our survey pointed to DACA's strong impact on recipients finding new opportunities in education and employment. Though having DACA benefited all recipients, the effects were especially pronounced for DACA recipients attending higher education and those with higher education degrees, who have been able to match their educational attainment and degrees with high skilled jobs. Respondents who attended community and four-year colleges were more likely than their peers with no college experience to obtain a new job and increase their earnings.

22. Aiding in their success, DACA college graduates had multiple mentors in high school, they were active in clubs and in leadership roles in school, they were involved in their communities, and they were connected to organizations. As a result, these young people likely possessed the social

<sup>5</sup> Although undocumented immigrants are not necessarily prohibited from possessing a bank account, the receipt of a Social Security number through DACA allows young people to overcome bureaucratic hurdles and sometimes awkward or uncomfortable situations when trying to open a bank account. Similar hindrances apply to obtaining a credit card.

networks and information that allowed them to maximize DACA's benefits to access job-related opportunities.

23. We found that the improved earnings of DACA recipients were helping them to access higher education.<sup>6</sup> While DACA does not remove restrictions from federal financial aid, DACA holders were better able to earn and save money for college tuition, related fees, and books. What's more, while DACA recipients continued to provide financial support to their parents, their increased earnings through DACA allowed them greater flexibility to pay for college. We also found that more modestly educated DACA recipients were successful in finding trade schools and occupational certificate programs.

24. Following up on our survey, we were interested in how DACA recipients were experiencing their status. So, in 2015 and 2016, we carried out face-to-face interviews with 481 DACA recipients in Arizona, California, Georgia, New York, Illinois, and South Carolina. This carefully drawn sample provides a unique opportunity to understand how DACA is affecting the educational trajectories of a wide range of young adult immigrants.<sup>7</sup> The evidence we gained from the survey provided a detailed picture of how DACA was working for a diverse cross-section of young people.

<sup>6</sup> Roberto G. Gonzales, Benjamin Roth, Kristina Brant, Jaein Lee, and Carolina Valdivia, *DACA at Year Three: Challenges and Opportunities in Assessing Education and Employment, New Evidence from the UnDACAmented Research Project*, AMERICAN IMMIGRATION COUNCIL (Feb. 2016) [http://immigrationpolicy.org/sites/default/files/docs/daca\\_at\\_year\\_three.pdf](http://immigrationpolicy.org/sites/default/files/docs/daca_at_year_three.pdf).

<sup>7</sup> We used purposive sampling methods to generate a sample of DACA recipients exhibiting a range of educational experiences. Based on the DACA requirements for eligibility, the participants screened by the authors were under the age of 31 as of June 15, 2012; had arrived in the United States before age 16; had accumulated at least five years of continuous residence in the United States; and had no felony convictions, significant misdemeanors, or more than two other misdemeanors. Because we were interested in a range of experiences, our sample included those young people who had not yet graduated from or were enrolled in a U.S. high school or the equivalent. While DACA eligibility is open to minors, this study focuses on young adult DACA recipients. We recruited respondents through national and local organizations and through referrals by those who had taken the survey. The extensive interview covers several key areas: childhood and early years in the United States; migration history; the impact of DACA; household and neighborhood characteristics; social networks; elementary and secondary education; post-secondary education; work history and finances; civic engagement; health and emotional well-being; interactions with the justice system; and aspirations for the future.

1           25.     Take Miguel<sup>8</sup>, from El Monte, California. Miguel graduated from his high school in  
 2     2011, and started taking classes at a local community college. DACA was initiated during Miguel’s first  
 3     year of college, and provided him a significant financial boost that allowed him to persist in his  
 4     schooling. With a work permit, he started working at a print shop and was able to enroll as a full-time  
 5     student. Having a driver’s license also made life much easier for Miguel. In many parts of California,  
 6     one could easily spend two or more hours a day on the bus. After working for a year and establishing  
 7     credit, Miguel pooled his money together with his father and they opened up a cell phone store in nearby  
 8     La Puente. Just last year, Miguel started a business as a web designer. He credits DACA for providing  
 9     opportunities to build a career.

10           26.     DACA recipients not only have increased access to the very resources that are assisting  
 11     them to make important educational transitions, they also have a renewed sense of purpose that fueled  
 12     educational pursuits. Eighteen-year-old Carolina from Chicago told us, “My freshman and sophomore  
 13     year, I did really bad [in school], mostly because I was just not motivated because all of this is going to  
 14     be worthless in the end. But then when DACA came out, I started doing a lot better since I was like,  
 15     ‘OK, I actually have a chance.’”

16           27.     Max from New York put it this way, “I finally feel like I am a part of the U.S., like I’m  
 17     no longer living in the shadows. I can now work legally. I can now be able to drive legally. When I go  
 18     to the doctor’s, the clinic, it is being paid for through health insurance that I’m eligible for.”

19           28.     And Jenny from Phoenix told us, “I don’t know where I would be right now, without  
 20     DACA. I don’t know if I would be going to school. In some ways, I feel like it saved my life.”

21           29.     Perhaps the biggest success of DACA is its positive impact on young people with modest  
 22     levels of education, those who may have left school at or before their high school graduation.<sup>9</sup> In terms

24           <sup>8</sup> To protect our research subjects’ confidentiality and to avoid deductive disclosure, we use pseudonyms  
 25     to conceal real names. This practice is customary in qualitative research with sensitive populations.

26           <sup>9</sup> Roberto G. Gonzales, Marco A. Murillo, Cristina Lacomba, Kristina Brant, Martha C. Franco, Jaein  
 27     Lee, and Deepa S. Vasudevan, *Taking Giant Leaps Forward: Experiences of a Range of DACA*  
 28     *Beneficiaries at the 5-Year Mark*, CENTER FOR AMERICAN PROGRESS (2017),  
<https://www.americanprogress.org/issues/immigration/reports/2017/06/22/434822/taking-giant-leaps-forward/>.

of distance traveled, DACA's biggest success stories come from moderate achievers. Statistically, most undocumented immigrant youth end their schooling before entering college.<sup>10</sup> Due to a combination of scarce family resources, exclusion from financial aid at the state and federal levels, and depressed motivations stemming from legal limitations, accessing higher education is prohibitive for many undocumented young people.

30. But, for the hundreds of thousands of DACA recipients without high school or college degrees, DACA has incentivized young people to return to GED or workforce development programs. It has also provided important onramps to certificate programs in the trades and in health care. These DACA recipients received training in industries such as medicine, dentistry, construction, cosmetology, teaching, law, nursing, and insurance. As a result, DACA recipients have used these opportunities as stepping stones to build careers.

31. Before DACA, choices were severely restricted to jobs in low-wage sectors. Despite length of time in the United States or level of education completed, they were limited to grueling jobs that did not offer opportunities for job security, safety, or benefits. But the work authorization provided by DACA and the incentives to invest in education, DACA has enabled its recipients to obtain better employment. In particular, DACA recipients who completed certificate or licensing programs experienced significant growth in salary. For many (68 percent), hourly salaries increased from \$5 to \$8 to more than \$14 an hour. Most (76 percent) at least doubled their previous salaries, earning between \$25,000 and \$30,000 per year.

32. Equally impactful is DACA's positive role in improving the mental health of its recipients. DACA has led to an overall decrease in stress. More than two-thirds of recipients told us they were less afraid of law enforcement and of being deported. Many report feeling less fear around government authorities, with new comfort to call on the police when in need. In fact, 59 percent of our respondents say they would report a crime now, but would not before. With work authorization

<sup>10</sup> In fact, more than 40 percent of unauthorized adults ages 18 to 24 do not complete high school, and only 49 percent of unauthorized high school graduates go to college. See Jeffrey Passel, D'Vera Cohn, *A Portrait of Unauthorized Migrants in the United States* (2009), <http://www.pewhispanic.org/files/reports/107.pdf>.

documents, DACA recipients are also able to apply for driver's licenses in any state. The ability to travel freely and safely to school and work, without always looking over their shoulders, has decreased stressful situations.

### **Ending DACA Would Have Disastrous Effects**

33. A repeal of DACA would have disastrous consequences to the young people who have enjoyed increased access over these last five years and who would experience a cruel transition back to a life of blocked access, daily struggles, and stigma.<sup>11</sup> Over the last five years, they have grown into their new status. Access to better employment and increased opportunities for education have allowed them to lead lives with more breathing room. They have purchased cars, moved into better living situations, and have provided better opportunities for their children. If DACA were to end, these benefits would be taken away, and their financial situation would decline significantly. They would be hard pressed to keep up with their car payments, they would likely lose their homes, and they would have to make hard decisions, including whether or not to pull their children from daycare they can no longer afford.

34. DACA recipients would also return to lives of stigma, fear, and worry. Over time, these processes have grave consequences not only on individuals' mobility trajectories but also on their minds and bodies.<sup>12</sup> They would return to lives on the outside, a fate they would share with many of their parents. Their work options would be limited to unstable, dangerous jobs. They would carry out their day-to-day lives always looking over their shoulders in fear of being apprehended, detained, and deported. And they would likely experience health problems as a result. Everyday lives narrowly circumscribed by their undocumented status, would be punctuated by anxiety, fear, limitation, and dreams—not only deferred, but also—snatched away from them.

35. The loss of access to America's polity as well as to their feelings of belonging could have negative consequences on the health and well-being of these young people. This abrupt transition from a protected status with important forms of access to an unprotected reality marked by exclusions from

<sup>11</sup> Roberto G. Gonzales, *Learning to be Illegal: Undocumented Youth and Shifting Legal Contexts in the Transition to Adulthood*, 76 AMERICAN SOCIOLOGICAL REV. 602-619 (2011).

<sup>12</sup> Roberto G. Gonzales, LIVES IN LIMBO: UNDOCUMENTED AND COMING OF AGE IN AMERICA (2016).

the very mechanisms to ensure their social mobility and well-being is a cruel revocation of their futures and a very difficult pill to swallow.

36. Without DACA, hundreds of thousands of young people who have been leading productive lives will likely return to the shadows—uninsured, underemployed, and carrying high levels of stress and anxiety. What’s more, there is a good possibility that many of these young people will be compelled to leave school. Many will no longer be able to afford postsecondary tuition. And many more will no longer see incentives for investing in school with uncertain payoffs. These realities, marked by feelings of loss, are certain to sow uncertainty and disillusionment.

37. In addition, a large segment of the DACA eligible population will lack the tools and experience to navigate clandestine lives. Because of its eligibility criteria, DACA has allowed tens of thousands of teenagers the opportunity to obtain DACA while in high school and, as a result, reduce the developmental barriers to adolescent and adult transitions, thus, at least partially, delaying the transition to illegality. If DACA were to end, these youngsters could be the most vulnerable. Owing to their access to work authorization and driver’s licenses and reduced fears of deportation, these young people have experienced normal adolescent transitions. As such, DACA has positively shaped their sense of belonging and future outlooks. To have everything ripped away from them will likely have dire consequences.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on October 25, 2017, at Cambridge, Massachusetts.



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Roberto Gonzales, Ph.D.



# EXHIBIT 32

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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

THE REGENTS OF THE UNIVERSITY OF  
CALIFORNIA and JANET NAPOLITANO,  
in her official capacity as President of the  
University of California,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND  
SECURITY and ELAINE DUKE, in her  
official capacity as Acting Secretary of the  
Department of Homeland Security,

Defendants.

CASE NO. 17-CV-05211-WHA

**DECLARATION OF MIRIAM GONZALEZ  
AVILA**

1 STATE OF CALIFORNIA, STATE OF  
 2 MAINE, STATE OF MARYLAND, and  
 3 STATE OF MINNESOTA,  
 4  
 5 Plaintiffs,  
 6  
 7 v.  
 8 U.S. DEPARTMENT OF HOMELAND  
 9 SECURITY, ELAINE DUKE, in her official  
 10 capacity as Acting Secretary of the Department  
 11 of Homeland Security, and the UNITED  
 12 STATES OF AMERICA,  
 13  
 14 Defendants.

CASE NO. 17-CV-05235-WHA

9 CITY OF SAN JOSE, a municipal corporation,  
 10  
 11 Plaintiffs,  
 12  
 13 v.  
 14 DONALD J. TRUMP, President of the United  
 15 States, in his official capacity, ELAINE C.  
 16 DUKE, in her official capacity, and the  
 17 UNITED STATES OF AMERICA,  
 18  
 19 Defendants.

CASE NO. 17-CV-05329-WHA

16 DULCE GARCIA, MIRIAM GONZALEZ  
 17 AVILA, SAUL JIMENEZ SUAREZ,  
 18 VIRIDIANA CHABOLLA MENDOZA,  
 19 NORMA RAMIREZ, and JIRAYUT  
 20 LATTHIVONGSKORN,  
 21  
 22 Plaintiffs,  
 23  
 24 v.  
 25 UNITED STATES OF AMERICA, DONALD  
 26 J. TRUMP, in his official capacity as President  
 27 of the United States, U.S. DEPARTMENT OF  
 28 HOMELAND SECURITY, and ELAINE  
 DUKE, in her official capacity as Acting  
 Secretary of Homeland Security,  
 Defendants.

CASE NO. 17-CV-05380-WHA



1 I, MIRIAM GONZALEZ AVILA, declare:

2 1. I am a party in the above-captioned action. I make this declaration based on my personal  
3 knowledge. If called as a witness, I could and would testify competently on the facts stated herein.

4 **My Early Life**

5 2. I was born in La Barca, Jalisco, Mexico on November 14, 1993. My parents brought me  
6 and my two siblings to the United States in May 2000, when I was six years old. I have not been back to  
7 Mexico since that day, and I have long considered the United States my home.

8 3. Economic necessity drove my parents to immigrate to the United States. Back in  
9 Mexico, my dad used to work in the fields doing hard manual labor, but he still did not make enough  
10 income to support our family. For a period of time, he worked in the United States and sent money to  
11 my mother to take care of me and my siblings. Ultimately, the distance and two separate households  
12 were too big of a burden on my father, so he made the decision to bring my mother and us to the United  
13 States as well.

14 4. I was raised in the Boyle Heights neighborhood of Los Angeles. When we first moved to  
15 Los Angeles in 2000, my parents could not afford to get their own place, so we lived with my uncle—  
16 my father’s brother—who was a huge help to us back then and still continues to be a support system for  
17 my whole family. At the time, there were six of us living in a two-bedroom apartment. My father  
18 worked at a meat processing factory with my uncle, and my mother stayed home to take care of us.

19 5. My parents instilled the value of family in me and my siblings since we were young  
20 children. To this day, I am incredibly close to my family. As the oldest child, I often found myself  
21 taking care of my siblings, as well as assisting my mom with anything that required fluency in English.  
22 For example, I accompanied my mom to parent-teacher conferences for all of my siblings, to make sure  
23 that she could comfortably communicate with the teachers, who often did not speak Spanish.

24 6. Watching my father and his brother support each other through everything life threw at us  
25 also showed me the value of family. As an example, in 2009, my father lost his job when the factory he  
26 had been working at closed, and my uncle financially supported our family until my father found a job at  
27 another meat processing factory the following year.

1           7.       Growing up, I knew that I was not born in the United States, but until I was older, I did  
2 not realize what it meant to be undocumented. My parents always told me that my job was to be a good  
3 student, so I focused all my energy on doing well in school and making my parents proud.

4           8.       I first learned what it meant to be undocumented when I was in the seventh grade. My  
5 friends and I wanted to apply for jobs assisting our former elementary teacher, and we needed to provide  
6 a Social Security Number. Without thinking twice about it, I asked my mom for my Social Security  
7 Number. It was at that point that my mom explained to me that I did not have a Social Security Number  
8 and that I was an undocumented immigrant.

9           9.       My mom told me not to tell anyone that I was undocumented. She was afraid that this  
10 information would land in the hands of the wrong people, and that someone would report us and get us  
11 deported. My mother lived in constant fear of this. My father was similarly concerned about our  
12 undocumented status. He never allowed me to drive. He told me that I needed to be a model immigrant,  
13 so working under the table was never something I was allowed to even consider. Instead, my dad took  
14 the risk of working under the table and carried the heavy burden of supporting our entire family by  
15 himself, which is something I will always be grateful for.

16           10.      Finding out about my undocumented status changed my life. Until then, I never thought I  
17 was different from anyone else or that there were things I did not have access to. I thought that as long  
18 as I studied hard, I could achieve anything I put my mind to. When I was in eighth grade, my cousin  
19 told me that I was studying hard for no reason because as an undocumented immigrant, I would never be  
20 able to go to college. I still remember that day as if it was yesterday, and I do not think I will ever forget  
21 these words. I felt incredibly hurt, devastated, and angry. I did not know if my cousin was telling the  
22 truth, but I made a decision on that day that I was going to prove her wrong.

23           11.      While I was definitely scared to tell people about my immigration status—in fact, I  
24 watched my best friend’s father get deported and saw the disastrous effects it had on her and her  
25 family—this incident with my cousin motivated me to be more open about my undocumented status. I  
26 realized that if I wanted to succeed and go to college, I needed to find teachers and other mentors who  
27 could support me and guide me, as an undocumented person, through that process.

1           12.     When I was in high school, I confided in my counselor and some teachers about my  
2 status as an undocumented person. To my happiness and relief, my counselor and teachers informed me  
3 that I actually could go to college, despite what my cousin had told me.

4           13.     At that point, I decided to become more vocal about my status, regardless of my mother's  
5 warnings, because I realized that in order to succeed, I needed allies and support. I also knew many  
6 other students at my school who were undocumented, so I wanted to get resources and support not just  
7 for me, but for them as well. I also found great comfort in confiding in someone about this big secret in  
8 my life, and I was fortunate to have teachers in my life who encouraged and supported me.

9           14.     Telling people about my undocumented status did not come without its share of  
10 embarrassment and distress, however. My friends would often make jokes about my status. For  
11 example, I had seven close friends I met while playing baseball, and three of us were undocumented in  
12 that group. The "documented" students often made jokes about how we would get deported, or that we  
13 were wasting our time studying because we could be sent back to Mexico any moment. Even though  
14 these jokes were not ill-intentioned, and although my undocumented friends and I always tried to laugh  
15 them off, they definitely hurt and embarrassed me. More importantly, they served as a constant  
16 reminder of my terrible fear, which had gotten especially real since the deportation of my best friend's  
17 father, that I could be separated from my family and deported.

18           15.     Despite these struggles, I was able to remain focused on my studies, and I graduated as  
19 Valedictorian of my class. I was accepted to a number of colleges within the University of California  
20 system. Even though I was so excited about these incredible opportunities, I struggled to decide if I  
21 should to go a four-year institution or a community college, for financial reasons. My father barely  
22 made enough money to support our family, and my undocumented status prevented me from securing  
23 any money through work or federal financial aid.

24           16.     My father wanted me to go to community college because he was afraid that we would  
25 not be able to afford my tuition. However, I was determined to go to UCLA—I had worked so hard to  
26 get accepted and I did not want to lose out on a once-in-a-lifetime opportunity. So I spent over 100  
27 hours applying to scholarships that did not require information about my immigration status, and  
28 managed to obtain almost \$10,000 to pay for my first year of college. I broke down all of my expenses



1 for my father, and showed him how exactly I was going to pay for every single item, and he finally gave  
2 me his blessing to go after my dream of attending UCLA.

3 **My UCLA Experience**

4 17. I entered UCLA in the Fall of 2011, and graduated in Spring of 2016, with a bachelor’s  
5 degree, with a major in Anthropology and a minor in Classical Civilizations.

6 18. Attending UCLA was a dream come true, but I quickly realized just how many obstacles  
7 I had to overcome to succeed there.

8 19. One of my big challenges was my long commute. In order to save money, I lived at  
9 home. Because I could not get my driver’s license, I used to commute to school by bus. I would spent  
10 3-4 hours every day commuting, which significantly reduced the amount of time I had to study or  
11 participate in social activities

12 20. The most overwhelming challenge for me, though, was paying for school. Despite having  
13 secured almost \$10,000 through scholarships, I found myself \$800 short when the tuition costs increased  
14 in the Winter quarter of 2012. I remember how embarrassed I felt telling my father about this, since he  
15 warned me about this, and I decided to enroll at UCLA despite his concerns about our financial  
16 instability. My father did not have any money at the time, but my uncle told me not to worry about it,  
17 and took out a loan for \$1000, which I used to pay for my tuition. I had applied to a number of  
18 scholarships again, and was hoping that I would get one in time to pay for my Spring quarter tuition.

19 21. During Week 6 of the Winter quarter I found out that I did not get the scholarship, which  
20 would have allowed me to pay for my Spring quarter. I was devastated, stressed out, and incredibly  
21 worried about my college education going forward. I started thinking that my father was right, and I felt  
22 guilty and selfish for having spent so much money on my tuition already, when my family had so little.  
23 In 2012, I had no choice but to take the Spring quarter off as I simply could not find the money for  
24 tuition.

25 22. Even though I was ultimately able to go back to UCLA in the Winter 2013, this was a  
26 very hard time for me. I was unable to go to school or work for the entire Spring and Fall quarter, so I  
27 fell into a depression, constantly having feelings of shame and anxiety, thinking I had made a mistake  
28

1 enrolling at UCLA, and worrying about my future. This gap in my education also caused me to graduate  
2 later than I would have otherwise graduated.

3 23. Despite the many challenges, I decided to make the best of my experience at UCLA. I  
4 joined IDEAS (“Improving Dreams, Equality, Access, and Success”), an organization dedicated to  
5 serving undocumented students at UCLA and in the broader Los Angeles community. Founded in 2001,  
6 this organization serves many functions aimed at supporting undocumented students and the larger  
7 community.

8 24. I became involved in the community service component of IDEAS, helping put together  
9 AB540 workshops and getting involved in the community and spreading awareness about resources  
10 available to undocumented students. I also volunteered for the Educator’s Conference in the Fall of  
11 2011, and for the Immigrant Youth Empowerment Conference in Spring 2012 – the biggest  
12 undocumented youth conference hosted by undocumented students in the nation. After two years  
13 volunteering, I applied for the position of a Project Director at IDEAS.

14 **LEARNING ABOUT AND APPLYING FOR DACA**

15 25. I first heard about DACA on the day that President Obama announced it—June 15, 2012.  
16 I was at a rally downtown protesting deportations with other members of IDEAS, some of whom were  
17 actually graduating that day. Word spread throughout the crowd quickly, and the leaders of the protest  
18 made an official announcement about DACA. At that point, all we really knew was that DACA  
19 provided protection from deportation and the ability to work. Everyone was hugging and crying. It was  
20 a monumental moment for me, and an especially meaningful announcement for my friends who were  
21 graduating that day, as they could finally imagine that they would be able to use their degrees and work  
22 in their chosen field upon graduation.

23 26. I immediately took it upon myself to inform my community about DACA through my  
24 involvement at IDEAS. First as a volunteer and then as a Project Director, I personally conducted over  
25 120 workshops regarding the resources available to undocumented students, the California Dream Act,  
26 and the mechanics of DACA and the application process over the next few years. Although I built on  
27 the materials available from previous years, I put together the talking points for all the workshops. I also  
28

1 helped plan the Immigrant Youth Empowerment Conference in the Spring of 2014, which had an  
2 attendance of 1200 students.

3 27. Even though I was helping others with their DACA applications, I was still nervous about  
4 applying myself. My parents pushed me to apply right away, but I wanted to see other people go  
5 through the process first. I was worried about giving the government my personal information. I had  
6 spent my whole life being afraid of the government and was skeptical of trusting them now. Finally,  
7 after much consideration, I decided to trust the government's promise that my information would not be  
8 used to deport me or my family. I was tired of wondering why I was struggling and working so hard,  
9 when I would not even be able to use my degree to get the job I wanted. I was also influenced by the  
10 numerous statements of encouragement by public officials all over the news, and I was inspired by the  
11 excitement and optimism of all of my fellow undocumented students.

12 28. I applied for DACA in December 2012, and was approved on March 21, 2013. Attached  
13 as Exhibit A is a true and correct copy of my Form I-797 Notice of Action granting my DACA status  
14 from March 21, 2013 until March 20, 2015.

### 15 HOW DACA HAS BENEFITTED ME

16 29. My DACA status opened many doors for me, including seemingly trivial things, such as  
17 the ability to travel. I vividly remember the first time I got on a plane. It was December of 2014. I was  
18 finally able to take a trip to the Midwest and the East Coast—first to visit my mother's relatives in  
19 Chicago, and then spend some time in New York City with my friends. Even though all my friends had  
20 told me flying was not a big deal, I remember how foreign everything seemed to me, and how nervous I  
21 was going through the unfamiliar airports by myself. It was a thrilling experience nevertheless, showing  
22 me that there were so many things I had yet to experience and learn about in the world. Having DACA  
23 status opened these opportunities for me.

24 30. After my DACA application was approved in March of 2013, I immediately used my  
25 work authorization to get a job as a parking attendant at UCLA. This extra income was crucial to  
26 helping me finish my education. I no longer had to take any time off school because of the inability to  
27 pay tuition, and I was able to graduate in 2016, only a year later than expected. I was also able to afford  
28 an apartment closer to campus for a few quarters.

1           31. With DACA, I finally felt like I was going to have options, something I had never felt I  
2 had before. It gave me the security to say to anyone who might come knocking on my door that they  
3 could not deport me because I was protected. I finally felt like a productive member of the society,  
4 being able to work and support my family. Also, I felt much less anxious about my future, and I finally  
5 felt like I belonged and was an equal member of the society.

6           32. Having DACA also allowed me to get my driver's license in January 2014. This made a  
7 huge difference in my life. Not only was I able to drive myself around, I used my license to help the  
8 IDEAS organization. It was my driver's license that allowed me to do as many as 120 workshops all  
9 over Los Angeles. Additionally, my driver's license allowed me to help my family by giving my  
10 siblings rides as needed, or by taking my parents to their appointments. My family jokingly calls me the  
11 "family UBER," and I feel so happy to finally be able to help out in this way.

12           33. I also opened my first credit card in November 2016. I am working hard to build credit  
13 so I can one day own a home and raise my own future family here. Additionally, during my last year at  
14 UCLA I took out a loan for \$1500 in order to provide for myself financially before starting at a job.

15           34. DACA has also helped me help my family. My sister was accepted to UC Santa Cruz  
16 while I was in college. Just as they had struggled to come up with the money to pay for my college, my  
17 family was having a tough time figuring out how to pay for college for my sister. I decided to give up  
18 my apartment and move back home so I could use the money I made as a parking attendant to help my  
19 sister pay for housing in Santa Cruz. I did not want her to have to stay in Los Angeles to live at home  
20 for college, as I had to.

21           35. I renewed my DACA status in March of 2015, which gave me a valid DACA status until  
22 March of 2017. Attached as Exhibit B is a true and correct copy of my Form I-797 Notice of Action  
23 granting my DACA status from March 20, 2015 until March 19, 2017.

24           36. It was very important to me to have the ability to renew my DACA status because if I did  
25 not get it renewed, I would lose my job as a parking attendant at UCLA, which helped me pay for my  
26 tuition and also support my family. Luckily, it was a streamlined process, and I even got reminders  
27 from the government to renew my DACA status.

1 37. I last renewed my DACA status in December of 2016. My current DACA status is set to  
2 expire on March 18, 2019. Attached as Exhibit C is a true and correct copy of my Form I-797 Notice of  
3 Action granting my DACA status from March 19, 2017 until March 18, 2017.

4 **My Job as a Teacher**

5 38. After graduation, I applied for and was accepted by Teach For America (“TFA”). It was  
6 important to me that I would be teaching students from low socioeconomic backgrounds, as they  
7 reminded me of myself and my community. Although I originally considered many different careers,  
8 my extensive experience serving the undocumented community while at UCLA made me realize that  
9 teaching was the right next step for me.

10 39. In order to be accepted to TFA, I was required to present a work authorization card. I  
11 also had to present the same card to the HR department of the Crown Prep Academy, where I started  
12 working on August 15, 2016.

13 40. Working at Crown Prep Academy has been challenging but very inspiring. Our school  
14 has a very large Latino/a population, but I am currently the only Spanish-speaking teacher for the  
15 seventh and eighth-graders. Even though as teachers, we are only required to attend two out of four  
16 parent-conference nights, I always attend all four in order to translate for parents who do not speak  
17 English. I feel fortunate to be in the position to do this, since this experience makes me remember my  
18 own mother at parent-teacher conferences, and how much she relied on me to communicate with  
19 teachers.

20 41. In addition to working at Crown Prep Academy, I began my Teaching Credential and  
21 Master’s Degree in Education with a concentration in Administration and Policy at Loyola Marymount  
22 University in August of 2016. This degree is important to me because, even though I truly enjoy  
23 teaching, ultimately I would love to be in a position to work on education policy on a national level.  
24 Based on my own experience and the experiences of my community, I believe there is a lack of  
25 understanding between policymakers and teachers with respect to how education policies affect  
26 students, especially students in lower-income communities. If I did not have DACA and I was not able  
27 to renew my DACA status, I could not have afforded this program and would not have started my  
28 Master’s Degree.

**Impact of Losing DACA Status**

1  
2 42. The announcement of the DACA rescission has changed my life in more ways than I  
3 could even explain.

4 43. In the morning, on my way to work, I often see a DHS truck and ICE officers in the  
5 parking lot of the Staples next to the local Starbucks. I am constantly reminded that there are raids  
6 happening in my community, and I am so fearful that the next person who is targeted could be me or my  
7 family. I have also read stories of the horrors and inhumane conditions people face awaiting deportation  
8 in detention centers, so I fear that I would be treated inhumanely before being deported to a country that  
9 I have no actual ties with.

10 44. Since August, I have had terrible migraines for the first time. In fact, I was so worried  
11 that something was seriously wrong with my health that I saw a doctor in early October. She told me  
12 that my migraines were cause by stress. I continue to experience migraines and severe stress and  
13 anxiety, which I know is tied directly to my new uncertainty over my future. Whereas DACA had given  
14 me a sense of security, the recent rumors and eventual announcement of the rescission has stripped me  
15 of that sense of security. It is this stress and anxiety that is clearly manifesting itself in physical pain.

16 45. If I lose my DACA status, I will lose the life I have worked so hard to build for myself  
17 and my family.

18 46. If I lose my DACA status, I can no longer work at Crown Prep Academy. My students  
19 have been asking me if I will be able to continue teaching them in the 2018-2019 academic year. Since  
20 my DACA status is currently set to expire in the middle of the Spring 2019 semester, I do not know  
21 what to tell them. I tell them that I do not know. This breaks my heart. My students already have  
22 abandonment issues because of previous teachers who told them they would return to reach them but did  
23 not, so this fills my students with a sense of anxiety that I wish they did not have to deal with.

24 47. If I lose my DACA status, without work authorization, my Master's Degree in Education  
25 will mean absolutely nothing, and my dreams of one day helping create an education system that is more  
26 fair and accessible to all children will be destroyed.

27 48. If I lose my DACA status, I will be unable to help support my family. Since starting  
28 work at Crown Prep Academy, I have been providing significant financial assistance to my parents. I

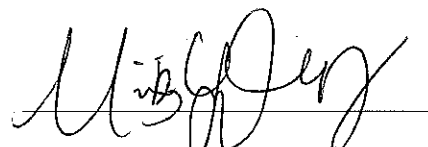
1 will also be unable to continue paying for my sister's education. I will also be unable to support my  
2 family in so many ways that I cannot even quantify, since they rely heavily on me, as the person who is  
3 fluent in English and knowledgeable about the laws and developments in this country.

4 49. Finally, if I lose my DACA status, I may be deported. I am devastated thinking about  
5 being separated from my family. I am also terrified at the prospect of being sent to a country I have no  
6 real connection to. Although I have a few relatives in Mexico, I have not been there since I was six, and  
7 I have no idea what I would do there. I do not think I would be able to easily teach there, since I am  
8 completely unfamiliar with the process and requirements for teachers in Mexico.

9 50. Since the announcement of DACA rescission, I struggle every day to continue to live my  
10 life as though nothing has changed. I continue to work hard and be as optimistic as possible for my  
11 students and family. I continue to work on my thesis as rigorously as before and try to make myself  
12 believe that I will have the opportunity to use my Master's Degree. I try my best to be a daughter, sister,  
13 and a member of my community. But in fact, everything has changed already because there is not a  
14 single day that goes by without me thinking that all of my hard work may be for nothing and my dreams  
15 and the dreams of my family will be crushed if my DACA status is ultimately rescinded.

16  
17 I declare under penalty of perjury that the foregoing is true and correct.

18 Executed on October 30, 2017, in Los Angeles, California.

19  
20   
21 MIRIAM GONZALEZ AVILA  
22



# EXHIBIT 33

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18 **UNITED STATES DISTRICT COURT**  
19 **NORTHERN DISTRICT OF CALIFORNIA**  
20 **SAN FRANCISCO DIVISION**

21 THE REGENTS OF THE UNIVERSITY OF  
CALIFORNIA and JANET NAPOLITANO,  
in her official capacity as President of the  
22 University of California,

23 Plaintiffs,

24 v.

25 U.S. DEPARTMENT OF HOMELAND  
SECURITY and ELAINE DUKE, in her  
26 official capacity as Acting Secretary of the  
Department of Homeland Security,

27 Defendants.  
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CASE NO. 17-CV-05211-WHA

**DECLARATION OF DELLARA GORJIAN**

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STATE OF CALIFORNIA, STATE OF MAINE, STATE OF MARYLAND, and STATE OF MINNESOTA,  
  
Plaintiffs,  
  
v.  
  
U.S. DEPARTMENT OF HOMELAND SECURITY, ELAINE DUKE, in her official capacity as Acting Secretary of the Department of Homeland Security, and the UNITED STATES OF AMERICA,  
  
Defendants.

CASE NO. 17-CV-05235-WHA

CITY OF SAN JOSE, a municipal corporation,  
  
Plaintiffs,  
  
v.  
  
DONALD J. TRUMP, President of the United States, in his official capacity, ELAINE C. DUKE, in her official capacity, and the UNITED STATES OF AMERICA,  
  
Defendants.

CASE NO. 17-CV-05329-WHA

DULCE GARCIA, MIRIAM GONZALEZ AVILA, SAUL JIMENEZ SUAREZ, VIRIDIANA CHABOLLA MENDOZA, NORMA RAMIREZ, and JIRAYUT LATTHIVONGSKORN,  
  
Plaintiffs,  
  
v.  
  
UNITED STATES OF AMERICA, DONALD J. TRUMP, in his official capacity as President of the United States, U.S. DEPARTMENT OF HOMELAND SECURITY, and ELAINE DUKE, in her official capacity as Acting Secretary of Homeland Security,  
  
Defendants.

CASE NO. 17-CV-05380-WHA

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<p>COUNTY OF SANTA CLARA and SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 521,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>DONALD J. TRUMP, in his official capacity as President of the United States, JEFFERSON BEAUREGARD SESSIONS, in his official capacity as Attorney General of the United States; ELAINE DUKE, in her official capacity as Acting Secretary of the Department of Homeland Security; and U.S. DEPARTMENT OF HOMELAND SECURITY,</p> <p style="text-align: center;">Defendants.</p>
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CASE NO. 17-CV-05813-WHA

1 I, DELLARA GORJIAN, DECLARE:

2 1. I am an immigrant to the United States. I was born in Canada and I am a Deferred Action  
3 for Childhood Arrivals (“DACA”) recipient. The matters set forth herein are true and correct of my own  
4 personal knowledge and, if called as a witness, I could and would testify competently thereto.

5 2. I came to the United States at the age of five, in 1999. I am now 23 years old and a first  
6 year law student at University of California, Los Angeles (“UCLA”).

7 3. I grew up in Irvine, California and attended school there from kindergarten through high  
8 school. My parents were undocumented immigrants when I was growing up. My mom worked as a  
9 hairdresser and my dad as a construction worker during my childhood. My parents have worked hard all  
10 their lives and sacrificed just to support my sister and me. They have no assets or savings to speak of. I  
11 have seen firsthand how much they have sacrificed in order to provide us with the opportunities that  
12 exist in America.

13 4. As a child, I remember being concerned about my immigration status and whether it  
14 would prevent me from pursuing certain dreams. I wanted to know if my lack of U.S. citizenship would  
15 prevent me from doing some of the activities I really enjoyed, like auditioning for a certain acting role or  
16 entering a singing competition. As I got older, I recall worrying about whether I could do the basic  
17 things my friends were doing as teenagers, like applying for a driver’s license or getting a summer job.  
18 But I was not allowed to participate in family conversations between my parents and older sister about  
19 my immigration status and what it meant. My parents would always change the subject or promise to  
20 talk about whether I could do all those things “soon.”

21 5. As a high school student, I was uncertain about the opportunities that were available to  
22 me as an undocumented person. I did not know whether college was an option. I assumed that high  
23 school would be the end of my academic career, so I did not apply myself academically and I graduated  
24 with a 2.95 GPA.

25 6. Eventually, I ended up enrolling in Irvine Valley College, a community college, in the  
26 fall of 2012. I learned about the DACA policy around the same time. I was instantly intrigued. DACA  
27 status appealed to me as a way that I could work to support myself and lessen the financial burden on  
28 my parents, and I was also excited about being able to get a driver’s license. I was motivated by these

1 ideas of independence and being able to help my family, so I applied for DACA status. I was initially  
2 granted DACA status, including a work authorization, in October 2012. I have since renewed twice, in  
3 the fall of 2014 and again in the fall of 2016.

4 7. For me, the most significant impact of obtaining DACA has been the academic doors it  
5 opened. It not only created previously unavailable opportunities for me to continue in school, it also  
6 gave me the motivation to apply myself and succeed in ways I had never thought possible before. When  
7 I was growing up, I thought I wanted to be a singer. It seemed like a path that was available to me, in  
8 which my undocumented status might not be as big of a barrier to success. When I received DACA, I  
9 had a newfound drive to go further in school and to support my family.

10 8. One of my first classes after getting DACA status was a communications and speech  
11 class. I committed myself to that class in a way I never would have before I received DACA. The  
12 teacher was the head of the speech and debate team and was impressed with my speaking and  
13 presentation abilities. He recruited me to join the speech and debate team. I was named captain during  
14 my freshman year. I led the team to two consecutive state championships and two national  
15 championships. I also won a top individual speaker award at a national-level Model United Nations  
16 conference.

17 9. All in all, my first years after receiving DACA status were a transformative time for me. I  
18 had debating success. My grades were excellent. I learned what could happen if I applied myself  
19 academically. I suddenly had the encouragement of my professors, who encouraged me to see myself as  
20 someone who could be a lawyer. This type of profession was never something I had considered to be  
21 available to me growing up as an undocumented person.

22 10. With newfound academic aspirations, I began considering schools to transfer to. I wanted  
23 to obtain a bachelor's degree from a 4-year college to continue my journey of becoming a lawyer. As a  
24 DACA status student, I could not obtain federal loans, so I limited my search to affordable local schools.  
25 I decided to attend California State University, Long Beach ("CSULB") so that I could minimize the  
26 cost of my education and stay close to family. It also seemed like a school where I would be welcomed  
27 as a DACA status student. I enrolled in a Political Science program at CSULB.

28

1           11. Upper-level courses intimidated me at first. I was the first person in my immediate family  
2 to go to a 4-year college. I lacked a network of people who could tell me how to navigate this academic  
3 environment and the rigors of upper-level political science courses. Nevertheless, I succeeded. The  
4 encouragement of professors and my 4.0 GPA after my first term at CSULB made it clear to me that I  
5 was on the right path. I was sure I could make it into a good law school if I kept trying. Without my  
6 DACA status, I would not have aspired to attend law school.

7           12. My DACA work authorization allowed me to work and provide for myself throughout  
8 college. In community college, I worked as a bank teller and then later as an executive assistant at a  
9 manufacturing company. At CSULB, with my eyes set on law school, I used my DACA work  
10 authorization to obtain a position as a legal assistant at a law firm in Century City. I even worked full  
11 time during all of my last semester. I graduated with my B.A. in Political Science from CSULB in 2016.

12           13. My parents became United States citizens just recently, in April 2015. Although they  
13 tried to get lawful permanent resident status for me before that (while they were still lawful permanent  
14 residents themselves), I turned 21 while the application was pending. I understand that this changed my  
15 preference category, such that it will likely be many years before I could even file a full application to  
16 become a lawful permanent resident. After that, it would take even more time for the application to be  
17 considered. The timeframe is too long and uncertain for me to depend on it.

18           14. In 2016, I applied to law school. I was admitted to several schools. When it came down to  
19 it, I wanted to stay close to my family and I felt safe in California. I chose UCLA and started just this  
20 fall as a first year law student. Law school is incredibly important to me. I want to prove that I can do  
21 what I never thought was academically possible before, and I want to advocate for others someday. I  
22 also want to be able to help my parents financially as they grow older and law school seemed like a  
23 reliable way to achieve that.

24           15. I would like to work at a large law firm when I graduate, and I know many UCLA law  
25 school graduates do that. With the rescission of the DACA policy in September 2017, the promising  
26 career paths law school was supposed to open the door to seem suddenly closed off again. My current  
27 DACA status will expire in October 2018. This is just weeks into my second year of law school, and  
28 right around the time when I will be trying to secure a second year summer associate position at a law




1 firm. I am concerned about how the DACA policy rescission will affect my ability to secure a summer  
2 associate position. I know securing a second-year summer associate position is a crucial step to securing  
3 a first-year associate position at a law firm, which is important to my long-term plan of becoming a  
4 lawyer.

5 16. The expiration of my DACA status and employment authorization will make it  
6 impossible for me to work as a law firm associate in the U.S. as I had planned. If I am able to graduate  
7 without DACA status, I expect to have about \$90,000 in private debt. This is in part because I am not  
8 eligible for federal financial aid as a DACA student. I never would have saddled myself with tens of  
9 thousands of dollars in student loans like this if I knew that my DACA status, and with it my  
10 employment status, would end. I went to law school expecting that a large law firm job and the  
11 significant salary that comes with it were real possibilities. Now, I will not be able to earn a salary that is  
12 commensurate with my education level and the significant debt I will have incurred from law school. I  
13 am worried that my credit history will be destroyed because I will not be able to pay this debt.

14 17. At the moment I am ten weeks into my first term of law school. Between reading for  
15 class and writing my graded memo, I have plenty to worry about aside from the looming and unexpected  
16 expiration of my DACA status. I have renewed my DACA status multiple times in the past without any  
17 issues, and I thought I would be able to do so again. I am trying to block the potential loss of my DACA  
18 status out of my mind and focus on school as best as I can. I want to make sure that I get good grades so  
19 that, if I can keep my DACA status, I will still have the same opportunities available to me after law  
20 school that I expected when I decided to attend. I am trying not to let the potential loss of my DACA  
21 status derail everything that I—and my family—worked so hard for, but it is a very difficult time for me.  
22 I am scared that without DACA my future is no longer as bright and certain as I had hoped and planned  
23 for.

24 I declare under penalty of perjury under the laws of the United States that the foregoing is true  
25 and correct.

26 Executed on October 28, 2017 in Los Angeles, California.  
27   
28 DELLARA GORJIAN

# EXHIBIT 34

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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

20 THE REGENTS OF THE UNIVERSITY OF  
21 CALIFORNIA and JANET NAPOLITANO,  
22 in her official capacity as President of the  
23 University of California,

23 Plaintiffs,

24 v.

25 U.S. DEPARTMENT OF HOMELAND  
26 SECURITY and ELAINE DUKE, in her  
27 official capacity as Acting Secretary of the  
28 Department of Homeland Security,

Defendants.

STATE OF CALIFORNIA, STATE OF

CASE NO. 17-CV-05211-WHA

**DECLARATION OF ITZEL GUILLEN**

CASE NO. 17-CV-05235-WHA

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MAINE, STATE OF MARYLAND, and  
STATE OF MINNESOTA,  
  
Plaintiffs,  
  
v.  
  
U.S. DEPARTMENT OF HOMELAND  
SECURITY, ELAINE DUKE, in her official  
capacity as Acting Secretary of the Department  
of Homeland Security, and the UNITED  
STATES OF AMERICA,  
  
Defendants.

CASE NO. 17-CV-05329-WHA

CITY OF SAN JOSE, a municipal corporation,  
  
Plaintiffs,  
  
v.  
  
DONALD J. TRUMP, President of the United  
States, in his official capacity, ELAINE C.  
DUKE, in her official capacity, and the  
UNITED STATES OF AMERICA,  
  
Defendants.

CASE NO. 17-CV-05380-WHA

DULCE GARCIA, MIRIAM GONZALEZ  
AVILA, SAUL JIMENEZ SUAREZ,  
VIRIDIANA CHABOLLA MENDOZA,  
NORMA RAMIREZ, and JIRAYUT  
LATTHIVONGSKORN,  
  
Plaintiffs,  
  
v.  
  
UNITED STATES OF AMERICA, DONALD  
J. TRUMP, in his official capacity as President  
of the United States, U.S. DEPARTMENT OF  
HOMELAND SECURITY, and ELAINE  
DUKE, in her official capacity as Acting  
Secretary of Homeland Security,  
  
Defendants.

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COUNTY OF SANTA CLARA and  
SERVICE EMPLOYEES INTERNATIONAL  
UNION LOCAL 521,  
  
Plaintiffs,  
  
v.  
  
DONALD J. TRUMP, in his official capacity  
as President of the United States, JEFFERSON  
BEAUREGARD SESSIONS, in his official  
capacity as Attorney General of the United  
States; ELAINE DUKE, in her official  
capacity as Acting Secretary of the Department  
of Homeland Security; and U.S.  
DEPARTMENT OF HOMELAND  
SECURITY,  
  
Defendants.

CASE NO. 17-CV-05813-WHA



**DECLARATION OF ITZEL GUILLEN**

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I, ITZEL GUILLEN, declare as follows:

1. I am the Immigrant Integration Manager at Equality Alliance of San Diego County (commonly known as Alliance San Diego). In this role, I recruit, organize and mobilize private bar attorneys to volunteer their time in community events. I have personal knowledge of the facts set forth in this declaration, and if called as a witness, I could and would competently testify to them.

2. Alliance San Diego was founded in 2007 to change marginalizing policies and create a San Diego where all people can achieve their full potential in an environment of harmony, safety, equality and justice. Alliance San Diego’s mission is to empower diverse people and organizations to engage more effectively in our communities and civic process to create a San Diego where all people can achieve their full potential. The organization does local work of national significance in the fields of civic engagement, human rights, educational equity, and tax and fiscal policy. Every day we identify policy solutions, building coalitions, preparing leaders, and mobilizing people for change.

3. Alliance San Diego works to ensure that all immigrant families have the tools that they need in order to succeed. We offer informational forums with the latest in immigrant news, free immigration consultations throughout San Diego county, free application assistance for naturalization, and resources to find trusted legal help.

4. I have come to know Dulce Garcia through her volunteer work with Alliance San Diego. Dulce started to volunteer with us in the wake of the presidential election results in 2016. Dulce told me that she previously volunteered with the Immigrant Lawyers Acting in the Community (ILAC), which is led by immigration attorney Ginger Jacobs, a long-time colleague and friend of Alliance San Diego. Alliance San Diego sent out requests for volunteer attorneys through ILAC and Dulce responded to one of these requests, which is how she got involved with our organization.

5. Dulce has presented at more than fifteen Know Your Rights (“KYR”) forums sponsored by Alliance San Diego in San Diego County in 2017—which has amounted to more than 50 volunteer hours. KYR informational forums are two-hour-long presentations, often lead by immigration attorneys with the support of Alliance San Diego staff. The presentations vary in topics, including recent executive orders, DACA, naturalization, other forms of immigration relief, fraud prevention, and family

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preparedness planning. These presentations are offered in various locations, including schools, colleges, community centers, labor organizations, and other community based organizations. On average, about 12–15 community members attend each session. At the end of the presentation, community members can ask questions to the immigration attorneys.

6. I have witnessed Dulce go above and beyond what is expected of volunteer attorneys and grow tremendously from the first time she led a KYR forum. Dulce is usually one of the first attorneys to respond to requests to volunteer and always remains after the forums to talk to everyone who has questions. With the information that Dulce provides through these forums, individuals in our community are better-prepared in case of an immigration related emergency and are also armed with the tools and resources needed to live a safer and more informed day-to-day life. Alliance San Diego has received very positive feedback from KYR participants regarding Dulce’s presentations. Participants expressed deep gratitude for Dulce’s willingness to stay after the forums to speak with them.

7. Through her volunteer work with Alliance San Diego, I have seen Dulce become a passionate advocate for immigrant rights and an active spokesperson for DACA. Because she is willing to share own experiences as an immigrant and DACA recipient, she can relate to and better serve Alliance San Diego’s constituents.

8. I am also a DACA recipient and I feel absolutely devastated about the sudden rescission of DACA. Knowing that I may be at risk of deportation has created deep uncertainty and anxiety for me and my family. Because these issues affect me personally, I especially admire Dulce for all the work she does to advocate for immigrant rights.

9. Like others I have come to know through Alliance San Diego, DACA has enabled Dulce to come out of the shadows and to become a leader in our community and to offer her skills and expertise to the members of the community who are desperately in need of that assistance.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on October 27, 2017, in San Diego, California.



5

DECLARATION OF ITZEL GUILLEN

All DACA Cases (Nos. 17-5211, 17-5235, 17-5329, 17-5380, 17-5813)



ITZEL GUILLEN

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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

THE REGENTS OF THE UNIVERSITY OF  
CALIFORNIA and JANET NAPOLITANO,  
in her official capacity as President of the  
University of California,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND  
SECURITY and ELAINE DUKE, in her  
official capacity as Acting Secretary of the  
Department of Homeland Security,

Defendants.

CASE NO. 17-CV-05211-WHA

**DECLARATION OF ELIZABETH  
HADAWAY**

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STATE OF CALIFORNIA, STATE OF MAINE, STATE OF MARYLAND, and STATE OF MINNESOTA,  
  
Plaintiffs,  
  
v.  
  
U.S. DEPARTMENT OF HOMELAND SECURITY, ELAINE DUKE, in her official capacity as Acting Secretary of the Department of Homeland Security, and the UNITED STATES OF AMERICA,  
  
Defendants.

CASE NO. 17-CV-05235-WHA

CITY OF SAN JOSE, a municipal corporation,  
  
Plaintiffs,  
  
v.  
  
DONALD J. TRUMP, President of the United States, in his official capacity, ELAINE C. DUKE, in her official capacity, and the UNITED STATES OF AMERICA,  
  
Defendants.

CASE NO. 17-CV-05329-WHA

DULCE GARCIA, MIRIAM GONZALEZ AVILA, SAUL JIMENEZ SUAREZ, VIRIDIANA CHABOLLA MENDOZA, NORMA RAMIREZ, and JIRAYUT LATTHIVONGSKORN,  
  
Plaintiffs,  
  
v.  
  
UNITED STATES OF AMERICA, DONALD J. TRUMP, in his official capacity as President of the United States, U.S. DEPARTMENT OF HOMELAND SECURITY, and ELAINE DUKE, in her official capacity as Acting Secretary of Homeland Security,  
  
Defendants.

CASE NO. 17-CV-05380-WHA

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COUNTY OF SANTA CLARA and  
SERVICE EMPLOYEES INTERNATIONAL  
UNION LOCAL 521,  
  
Plaintiffs,  
  
v.  
  
DONALD J. TRUMP, in his official capacity  
as President of the United States, JEFFERSON  
BEAUREGARD SESSIONS, in his official  
capacity as Attorney General of the United  
States; ELAINE DUKE, in her official  
capacity as Acting Secretary of the Department  
of Homeland Security; and U.S.  
DEPARTMENT OF HOMELAND  
SECURITY,  
  
Defendants.

CASE NO. 17-CV-05813-WHA

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**DECLARATION OF ELIZABETH HADAWAY**

I, ELIZABETH HADAWAY, declare as follows:

1. I am a Skadden Fellow with Opportunity Under Law (OUL) at Public Counsel. Founded in 1970, Public Counsel is the Nation’s largest not-for profit law firm specializing in delivering pro bono legal services. Public Counsel provides quality legal representation to those without access to it, such as disadvantaged children, immigrants who have been the victims of torture, persecution, domestic violence, trafficking, and other crimes, as well as individuals and institutions in underserved communities.

2. I graduated from Harvard Law School in 2015. After law school, I clerked for Judge Sandra Lynch on the United States Court of Appeals for the First Circuit. Since September 2016, I have been working at Public Counsel on a Skadden Fellowship. I am a member in good standing of the California Bar. I have personal knowledge of the facts set forth in this declaration, and if called as a witness, I could and would competently testify to them.

3. I met Viridiana Chabolla (Viri) in May 2014, when I was a summer intern in OUL and Viri was a community organizer in OUL. In September 2016, I returned to OUL as a Skadden Fellow and again had the pleasure of working with Viri. While at Public Counsel, Viri worked closely with several other lawyers, one other community organizer, and me to develop and pursue innovative education equity and civil rights litigation.

4. Viri is a great teacher. When I first started at Public Counsel, Viri took the time to teach me about her city and introduce me to the Los Angeles social justice community. For example, on car rides to meet with clients, she explained the social justice history of Los Angeles, and we would discuss how a particular school’s history might influence the dynamics of fact development in a particular area or on a particular issue. It was clear that Viri experienced Los Angeles as her home and was deeply connected to the community.

5. She also helped me develop community organizing skills, such as how to ask questions for declaration collecting in a way that helps clients share their stories. She introduced me to many of our partner organizations. And she taught me the importance of critically thinking about and reflecting on every step of our campaign work.







# EXHIBIT 36

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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

THE REGENTS OF THE UNIVERSITY OF  
CALIFORNIA and JANET NAPOLITANO,  
in her official capacity as President of the  
University of California,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND  
SECURITY and ELAINE DUKE, in her  
official capacity as Acting Secretary of the  
Department of Homeland Security,

Defendants.

CASE NO. 17-CV-05211-WHA

**DECLARATION OF JENS HAINMUELLER  
AND DUNCAN LAWRENCE**

STATE OF CALIFORNIA, STATE OF MAINE, STATE OF MARYLAND, and STATE OF MINNESOTA,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND SECURITY, ELAINE DUKE, in her official capacity as Acting Secretary of the Department of Homeland Security, and the UNITED STATES OF AMERICA,

Defendants.

CASE NO. 17-CV-05235-WHA

CITY OF SAN JOSE, a municipal corporation,

Plaintiffs,

v.

DONALD J. TRUMP, President of the United States, in his official capacity, ELAINE C. DUKE, in her official capacity, and the UNITED STATES OF AMERICA,

Defendants.

CASE NO. 17-CV-05329-WHA

DULCE GARCIA, MIRIAM GONZALEZ AVILA, SAUL JIMENEZ SUAREZ, VIRIDIANA CHABOLLA MENDOZA, NORMA RAMIREZ, and JIRAYUT LATTHIVONGSKORN,

Plaintiffs,

v.

UNITED STATES OF AMERICA, DONALD J. TRUMP, in his official capacity as President of the United States, U.S. DEPARTMENT OF HOMELAND SECURITY, and ELAINE DUKE, in her official capacity as Acting Secretary of Homeland Security,

Defendants.

CASE NO. 17-CV-05380-WHA

COUNTY OF SANTA CLARA and  
SERVICE EMPLOYEES INTERNATIONAL  
UNION LOCAL 521,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity  
as President of the United States, JEFFERSON  
BEAUREGARD SESSIONS, in his official  
capacity as Attorney General of the United  
States; ELAINE DUKE, in her official  
capacity as Acting Secretary of the Department  
of Homeland Security; and U.S.  
DEPARTMENT OF HOMELAND  
SECURITY,

Defendants.

CASE NO. 17-CV-05813-WHA

1 We, Jens Hainmueller and Duncan Lawrence, declare and state as follows:

2 1. Jens Hainmueller is a Professor of Political Science and Faculty Co-director of the  
3 Immigration Policy Lab (“IPL”) at Stanford University, Stanford, California. Duncan Lawrence is the  
4 Executive Director of IPL. We write this declaration in our personal capacity as experts in support of  
5 all Plaintiffs in the related lawsuits regarding the Deferred Action for Childhood Arrivals program,  
6 commonly known as DACA.

7 a. Jens Hainmueller is a Professor of Political Science at Stanford University and is  
8 the Co-founder and Faculty Co-director of IPL. Mr. Hainmueller received his  
9 PhD from Harvard University and also studied at the London School of  
10 Economics, Brown University, and the University of Tübingen. Before joining  
11 Stanford, he served on the faculty of the Massachusetts Institute of Technology.  
12 He has published more than 40 articles in peer-reviewed journals. A copy of his  
13 curriculum vitae is attached (Exhibit A).

14 b. Duncan Lawrence is the Executive Director of IPL. Mr. Lawrence received his  
15 PhD in political science from the University of Colorado Boulder, and has  
16 published several peer-reviewed articles on immigration. A copy of his  
17 curriculum vitae is attached (Exhibit B).

18 2. In 2017, we (along with other colleagues) co-authored a peer-reviewed study about the  
19 intergenerational effects of parental immigration status on children’s health. This study was  
20 published in *Science*, and a copy is attached to this declaration (Exhibit C).

21 3. Our study focused on the Deferred Action Deferred Action for Childhood Arrivals  
22 (DACA) program, which is one of the most extensive policies directed toward unauthorized  
23 immigrants in recent decades. It builds on prior studies that have found that DACA is related to  
24 higher rates of employment and improved health outcomes.

25 4. Our study used data from Emergency Medicaid, a government program that provides  
26 coverage for emergencies and labor and delivery services for low-income individuals who are not  
27 eligible for Medicaid. The program serves unauthorized immigrants and lawful permanent residents  
28 with less than 5 years of residency. Estimates from states such as California indicate that 90 to 99%

DECLARATION OF JENS HAINMUELLER AND DUNCAN LAWRENCE  
All DACA Cases (Nos. 17-5211, 17-5235, 17-5329, 17-5380, 17-5813)

1 of Emergency Medicaid recipients are unauthorized immigrants. In addition, because U.S.-born  
2 children of unauthorized immigrants are U.S. citizens, they are eligible for full-scope Medicaid  
3 benefits (if meeting all requirements) and can be tracked with Medicaid claims data. We limited our  
4 sample to children whose mothers were under age 31 as of June 15, 2012—a date tied to the DACA  
5 eligibility criterion announced when DACA was adopted on June 15, 2012. Our data did not reflect  
6 whether mothers apply for DACA, but given that mothers who were born just before or after the  
7 DACA birthdate cutoff are similar in confounding characteristics, we can isolate the intention-to-treat  
8 effect of DACA eligibility on the health of their children.

9 5. Using this sampling criteria, we used Medicaid claims data from Oregon to identify 5,653  
10 mothers born between 1980 and 1982 who were covered by Emergency Medicaid and gave birth to  
11 8,610 children between 2003 and 2015. We then tracked the children's mental health outcomes by  
12 using their Medicaid claims. The children in our sample were born in Oregon and are therefore U.S.  
13 citizens by birth; 49% are female, 73% are Hispanic, and they were between 0 and 12 years old in  
14 2015.

15 6. Although parental DACA eligibility could affect a broad range of child health outcomes,  
16 we focused on the impacts on children's mental health. Because DACA offered the mothers  
17 immediate relief from the risk of deportation, maternal stress might have declined, and their children  
18 would no longer have had to fear being separated from them. Therefore, the children's mental well-  
19 being could have improved. Moreover, examining mental health disorders that originate in childhood  
20 is important because they are associated with long-term health issues, low education, and welfare  
21 dependence, which generate considerable private and social costs. Our main child outcome is a broad  
22 measure of any diagnoses of adjustment disorder, acute stress disorder, or anxiety disorder, measured  
23 using all diagnoses in the International Classification of Diseases 9 (ICD-9) categories 309, 308, and  
24 300:

- 25 a. Adjustment disorder is a reaction to an identified stressor, leading to an inability to  
26 function normally. It is diagnosed on the basis of symptoms of anxiety, depressed  
27 mood, and conduct disturbances and often results in considerable impairment in  
28

1 important areas of functioning, such as social activities, school performance, and  
2 sleep.

3 b. Acute stress disorder can be a precursor to a diagnosis of a more lasting  
4 posttraumatic stress disorder (included in the ICD-9 category 309, adjustment  
5 disorder). It is characterized by symptoms or behaviors similar to those that arise  
6 from exposure to a traumatic or stressful event, but acute stress disorders cannot (by  
7 definition) last longer than 1 month.

8 c. Anxiety disorders are characterized by excessive fear, anxiety, and related  
9 behavioral disturbances that can lead to substantial distress or impairment. An  
10 external stressor might not be clearly identified, and anxiety disorders can be caused  
11 by environmental, genetic, or physiological factors.

12 These mental health disorders in childhood are associated with considerable developmental,  
13 psychosocial, and psycho-pathological complications for children and their families.

14 7. We found that mothers' eligibility for DACA protection led to a significant improvement  
15 in their children's mental health. Specifically, Mothers' DACA eligibility reduced adjustment and  
16 anxiety disorder diagnoses in their children by 4.3 percentage points ( $P = 0.023$ ) from a baseline rate  
17 of 7.9% among children of ineligible mothers at the threshold. This reduction represents more than a  
18 50% drop in the rate of these disorders (albeit with a wide 95% confidence interval (CI) for the  
19 magnitude of the estimated effect) and provides evidence that mothers' DACA eligibility sharply  
20 improved their children's mental health.

21 8. The causal link between parental DACA eligibility and positive child mental health  
22 outcomes is based on the idea that the DACA birthdate cutoff is an arbitrary date, and, therefore,  
23 children of ineligible mothers born just before the birthdate cutoff should be similar in all respects,  
24 including in possible confounding characteristics, to children of DACA-eligible mothers born just  
25 after the cutoff. We corroborated this continuity assumption by testing for differences in the  
26 prevalence of disorder diagnoses in the children during a similar time period pre-DACA (2003 to  
27 quarter 2, 2012) and at the cutoff date. We confirmed that there were no discernible difference in the  
28 prevalence of disorder diagnoses at the same cutoff date for the pre-DACA period. The difference in



1 diagnosis rates at the cutoff was a statistically insignificant 0.4 percentage points. All our tests  
2 suggested that we can isolate the causal effects of mothers' DACA eligibility at the birthdate cutoff.

3 9. We also confirmed that there were no discernible differences in diagnoses at the same  
4 birthdate cutoff among children of mothers who were covered by standard Medicaid at the time they  
5 gave birth. These mothers should not be affected by DACA eligibility, given that standard Medicaid  
6 in Oregon is open only to low-income U.S. citizens and long-term lawful permanent residents. This  
7 check again underscores that, in the absence of changes in DACA eligibility, there is no evidence of  
8 confounders associated with having a mother who is born just before or after the cutoff date that  
9 could explain the observed post-DACA difference in child mental health outcomes.

10 10. Because health care utilization could be affected by immigration status, we also checked  
11 for the possibility that the drop in diagnoses reflects a DACA-induced change in health care visits,  
12 which could affect the probability of detection of mental health disorders. We found no support for  
13 this. Mothers' DACA eligibility had no discernible impact on their children's health care utilization  
14 during the post-DACA period, as measured either by the total number of visits, the number of  
15 emergency room (ER) and urgent care visits, or the number of outpatient visits. Consistent with this,  
16 in a non-prespecified analysis, we also found that the effects of mothers' DACA eligibility on child  
17 mental health were similar when we restricted the sample to children who had at least one health care  
18 visit in the post-DACA period.

19 11. Our results provide causal evidence supporting the theory that parental unauthorized  
20 immigration status has important intergenerational effects on the well-being and development of  
21 children in immigrant families. Protecting unauthorized immigrants from deportation led to  
22 immediate and sizable improvements in the mental health of their U.S. citizen children. This  
23 suggests that parents' unauthorized status is a substantial stressor that stymies normal child  
24 development and perpetuates health inequalities by transferring parental disadvantages to children.

25 12. Our findings have important implications for immigration and health care policy. Prior  
26 research has suggested that early childhood exposure to stress and adversity does not only cause poor  
27 health and impaired development in the short term; the issues can also persist into adulthood.  
28 Anxiety and psychosocial stress have been identified as risk factors for depression, substance abuse,

1 cardiovascular diseases, and obesity. Treatment of mental disorders also carries considerable  
2 economic costs. Prior research indicates that they account for the highest total health care  
3 expenditures of all children’s medical conditions and that they are associated with poor long-term  
4 outcomes for school performance and welfare reliance. By reducing mental health problems,  
5 deferred action can therefore have important multiplier effects through improving the future  
6 prospects of the children of unauthorized immigrants.

7 13. Conversely, the termination of DACA is likely to erode the mental health gains we  
8 measured and lead to corresponding economic and public health costs in both the short-term and long  
9 term.

10  
11 We declare under penalty of perjury under the laws of the United States that the foregoing is  
12 true and correct and that this declaration was executed on October 23, 2017 in Stanford, California.

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15 \_\_\_\_\_  
16 JENS HAINMUELLER

17   
18 \_\_\_\_\_  
19 DUNCAN LAWRENCE

# EXHIBIT 37

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**UNITED STATES DISTRICT COURT  
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SAN FRANCISCO DIVISION**

THE REGENTS OF THE UNIVERSITY OF  
CALIFORNIA and JANET NAPOLITANO,  
in her official capacity as President of the  
University of California,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND  
SECURITY and ELAINE DUKE, in her  
official capacity as Acting Secretary of the  
Department of Homeland Security,

Defendants.

CASE NO. 17-CV-05211-WHA

**DECLARATION OF ALISA HARTZ**

STATE OF CALIFORNIA, STATE OF MAINE, STATE OF MARYLAND, and STATE OF MINNESOTA,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND SECURITY, ELAINE DUKE, in her official capacity as Acting Secretary of the Department of Homeland Security, and the UNITED STATES OF AMERICA,

Defendants.

CASE NO. 17-CV-05235-WHA

CITY OF SAN JOSE, a municipal corporation,

Plaintiffs,

v.

DONALD J. TRUMP, President of the United States, in his official capacity, ELAINE C. DUKE, in her official capacity, and the UNITED STATES OF AMERICA,

Defendants.

CASE NO. 17-CV-05329-WHA

DULCE GARCIA, MIRIAM GONZALEZ AVILA, SAUL JIMENEZ SUAREZ, VIRIDIANA CHABOLLA MENDOZA, NORMA RAMIREZ, and JIRAYUT LATTHIVONGSKORN,

Plaintiffs,

v.

UNITED STATES OF AMERICA, DONALD J. TRUMP, in his official capacity as President of the United States, U.S. DEPARTMENT OF HOMELAND SECURITY, and ELAINE DUKE, in her official capacity as Acting Secretary of Homeland Security,

Defendants.

CASE NO. 17-CV-05380-WHA

COUNTY OF SANTA CLARA and  
SERVICE EMPLOYEES INTERNATIONAL  
UNION LOCAL 521,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity  
as President of the United States, JEFFERSON  
BEAUREGARD SESSIONS, in his official  
capacity as Attorney General of the United  
States; ELAINE DUKE, in her official  
capacity as Acting Secretary of the Department  
of Homeland Security; and U.S.  
DEPARTMENT OF HOMELAND  
SECURITY,

Defendants.

CASE NO. 17-CV-05813-WHA

**DECLARATION OF ALISA HARTZ**

I, ALISA HARTZ, declare as follows:

1. I am a Staff Attorney at Public Counsel Opportunity Under Law. Public Counsel is the nation's largest not-for profit law firm specializing in delivering pro bono legal services. Founded in 1970, Public Counsel provides quality legal representation to disadvantaged children, immigrants who have been the victims of torture, persecution, domestic violence, trafficking, and other crimes, as well as individuals and institutions in underserved communities. I have personal knowledge of the facts set forth in this declaration, and if called as a witness, I could and would competently testify to them.

2. Prior to joining Public Counsel, I was a student law clerk at Public Counsel and at the ACLU of Southern California. I served as a law clerk to the Hon. Dean D. Pregerson of the United States District Court for the Central District of California, and for the Hon. Stephen Reinhardt of the United States Court of Appeals for the Ninth Circuit. I graduated from the University of California, Irvine, School of Law in 2012, and am a member in good standing of the California bar.

3. I have known Viridiana Chabolla (Viri) since September 2014, when I became an attorney at Public Counsel. Over the course of almost three years, Viri worked closely with me and several other lawyers in our unit to develop and pursue innovative education equity and civil rights litigation as a community organizer in Public Counsel's Opportunity Under Law project.

4. Viri made an enormous impact on Public Counsel's clients. She cares deeply about the rights of underserved communities that our cases serve and worked tirelessly to help to advance those rights. Viri's organizing work was essential to our understanding of the on-the-ground situation in the Los Angeles community. Through the relationships she developed with individuals and community partners, we were able to better understand the communities that we were attempting to serve. Viri was an extremely effective organizer because she could connect with so many types of people, engage with and understand their concerns, and develop and maintain relationships with them.

5. Viri is a person of the utmost integrity and who possesses a deep passion for justice. She is kind and caring and always treats other people with dignity and respect. The fact that she would maintain consistent contact with clients long after a case was over demonstrates her enduring commitment to improving lives. She never simply does a job; she does it with heart.



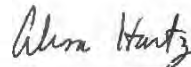
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6. I spoke with Viri multiple times about her interest in serving the public as an attorney. Her highest priorities were doing good in the world for vulnerable communities and staying close to her family. We discussed her law school options and possible trajectories for a career in public interest.

7. My understanding is that if DACA is rescinded, Viri will not be able to be hired as a public interest attorney when she graduates from law school. This would be a major loss to the Los Angeles community as a whole. Viri has a unique set of talents and experiences that will allow her to serve a wide range of people with compassion and intelligence.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on October 27, 2017, in Los Angeles, California.



ALISA HARTZ

# EXHIBIT 38

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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

THE REGENTS OF THE UNIVERSITY OF  
CALIFORNIA and JANET NAPOLITANO,  
in her official capacity as President of the  
University of California,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND  
SECURITY and ELAINE DUKE, in her  
official capacity as Acting Secretary of the  
Department of Homeland Security,

Defendants.

CASE NO. 17-CV-05211-WHA

**DECLARATION OF DANIEL HELGUERA**

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STATE OF CALIFORNIA, STATE OF MAINE, STATE OF MARYLAND, and STATE OF MINNESOTA,  
  
Plaintiffs,  
  
v.  
  
U.S. DEPARTMENT OF HOMELAND SECURITY, ELAINE DUKE, in her official capacity as Acting Secretary of the Department of Homeland Security, and the UNITED STATES OF AMERICA,  
  
Defendants.

CASE NO. 17-CV-05235-WHA

CITY OF SAN JOSE, a municipal corporation,  
  
Plaintiffs,  
  
v.  
  
DONALD J. TRUMP, President of the United States, in his official capacity, ELAINE C. DUKE, in her official capacity, and the UNITED STATES OF AMERICA,  
  
Defendants.

CASE NO. 17-CV-05329-WHA

DULCE GARCIA, MIRIAM GONZALEZ AVILA, SAUL JIMENEZ SUAREZ, VIRIDIANA CHABOLLA MENDOZA, NORMA RAMIREZ, and JIRAYUT LATTHIVONGSKORN,  
  
Plaintiffs,  
  
v.  
  
UNITED STATES OF AMERICA, DONALD J. TRUMP, in his official capacity as President of the United States, U.S. DEPARTMENT OF HOMELAND SECURITY, and ELAINE DUKE, in her official capacity as Acting Secretary of Homeland Security,  
  
Defendants.

CASE NO. 17-CV-05380-WHA

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<p>COUNTY OF SANTA CLARA and SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 521,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>DONALD J. TRUMP, in his official capacity as President of the United States, JEFFERSON BEAUREGARD SESSIONS, in his official capacity as Attorney General of the United States; ELAINE DUKE, in her official capacity as Acting Secretary of the Department of Homeland Security; and U.S. DEPARTMENT OF HOMELAND SECURITY,</p> <p style="text-align: center;">Defendants.</p>
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CASE NO. 17-CV-05813-WHA

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I, DANIEL HELGUERA, DECLARE:

1. I am a math teacher at Theodore Roosevelt Senior High School (“Roosevelt High”) in the Boyle Heights neighborhood of Los Angeles, California. Roosevelt High is part of the Los Angeles Unified School District. I am also an alumnus of Roosevelt High’s Class of 1990. In addition to teaching math at Roosevelt High, I am also the school’s basketball coach.

2. I have personal knowledge of the facts set forth in this declaration, and if called as a witness, I could and would competently testify to them.

3. I first met Saul Jimenez in 2012, while I was teaching and coaching at Roosevelt High and he was working as a coordinator for the HealthCorps program there, through which he provided health education to students. A few years later, Mr. Jimenez got his college degree and was able to substitute teaching at the school as well. At that time, he was also an assistant varsity football coach. He later became the head junior varsity football coach.

4. Mr. Jimenez is also an alumnus of Roosevelt High. Although I did not know him personally when he was a student, I know that he had an extremely positive reputation amongst the other teachers.

5. My colleagues and I at Roosevelt High have the utmost respect for Mr. Jimenez as a colleague and coach. He is very respectful to his colleagues and a great role model to the students and student athletes. As an alumni of Roosevelt High and a product of the surrounding community who has been very successful both on and off the field, Mr. Jimenez is an inspiration to the students with whom he interacts. The student athletes have only positive things to say about Mr. Jimenez, and it is clear that they admire him.

6. I particularly respect that Mr. Jimenez went above and beyond during his time as a coach at Roosevelt to ensure that his football players were as successful in the classroom as they were on the field. If one of my math students was not trying hard in my class and he was also on the football team, I would approach Mr. Jimenez and let him know about the problem that I was having with the student. Mr. Jimenez would intervene quickly, emphasizing the importance of academics to the student, and the next day the student would come in to math class ready to work. Mr. Jimenez always made sure that his

1 players knew that academics are a top priority, even above athletics, and that there were consequences to  
2 neglecting their education.

3 7. Mr. Jimenez’s intervention with his players and concern for their well-being made a  
4 tremendous difference in their well-being and in our community overall. Roosevelt High’s student  
5 population largely comes from a poverty-stricken environment. Unfortunately, the poverty level in  
6 Boyle Heights is high and the area is gang-infested. Teenagers walking home from school often pass  
7 through two or three different neighborhoods where they could fall victim to gang violence or gang  
8 influence. As teachers and coaches in the neighborhood, we fight the pressures and dangers of gang  
9 violence and influence on a daily basis. It is critical for students to have someone like Mr. Jimenez as a  
10 mentor and coach to educate them about the dangers of gangs, to encourage them to stay out of trouble,  
11 and to push them to do better if they do get in trouble. As a fellow member of the community and  
12 alumnus of Roosevelt High, Mr. Jimenez has the students’ respect because he understands what it is like  
13 to be in their shoes. Mr. Jimenez’s experience gives him credibility with the students, which enables  
14 him to keep them off the streets and in the classroom.

15 8. It is my understanding that Mr. Jimenez will not be able to continue working in the  
16 school district or as a coach if he loses his work authorization due to discontinuation of the Deferred  
17 Action for Childhood Arrivals (“DACA”) program.

18 9. Losing Mr. Jimenez as a teacher and coach will have a devastating impact on the Boyle  
19 Heights community. We have always pushed to have “homegrown” people like Mr. Jimenez teach and  
20 coach at Roosevelt High and at the surrounding schools because, as products of our community, they  
21 can uniquely relate to our students and inspire them to succeed. And we very much consider Mr.  
22 Jimenez to be “homegrown”

23 10. Mr. Jimenez also fundamentally understands the dangers that exist for students if they do  
24 not have positive role models who are invested in their future. It is difficult for schools like Roosevelt  
25 High to find educators who are willing to work in a challenging, sometimes dangerous environment, and  
26 it is even more difficult for Roosevelt to find those educators who are also “homegrown” products of the  
27 community. If Mr. Jimenez is not allowed to continue pursuing his goal of becoming an educator, he  
28 will not be able to provide the guidance and support that our students so desperately need. It will be



extremely difficult if not impossible to find someone of similar background, skill, and dedication to fill his shoes.

11. I believe the discontinuation of DACA will also have a tremendous negative impact on our community more broadly. Many in our community, including current and former Roosevelt High students like Mr. Jimenez, are undocumented. Programs like DACA inspire our students to invest in their education and long-term career goals because they have confidence that they will not be deported unless they commit a crime. Discontinuation of DACA will also deprive Roosevelt High and our Boyle Heights community of the wealth of undocumented young people who have made long-term investments in their careers with the objectives of returning to help improve our community and its future.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 27, 2017, in Los Angeles, California.



Daniel Helguera

**CERTIFICATE OF SERVICE**

I hereby certify that on March 13, 2018, I electronically filed the foregoing Supplemental Excerpts of Record (Vol. III of VI) with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system. Participants in the case are registered CM/ECF users, and service will be accomplished by the appellate CM/ECF system.

Dated: March 13, 2018

/s/ Jeffrey M. Davidson  
Jeffrey M. Davidson