

**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 IV OF VI**

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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 RALPH J. HEXTER**

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,  
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 22 Plaintiffs,  
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 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



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.

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1 I, RALPH J. HEXTER, DECLARE:

2 1. I graduated *magna cum laude*, with a Bachelor of Arts degree in English and American  
3 Languages and Literatures from Harvard College in 1974. I hold a Master of Arts in Classics and  
4 Modern Languages from Corpus Christi College, Oxford University, and a Masters of Philosophy and a  
5 Ph.D in Comparative Literature from Yale University.

6 2. I have held various academic positions at Yale University (1981-1991) and the University  
7 of Colorado, Boulder (Professor of Classics and Comparative Literature, Director, Graduate Program in  
8 Comparative Literature, 1991-1995). At the University of California, Berkeley, I served as Professor of  
9 Classics and Comparative Literature (1995-2005), Chair of Comparative Literature (1996-1998), Dean  
10 of Humanities (1998-2005) and Executive Dean of the College of Letters and Sciences (2002-2005). I  
11 served as President of Hampshire College in Amherst, Massachusetts, from August 2005 through  
12 December 2010.

13 3. Currently, I serve as Provost and Executive Vice Chancellor at the University of  
14 California, Davis, a position I took up on January 1, 2011. (Between April 2015 and July 2017, I served  
15 as Acting and then Interim Chancellor of the University.) In my capacity as Provost and Executive Vice  
16 Chancellor, I have personal knowledge of the facts to which I attest in this declaration. In that role, I  
17 have primary responsibility for the academic functioning of the Davis Campus and have many  
18 responsibilities related to advancing and maintaining the University's multidimensional academic  
19 excellence.

20 4. The University as a whole, and UC Davis, in particular, are widely cited for excellence  
21 across a wide array of disciplines and measures. For example, according to the latest U.S. News &  
22 World Report rankings, UC Davis is recognized as a top-10 national university based on contributions to  
23 the "public good," defined as social mobility (recruiting and graduating low-income students), research  
24 (producing cutting-edge scholarship and Ph.Ds.), and service (encouraging students to give something  
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1 back to their country). Moreover, last year, UC Davis was ranked among the top 10 college campuses in  
 2 the country for providing social and economic mobility to its students.<sup>1</sup>

3 5. The California Constitution gives the University's Board of Regents "full powers of  
 4 organization and governance" of the University, subject to only narrow legislative control.<sup>2</sup> The Board  
 5 of Regents has adopted Bylaws establishing responsibilities for governance of the University. Bylaw 40  
 6 recognizes that the University faculty participate in the shared governance of the University, through the  
 7 agency of the Academic Senate, to ensure the quality of instruction, research and public service at the  
 8 University and to protect academic freedom. The University Bylaws call for the Academic Senate to  
 9 perform such duties and exercise such powers as the Board may direct, including, subject to the approval  
 10 of the Board, the power to "determine the conditions for admission and for certificates and degrees."  
 11 Consistent with the value the University places on academic freedom, the Board of Regents has  
 12 empowered the Senate to "authorize and supervise all courses and curricula."<sup>3</sup> Finally, the Academic  
 13 Senate is empowered to "determine the membership of the several faculties and councils."<sup>4</sup> In exercise  
 14 of its responsibilities for shared governance of academic decision making, the Academic Senate sets the  
 15 academic criteria for the high school courses that applicants must demonstrate that they have completed.

16 6. Among my many responsibilities as Provost at UC Davis and the primary academic  
 17 administrator for the campus, I serve as the Chancellor's Principal Liaison to the System-Wide Provost  
 18 in the Office of the University President. I also serve as the Chancellor's Principal Liaison to the Davis  
 19 Division of the Academic Senate and the Deans and Department Heads of academic departments. Via  
 20 established norms of shared governance at UC, the Academic Senate is responsible for setting overall

22 <sup>1</sup> See David Leonhardt, *California's Upward-Mobility Machine*, NY Times (Sept. 16, 2015),  
 23 [https://www.nytimes.com/2015/09/17/upshot/californias-university-system-an-upward-mobility-](https://www.nytimes.com/2015/09/17/upshot/californias-university-system-an-upward-mobility-machine.html)  
 24 [machine.html](https://www.nytimes.com/2015/09/17/upshot/californias-university-system-an-upward-mobility-machine.html).

25 <sup>2</sup> Cal. Const., Article IX, Section 9.

26 <sup>3</sup> University of California Bylaw 40.1, *Duties and Powers of the Academic Senate*.

27 <sup>4</sup> University of California Standing Order 105.2(c): *Duties, Powers, and Privileges of the Academic*  
 28 *Senate*.



1 undergraduate admissions standards and approving the admissions process, the implementation of which  
2 is overseen by the administration. Admissions into graduate programs is more decentralized, but  
3 decisions by members of the Academic Senate in the various departments and programs are  
4 determinative. The Academic Senate has primary responsibility for setting degree requirements and  
5 approving and monitoring the quality of the curriculum and the courses that are taught. The  
6 administration, through the structure of college and school deans and department chairs oversees the  
7 delivery of the curriculum. The administration is the final authority on appointments, promotion and  
8 tenure, based on evaluations and recommendations of various panels of Academic Senate members.  
9 Maintaining and enhancing the University's quality and its reputation for academic excellence is a  
10 shared endeavor.

11 7. Undocumented students enter the undergraduate student body at UC Davis by  
12 demonstrating that they have met the standards for academic preparation and excellence reflected in the  
13 University's admissions requirements and as a result of the University's non-discrimination policies.<sup>5</sup>  
14 UC Davis has high standards for selecting students, admitting only 42% of freshman applicants with a  
15 weighted GPA range of 3.92 to 4.23. The University's admissions requirements and non-discrimination  
16 policies reflect the exercise of academic freedom jointly exercised by the Academic Senate and the  
17 University Administration. Undocumented students advance through the undergraduate curriculum in  
18 the subject matter of their choice by meeting, in the judgment of the University faculty, the same  
19 requirements for completion of coursework and requirements for their chosen major that apply to all  
20 other students. By University policy, we do not stand in the way of the academic progress of  
21 undocumented students; rather, we support them to progress successfully toward completion of their  
22 degree and development of their future career ambitions.

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25 <sup>5</sup> See *UC Davis Freshman Admission Requirements*,

26 <https://www.ucdavis.edu/admissions/undergraduate/freshman/requirements> (last visited Oct. 20, 2017);  
27 *UC Nondiscrimination Statement*, [http://www.ucop.edu/operating-budget/fees-and-enrollments/policies-](http://www.ucop.edu/operating-budget/fees-and-enrollments/policies-and-resources/nondiscrimination-statement.html)  
28 [and-resources/nondiscrimination-statement.html](http://www.ucop.edu/operating-budget/fees-and-enrollments/policies-and-resources/nondiscrimination-statement.html) (last visited Oct. 20, 2017).



1           8.       As with undergraduates, undocumented students enter the graduate and professional  
2 student body at UC Davis by meeting the standards for academic preparation and excellence that are  
3 required by the various programs, schools and departments of the University. Some graduate programs  
4 require applicants to identify general research interests or even specific research proposals before  
5 gaining admission to the program. Our faculty and academic departments evaluate the research interests  
6 and proposals of prospective graduate students during the admissions process to evaluate, among other  
7 things, how well those interests and proposals will serve and advance the needs and development of the  
8 department. As with our undergraduate programs, our graduate programs are very selective when it  
9 comes to the academic acumen of admitted students, admitting on average only 25% of applicants with  
10 an average undergraduate GPA of 3.55. UC Davis also receives graduate studies applications from all  
11 over the world, including all fifty states and ninety-seven different countries, for the 2017-2018  
12 academic year.

13           9.       The University has long recognized that a diversity of backgrounds in its student  
14 population enriches the educational experiences of all. To that end, the University seeks to fill its  
15 academic communities with students who are academically and personally talented and representative of  
16 the diverse state of California.<sup>6</sup> The University believes that a diverse student body creates a fuller  
17 educational experience. When the University's students and faculty learn to interact effectively with  
18 individuals from different backgrounds who have perspectives different from their own, those  
19 individuals are better prepared to participate in our increasingly diverse workforce and society.<sup>7</sup>

20           10.       Students who cannot afford the total cost of attendance at UC Davis are nonetheless  
21 required to pay a portion of the costs of attendance according to uniform evaluation of financial need. I  
22 am informed and believe that many of the undocumented students at UC Davis have very substantial  
23 financial need and that many of these students rely on work authorization obtained through the DACA  
24 program in order to pay their share of the total cost of attendance. I am further informed and believe that

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27 <sup>6</sup> See Regents Policy 2102, *Policy on Undergraduate Admissions*.

28 <sup>7</sup> See Regents Policy 4400, *Policy on University of California Diversity Statement*.



1 many undocumented students who rely on DACA work authorization to pay their share of the total cost  
2 of attendance would be unable to continue with their studies without income from their work.

3 11. The University relies on the skills and ability of our graduate students to carry out  
4 teaching and research responsibilities in collaboration with members of the faculty. To varying degrees  
5 in different graduate and professional programs, the academic work of the University simply cannot  
6 advance without the teaching and research work of our graduate student body. Graduate students play an  
7 integral role in the teaching and research missions of the University. Last year, the University received  
8 just over \$780 million in research funding, a substantial portion of which supports the nearly 1,500  
9 graduate students who are actively engaged in research. Additionally, the University employs over 1,700  
10 teaching assistants who work closely with our faculty in teaching the University's large undergraduate  
11 population. In addition, the experience of working as a teaching assistant or research assistant is a  
12 strongly encouraged, if not essential, aspect to completing degree requirements in many UC Davis  
13 graduate programs. For example, the UC Davis Department of English requires doctoral candidates to  
14 have completed at least one year of teaching at the college level, and the Biochemistry, Molecular,  
15 Cellular and Developmental Biology Graduate Group requires doctoral candidates to work as a teaching  
16 assistant for at least one undergraduate biochemistry or molecular biology course. Additionally, many  
17 science graduate programs, including the Graduate Group in Immunology, will incorporate employment  
18 as a graduate student researcher as part of a Ph.D. student's academic plan.

19 12. By interfering with the ability of students to pay their share of the total cost of attendance  
20 at UC Davis as undergraduate and graduate students, the rescission of DACA will likely cause some UC  
21 Davis students who have DACA authorization to leave the student body. It is possible that UC Davis  
22 will have classrooms that lose their teaching assistants and faculty who lose their research assistants as  
23 of March 6, 2018. The rescission may also deter undocumented students from competing to enter the UC  
24 Davis student body. These losses not only frustrate the personal ambition of the students; they also  
25 frustrate the University's exercise of its academic freedom, as reflected in the thousands of academic  
26 decisions the University has made to admit, advance, employ, and award degrees to our diverse student  
27 body according to our students' academic work meeting the University's academic standards.

28





# EXHIBIT 40

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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. ROBIN HOLMES-SULLIVAN**

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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, ROBIN HOLMES-SULLIVAN, DECLARE:

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

5 2. In my role as Vice President, I oversee the overall student experience across UC’s  
6 campuses, and I work closely with the UC President and Provost in efforts to enhance the diversity,  
7 experiences, and successes of UC students, especially undergraduate students. This includes not only  
8 overseeing the UC undergraduate application process for admissions and financial support program, but  
9 also monitoring diversity and campus climate, overseeing student mental health and wellness,  
10 overseeing policies guiding student conduct, student activities, admissions and financial aid, and also  
11 serving as an intermediary between UC campuses, UC Office of the President, and student  
12 groups/leadership. In my role, I visit all UC campuses on a regular basis, where I meet and talk with  
13 faculty, staff and students. My office provides overall guidance and support to a plethora of Presidential  
14 Initiatives carried out on each of the campuses, including the President’s Advisory Council on  
15 Undocumented Students, Student Veterans, LGBT Students, Faculty and Staff, the Global Climate  
16 Leadership Council, the California Community College Transfer Initiative, and the Global Food  
17 Initiative, to name a few. I enjoy a close working relationship with different individuals across our  
18 campuses, including student leaders and each Vice Chancellor of Student Affairs.

19 3. In my role, I have observed and heard firsthand about the abilities and experiences of  
20 DACA students, as well as how the announced rescission of the DACA policy has affected them. UC  
21 data shows that with the implementation of DACA in 2012, the first-year persistence rate (i.e., percent  
22 of students continuing on to the second year) increased significantly for these students who could count  
23 on receiving financial aid, and no longer feared deportation.

24 4. Our DACA students are very talented and make important contributions to the State of  
25 California and the United States as a whole. From August 1, 2017 to August 20, 2017, Tom K. Wong of  
26 the University of California, San Diego; United We Dream (UWD); the National Immigration Law  
27 Center (NILC); and the Center for American Progress fielded a national survey to further analyze the  
28 economic, employment, educational, and societal experiences of DACA recipients. This is the largest

1 study to date of DACA recipients with a sample size of 3,063 respondents in 46 states as well as the  
2 District of Columbia. The data illustrate that DACA recipients continue to make positive and significant  
3 contributions to the economy, including earning higher wages, which translates into higher tax revenue  
4 and economic growth that benefits all Americans  
5 ([https://www.americanprogress.org/issues/immigration/news/2017/08/28/437956/daca-recipients-  
6 economic-educational-gains-continue-grow/](https://www.americanprogress.org/issues/immigration/news/2017/08/28/437956/daca-recipients-economic-educational-gains-continue-grow/)).

7 5. Additionally, our undocumented and DACA graduate students make amazing  
8 contributions to medicine and technology, including through discoveries that have the potential to help  
9 communities throughout California. For instance, one of our former DACA PhD students researched the  
10 indicators for sudden cardiac death—the leading natural cause of death in Americans. This vital research  
11 has the potential to save countless lives.

12 6. Due to their talent and chosen fields of study, DACA students serve as academic role  
13 models to other students across UC’s campuses. DACA students at all 10 of the campuses serve as  
14 teaching assistants (“TAs”). There are, for instance, four DACA-recipient PhD students at UC Merced  
15 who work as TAs. At UC Merced, 55 percent of the baccalaureate degrees awarded are in science,  
16 technology, and math, and several of the DACA PhD students’ focuses lie in those fields. The industries  
17 that students and graduate students with science, technology, or math degrees enter are among the least  
18 diverse sectors of the economy  
19 ([http://www.air.org/sites/default/files/downloads/report/AGEP\\_Lit\\_Review\\_10-26-09\\_0.pdf](http://www.air.org/sites/default/files/downloads/report/AGEP_Lit_Review_10-26-09_0.pdf)), and part  
20 of both the University and UC Merced’s mission to diversify historically non-diverse industries. Our  
21 DACA-recipient TAs not only promise to diversify those fields upon entering the workforce, but they  
22 also serve as inspiration to the diverse undergraduate students in their classes that careers in those fields  
23 are attainable for them, too.

24 7. Our undocumented and DACA students’ influence is not limited to the classroom. Many  
25 serve as role models in the broader community. Some of our campuses are located in regions of the state  
26 where a fair percentage of K-12 students are undocumented youth or members of the migrant farm  
27 community. We have DACA-recipients who volunteer at these K-12 schools, showing local children  
28 that a college education is attainable and worthwhile.

1           8. UC values diversity, and exposure to other perspectives is a critical part of a complete  
2 education. Developing robust cultural competency requires exposure to different cultures and  
3 viewpoints, and exposing others to the viewpoints of DACA recipients is an important component of  
4 that. Indeed, our undocumented and DACA students are vital members of our community. We have  
5 DACA students who serve as leaders of local chapters of national Greek Societies and in various student  
6 clubs, are influential student leaders and serve in student government, and are heavily involved in  
7 important events, such as performing the national anthem at school commencements. Through this  
8 engagement—both in the classroom and around campus—DACA students interact with many people  
9 and are able to share their unique perspectives with them. This enriches the social and educational  
10 environment for all. The valuable cultural exchange would be impoverished if undocumented students—  
11 including DACA recipients—were not on campus or were not as willing to share their stories and  
12 perspectives.

13           9. DACA recipients are often model students on campus and are valuable to UC. Not only  
14 do undocumented students perform very well academically, but also they are highly involved in other  
15 aspects of student life and have few disciplinary issues. For example, at UC Santa Barbara, University  
16 Service Awards are given each year to recognize the contributions and achievements of outstanding  
17 graduating seniors and graduate students who have performed above and beyond the call of duty in  
18 service to the University, the student body, and the community or have succeeded while facing  
19 extraordinary challenges. For the 2016-17 year, several of the annual University Service Awards were  
20 given to DACA recipients.

21           10. The announcement to rescind the DACA policy has created several harms. Our students  
22 report stressors ranging from a fear of deportation, increased discrimination, and the possibility of being  
23 unable to continue their studies. The most instantly recognizable impact for me—other than the various  
24 psychological and emotional strains our DACA recipients report—is our current inability to provide our  
25 students with the counseling resources they need.

26           11. I have spoken with DACA students who are afraid that they or their family members will  
27 be detained or deported. One DACA student explained that she did not feel safe driving from campus to  
28 her parents' house because doing so required passing through an immigration checkpoint. She is afraid

1 that immigration officers will learn her identity and follow her home or to campus. Not only is she  
2 scared, but her fear is preventing her from visiting her family, a valuable support network for her. This is  
3 not a unique story. This climate of fear has intensified since the announcement to rescind the DACA  
4 policy.

5 12. We have observed an increase in anti-immigrant incidents on campus following the 2016  
6 presidential election and the announcement to rescind DACA. On multiple occasions, racist posters  
7 targeted at immigrants have been put up on campuses overnight. There have also been several incidents  
8 where UC students are presumed to be immigrants and yelled at that they “do not belong” and that they  
9 should “go home.” Our DACA students are afraid that they will be harassed or attacked because of their  
10 immigration status or the fact that they “look like immigrants.”

11 13. The uncertainty of being able to pay for school is also a significant source of stress for  
12 our students. Financial aid often covers part of the full tuition for DACA students, but students are  
13 expected to pay for some of the cost—approximately \$10,000—out of their own pockets. Many DACA  
14 recipients thus rely on their ability to work, pursuant to work authorization, to pay for this cost of  
15 attendance. Beyond the need to support themselves, some DACA recipients work to provide for their  
16 families. When this is the case, some DACA students view school as a lower priority than working to  
17 earn as much as possible before their DACA status—and consequently their work authorization—ends.

18 14. One consequence of all these stressors is that DACA students are presently unable to  
19 focus on their studies with the same intensity that they have in the past. I have heard from academic  
20 counselors who have observed a dip in the academic performance of DACA recipients since the  
21 rescission was announced. Professors are also concerned and report that many DACA students have  
22 reached out to them to report difficulty studying, completing assignments or focusing on their school  
23 work due to the stress they are experiencing. Our campus support staff have received a flood of emails  
24 from faculty who are concerned for their DACA students and are unsure how best to support them. We  
25 are working diligently to train our teachers about what resources exist and what they can do personally  
26 to help our DACA students.

27 15. The stress caused by rescission of the DACA policy has resulted in a dramatic increase in  
28 the number of requests from DACA students for mental health services. For example, at UC Merced,

1 over the weeks following the announcement to rescind DACA, demand for counseling services more  
2 than doubled from 11% of the total student population to 23% of the student population. At UC  
3 Berkeley, the number of appointments and walk-ins for mental health counseling increased by 90%  
4 following the announcement.

5 16. I have also heard from my staff and from DACA students themselves that we need  
6 psychologists and other experts who are familiar with the challenges faced by undocumented  
7 individuals. Again, we are devoting time and rerouting resources to address this. Doing so undoubtedly  
8 places more demands on these services by the campus community as a whole. On some campuses we  
9 have increased the number of full-time staff members and hired more peer counselors to staff our mental  
10 health facilities. We have also reached out to our local contacts and brought in attorneys to run “know  
11 your rights” workshops. We have also invested time and money into our UndocuAlly training program,  
12 through which we teach our counselors and some of our faculty about what it means to be  
13 undocumented in this country. This better prepares our staff to provide our DACA students the services  
14 they need.

15 17. Our staff is working tirelessly to address the acute demand for services following the  
16 announcement to rescind the DACA policy. I have observed the increased hours and emotional toll that  
17 this has had on our staff as they try to provide DACA students with information and support, and I am  
18 concerned that staff members will burn out and seek employment elsewhere.

19 18. I and some of my colleagues are also concerned that the uncertainty surrounding the  
20 DACA policy will result in a loss of current and future students. For example, I have heard that two  
21 undergraduate students at UCLA called to cancel their enrollment after DACA’s rescission was  
22 announced. I have heard from several Vice Chancellors who are preparing for the possibility that DACA  
23 students will leave on an upcoming break from classes and will not return to school. Some of these  
24 students may decide not to return due to a desire to work and support their families while they can or to  
25 minimize the student debt they accrue before their DACA status expires. For others, though, the choice  
26 is out of their hands. Some families are deciding to leave the country and are taking their children with  
27 them. Still others depend on their DACA status for basic necessities. We have at least one DACA  
28 student who serves as a resident advisor, a position that comes with room and board but requires work

1 authorization. If this student loses their work authorization—which they will when their DACA status  
2 expires—they will lose their home.

3 19. Our PhD students and others will not be able to continue as TAs without work  
4 authorization. Being a TA is a full-year commitment, and part of a TA's compensation is graduate  
5 school tuition reduction. When these students lose DACA status, they can no longer be employed as  
6 TAs, and their tuition will be higher, directly impacting their ability to pay for graduate school. UC will  
7 also have to scramble to find replacement TAs to take over teaching responsibilities mid-term. This, like  
8 our other efforts, will require time, energy, and money on UC's part. But beyond the administrative  
9 costs, losing our DACA TAs also deprives us of their impact as role models to diverse undergraduates  
10 who might be considering advanced degrees in historically non-diverse fields. Accordingly, if we lose  
11 these diverse PhD candidates, then our commitment to diversifying these fields is harmed.

12 20. I, my staff, and the high school counselors we interact with are all concerned about a  
13 possible decrease in the number of undocumented applicants to UC as a result of the uncertainty created  
14 by the rescission of DACA. High school students are concerned about whether they will be accepted by  
15 their peers and the institution. They are also worried about the financial burden. As discussed, UC  
16 students need to cover some of the cost of attendance, and high school students are worried that, without  
17 work authorization, they will be unable to support themselves through school.

18 21. We are trying to respond to the possible loss of both current and future students by  
19 creating focused communication campaigns. Currently, we are ramping up our efforts to convince our  
20 current students that they belong here and that we are doing all we can to provide them the institutional  
21 support they need. One of our staff members is spending time writing and sending out weekly updates  
22 discussing DACA-related news and campus resources. Vice Chancellors are spending time personally  
23 reaching out to donors, trying to raise money that we can provide to undocumented students and DACA-  
24 recipients as stipends or grants.

25 22. In addition to diverting money, we are also spending time and energy making sure that  
26 qualified high school students who would normally apply to UC still do so this year. We have hosted  
27 outreach conferences around the state in order to provide information to address the current confusion  
28 and concern that exists among high school counselors and their students. Nevertheless, the fear and

1 uncertainty looms large and, according to our outreach counselors, is having a negative impact on the  
2 recruitment of students who have DACA, despite our positive messages.

3 23. We are also trying to secure replacement housing for the DACA RA who faces the  
4 looming threat of losing their home. Thus, we are rapidly diverting resources to address these serious,  
5 imminent harms.

6 24. We are not the only institution that has recognized these pending harms, but we are  
7 quickly deploying our resources to address them. Other educational institutions like local community  
8 colleges and high schools are concerned about the same issues and have reached out to us for help and  
9 advice creating their own resources or borrowing from our approach.

10 25. UC recognizes that the institution and broader community are harmed if we lose current  
11 students and qualified future students. By losing our undergraduate and graduate DACA students and by  
12 missing out on qualified students who would otherwise attend, we are losing inspiring individuals who  
13 have served as role models to various kinds of students, brilliant minds, and a source of diversity that is  
14 important to building cultural competency and diversifying traditionally non-diverse professions.

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

17 Executed on October 24, 2017 in Oakland, California.

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21 DR. ROBIN HOLMES-SULLIVAN

# EXHIBIT 41



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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 MARCELA ZHOU  
HUANG**

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, Marcela Zhou Huang, declare:

2 1. I live in Los Angeles, California and have resided in the United States for 14 years.

3 2. I was born in 1991 in Mexicali, Baja California, Mexico and was brought to the United  
4 States when I was 12 years old.

5 3. I attended school in California from 7th to 12th grade and graduated in 2009 as the  
6 Valedictorian of my senior class at Calexico High School.

7 4. I attended Imperial Valley College in Imperial, California from 2009 to 2010 and graduated  
8 in 2012 from the University of California, San Diego ("UCSD"), with a Bachelor of Science in Human  
9 Biology.

10 5. I am currently a medical student at the David Geffen School of Medicine at the University  
11 of California, Los Angeles ("UCLA"). I am enrolled in the UCLA PRIME program which is a five-year  
12 concurrent dual degree (Doctor of Medicine/Masters) program focusing on the development of leaders  
13 in medicine to address policy, care and research in healthcare for the underserved. Candidates for this  
14 program are evaluated using criteria that includes experience with and commitment to working with  
15 underserved populations as well as experience in leadership roles.

16 6. I will be applying for the Master's Program in Public Health for the 2018-2019 school year.

17 7. I was approved for Deferred Action for Childhood Arrivals ("DACA") and employment  
18 authorization in December 2012.

19 8. I have spent a large portion of my years in the United States in border towns with border  
20 patrols throughout the city, which led to a great amount of personal mental stress and fear. DACA has  
21 given me a sense of security that in turn gave me a voice to advocate for others who were in the same  
22 situation as me, especially in terms of access to health care.

23 9. As a DACA recipient with employment authorization, I was also able to obtain a job in my  
24 field prior to attending medical school. After receiving my work authorization, I applied for and was  
25 hired at UCSD as a clinical research coordinator in nephrology research.

26 10. My access to volunteer opportunities has also expanded significantly, and I was able to  
27 volunteer as a Spanish interpreter at the UCSD Student-Run Free Clinic for two years. UCSD Free  
28 Clinic provides free comprehensive medical care to its patients who would otherwise not be able to



1 access medical care. My work at the clinic solidified my desire to become a physician. I was also a  
2 student leader for a monthly health fair in the Linda Vista community, which consists primarily of low-  
3 income Asians and Latinos. As a student leader, I coordinated and planned the health fairs and managed  
4 various aspects of the clinic, including clinic flow and volunteer selection and training.

5 11. During medical school, I have been involved with the Student-Run Homeless Clinic at  
6 UCLA and served as one of the Community Education Chiefs during my second year. This role allowed  
7 me to work with our partners to provide our patients with education talks with the goal of reducing  
8 preventable conditions. I have also served as one of the organizers of an annual health fair in the Lennox  
9 community in Los Angeles and as a facilitator of the medical Spanish selective at my school for my  
10 fellow medical students and residents. In addition, I have been involved with UndocuMed Students and  
11 Allies (formerly known as MedDreamers) at UCLA to advocate for undocumented medical students and  
12 other health professionals.

13 12. As a DACA recipient, I have also had access to certain forms of student financial aid that  
14 would otherwise not be accessible to me, including private loans and scholarships that are available for  
15 students with DACA.

16 13. After receiving DACA, I was also able to obtain a driver's license and gained a sense of  
17 freedom that I did not have prior to DACA.

18 14. Since my current DACA expires in October 2018, I am now unable to renew under the  
19 current DACA termination policy.

20 15. The rescission of DACA brings uncertainty to my future in the United States and my future  
21 career as a physician. As a medical student, I am unsure if I would be able to finish medical school,  
22 obtain a residency, and become a practicing physician. Medical residencies are considered employment  
23 and require work authorization, which DACA has allowed me to have. Even if I am able to continue  
24 school, funding could become an issue as access to private loans for students with my immigration  
25 status thus far has required DACA documentation. If I am forced to drop out of medical school, I will  
26 also likely have to cease the community health work discussed above.

27 16. With or without DACA, I continue to have a responsibility to my future patients to focus on  
28 school and my training to become the best physician I can be. Medical school is not easy and will be



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much more challenging if I have to fear for my safety and wonder if I will be able to remain in the United States, continue training, or obtain funding. If I lose DACA and the employment authorization that it allows me to obtain, even if I am able to continue school and obtain funding, I will not be able to seek a residency and become a practicing physician in the United States.

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

Executed on October 25<sup>th</sup>, 2017, at Los Angeles, California.



\_\_\_\_\_  
Marcela Zhou Huang

# EXHIBIT 42

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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 EDWIN HUDSON**

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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, EDWIN HUDSON, declare:

2 1. My name is Edwin Hudson. I am a Deputy Commissioner for the Minnesota Department  
3 of Management and Budget (“MMB”), and I have held this position since February 2016. MMB is the  
4 chief personnel office of the executive branch of Minnesota state government. As such, in my role as  
5 MMB Deputy Commissioner, I am responsible for providing oversight of and policy direction for the  
6 human resources function for executive branch agencies of the State of Minnesota. I make this affidavit  
7 based on my personal knowledge.

8 2. President Trump’s decision to end the Deferred Action for Childhood Arrivals  
9 (“DACA”) program will negatively affect Minnesota’s executive branch agencies as employers. First,  
10 the decision negatively impacts agencies’ ability to respond to a serious workforce shortage. Second,  
11 the decision negatively impacts agencies’ diversity and inclusion efforts.

12 3. Minnesota has a shortage of skilled workers. Attached as Exhibit A is a copy of a  
13 publically available report from the Minnesota State Demographic Center, which is entitled  
14 “Demographic Considerations for Long-Range & Strategic Planning for the State of Minnesota’s  
15 Executive and Legislative Leaders. According to the Demographic Center, “In the coming decades,  
16 Minnesota’s population and its workforce will become increasingly older, and the labor force will slow  
17 its growth dramatically as a result.” By 2014, employees age 55 and older (the Baby Boomers)  
18 represented about 21.7% of the Minnesota workforce. Ex. A, pg. 7. In the coming years, Minnesota can  
19 expect a large fraction of those workers to retire.

20 4. But for Minnesota state government, the situation is even more dramatic. In 2016, 57%  
21 of Minnesota executive branch workers were age 45 or older, compared to only 44% of all Minnesota  
22 workers. *Id.* As stated by the Demographic Center, “due to longer longevity of service within the State  
23 of Minnesota executive branch, its employees are actually *even more likely to be older* than those in the  
24 statewide workforce across all sectors. . . . This sets the stage for a dramatic wave of retirements from  
25 State service in the coming two decades.” *Id.* The Demographic Center predicts that in one or two  
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1 decades, 4 in 10 Minnesota executive branch workers will retire. *Id.* Currently, the median age of the  
2 Minnesota executive branch workforce is 46. Forty-two percent of the executive branch workforce is 50  
3 years or older. With the median age of the workforce being 46 years, 28 percent of the workforce  
4 between 50 and 59 years old, and 14 percent of the all employees 60 years or older, the executive branch  
5 is poised to experience a retirement wave throughout the coming decade. In fact, in some state agencies,  
6 more than 25% of the employees are expected to retire within the next two years.

7  
8 5. Unfortunately, however, the Minnesota population of younger workers is not large  
9 enough to replace the outgoing Baby Boomers, which presents Minnesota with staffing pressures in a  
10 tightening labor force. All employers across Minnesota are and will be competing for an increasingly  
11 smaller labor pool, and Minnesota state government is and will continue to compete with private sector  
12 employers for talent.

13  
14 6. One of the Minnesota executive branch's key strategies to combat the labor force  
15 shortage is to engage traditionally underrepresented talent pools, including ethnic and racial  
16 minorities. According to publically available data from the American Community Survey, in 2015 over  
17 18 percent of Minnesota's labor force was reported to be from a racial/ethnic minority group.

18 7. DACA's demise negatively impacts Minnesota state government's efforts to tap into  
19 underrepresented talent pools and will decrease the number of talented workers from diverse racial and  
20 ethnic backgrounds in Minnesota's labor pool. In addition, to the extent the executive branch employs  
21 DACA employees, the rescission of DACA will have a negative effect on our current workforce.  
22 Minnesota state government hires its employees based on their skills and qualifications and invests  
23 significant resources to train its employees. DACA workers will be forced to lose their employment,  
24 and the executive branch will lose its investment in those workers, and be forced to expend additional  
25 resources to fill those positions from an already tight labor pool.  
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8. The Minnesota executive branch values and is committed to equal employment opportunity and increasing diversity within Minnesota state government. Indeed, in his Executive Order 15-02, Minnesota Governor Mark Dayton stated that “diversity and inclusion are core values of the State of Minnesota and a priority of the Dayton Administration.” Between 2010 and 2016, executive branch employment of minorities has increased by 51.3 percent.

9. Workforce diversity is critical to the effectiveness of Minnesota state government. Research shows that diverse teams outperform non-diverse teams.

10. In addition, it is important that the Minnesota state government workforce mirrors the racial and ethnic diversity of the people we serve in order to build community trust. Governor Dayton has stated, “A government that serves all of the people of Minnesota should reflect all of Minnesota.” Minnesota is becoming an increasingly racially and ethnically diverse state. Between 2000 and 2014, Minnesota’s populations of color grew by 74%. Ex. A, pg. 10.

11. Minnesota’s executive branch has committed significant time and resources into recruiting and retaining a diverse workforce. DACA’s termination negatively affects these efforts by adversely impacting the diversity of Minnesota’s talent pool.

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

Executed on Oct 24<sup>th</sup>, 2017, in St. Paul, Minnesota.

  
EDWIN HUDSON

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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 JESSICA M. JENKINS**



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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, Jessica M. Jenkins, declare:

2 1. I am the supervising immigration attorney at Center for Employment Training  
3 Immigration and Citizenship Program (CET-ICP), a DOJ accredited immigration legal services program  
4 in San Jose, California.

5 2. Since August 15, 2012, CET-ICP has helped over 500 clients apply for and renew their  
6 grants of Deferred Action for Childhood Arrivals (DACA).

7 3. CET-ICP staff have diverted time and energy from other important projects in response  
8 to the September 5, 2017 announcement of the termination of the DACA program. In the days  
9 immediately following the announcement, we contacted as many of our DACA clients as possible to  
10 explain the ramifications of the announcement to them. We scrambled to schedule additional clinics in  
11 collaboration with partners in the community, so that we could be available to file DACA renewal  
12 applications for as many eligible applicants as possible. We expanded our weekly free clinic hours to  
13 all-day Thursdays, rescheduling other clients' appointments in order to do so, and also closed the office  
14 on Monday September 25 in order to host a renewal clinic off-site at San Jose State University. We  
15 conducted multiple media interviews with television, radio and newspaper reporters in order to  
16 disseminate accurate information about DACA's termination and to encourage people to access our  
17 services. All of these efforts have cost our staff time and resources that would have otherwise been  
18 spent on other projects, and many of our staff have worked extra hours in response.

19 4. In addition to the extra time and resources, responding to the termination of DACA has  
20 taken a psychological and emotional toll. Each of our DACA client needs a thorough, individual  
21 consultation so we can explain the consequences of the DACA program's termination, provide know-  
22 your-rights and emergency planning information, and explore other possible avenues of immigration  
23 relief. Our clients and their families, many of whom we have known for years, are upset, anxious, and  
24 fearful. It has been challenging for all of our staff to have multiple consultations a day with tearful  
25 clients. We arranged to have mental health professionals come in to help our staff cope with the  
26 secondary trauma of providing services to a community in crisis.

27 5. We are concerned that many people eligible to renew did not do so before October 5 for  
28 various reasons, including fear of submitting updated contact information to the Department of



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Homeland Security, lack of time or resources, confusion about who is eligible to renew and lack of sufficient notice about the abruptly announced October 5 deadline.

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 San Jose, California.

  
Jessica M. Jenkins

# EXHIBIT 44



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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 SAUL JIMENEZ

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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, SAUL JIMENEZ, 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 **Immigration to the United States and Childhood**

5 2. I was brought to the United States by my parents on my first birthday, July 8, 1988, from  
6 Colima, Mexico. My family settled in the Boyle Heights neighborhood in Los Angeles, where they  
7 have lived ever since arriving in the U.S. I have not left the United States since that time, and I have no  
8 memories of Mexico.

9 3. I attended public schools in Boyle Heights from preschool through high school. As a  
10 freshman in high school, I earned money to help support my family by delivering advertisements from  
11 stores door-to-door. I later washed dishes and worked as a cook at an Italian restaurant.

12 4. At the age of 11, I started playing football through a youth league while enrolled at  
13 Hollenbeck Middle School in Boyle Heights. I fell in love with the sport immediately, and continued  
14 playing through my time at Roosevelt High and, ultimately, through college. At Roosevelt High, I  
15 became the captain of my football team, was voted the team’s Most Valuable Player, and was selected  
16 for the California All-Eastern League football team as a wide receiver.

17 5. Although I knew that I was undocumented growing up, I only first began to understand  
18 the consequences of that during high school, when my football coach at Roosevelt High tried to help me  
19 to get a job and my options were limited because of my immigration status. It was only then that I  
20 began to realize the limitations my immigration status would have on my life and opportunities.

21 6. At that time, I had strongly considered becoming a firefighter. I wanted to do a job that  
22 involved physicality because of my football background, and I was also drawn to a job that would allow  
23 me to help others in my community. Becoming a firefighter seemed like the perfect fit. I even signed  
24 up for and began to attend the firefighter academy in my senior year. After a week in the academy,  
25 however, it became apparent that I could not become a firefighter without legal status in the U.S. I left  
26 the academy and began to fully come to terms with the impact that my undocumented status would have  
27 on my ability to do the things that I wanted to do in my life.  
28

**Educational Background**

1  
2 7. After leaving the firefighter academy, a coach from the East Los Angeles Community  
3 College approached me while I was at football practice to ask if I wanted to continue playing football in  
4 college. I ended up playing football there for two years. In addition to attending classes and football  
5 practice, I also worked two jobs, one in a warehouse and one in a 99-cent store, so that I could continue  
6 to support myself and my family, as well as to pay for my education.

7 8. After my first year at East Los Angeles Community College, I took one year off from  
8 football so that I would have time to help my dad, who was struggling financially. I worked at the  
9 warehouse, but found it difficult being away from football, and still dreamed of obtaining a college  
10 education. I returned to playing football for my third academic year at East Los Angeles Community  
11 College with a renewed sense of commitment to football and school.

12 9. I was determined to transfer to a four-year college where I could keep playing football  
13 and could obtain a college degree. In 2007, I received a football scholarship to attend Oklahoma  
14 Panhandle State University and transferred there for my junior and senior years. This football  
15 scholarship was crucial because I was not able to get federal financial aid due to my undocumented  
16 status. I was the first one in my family to attend college, and one of only a small percentage of students  
17 from my high school to attend college as well. Although I knew that my immigration status meant that I  
18 would not be able to obtain a job utilizing my college degree, I wanted to go to college to make myself,  
19 my family, and my community proud and to broaden my understanding of the world outside of Boyle  
20 Heights. I embraced football and my classes, and tried to be the best player and student that I could be.

21 10. While at Oklahoma Panhandle State, I served as the captain of my football team and was  
22 voted the team’s Most Valuable Defensive Player—then playing as an outside linebacker. I played on  
23 the team for two years and then stayed an extra semester to be a student-coach. I also started to mentor  
24 high school youth through the U.S. Department of Education’s Upward Bound program while attending  
25 Oklahoma Panhandle State. It was in this program that I quickly realized how much I enjoyed teaching  
26 young people and inspiring them to grow and to improve themselves. I visualized myself becoming a  
27 teacher and coach from this time onwards. At the same time, I knew that this dream was out of my  
28 reach given my immigration status. While this was difficult for me, I had at that point come to expect



1 and accept that I would never be able to obtain a professional lifestyle and to truly make something of  
2 myself.

3 **Awareness and Understanding of DACA**

4 11. After graduating from Oklahoma Panhandle State in the spring of 2010, I returned to  
5 Boyle Heights, working in low wage jobs in warehouses and restaurants to support my parents and  
6 myself. Although I now had a college degree, before obtaining DACA status, I never made more than  
7 \$7.25 per hour. When Congress introduced the DREAM Act in 2010, I began to imagine a better future  
8 for myself and my family—one where I would become a teacher and coach in my old community in  
9 Boyle Heights—only to find my hopes dashed when the Act failed to pass by five votes. I can clearly  
10 remember watching the votes come in on C-SPAN on my laptop. The psychological and emotional toll  
11 that this took on me was agonizing. I envisioned myself doing minimum wage work forever, in  
12 warehouses and restaurants, in order to support my mom and dad. I felt as though the rug had been  
13 pulled out from under me.

14 12. Then, in June 2012, I heard about the Deferred Action for Childhood Arrivals (“DACA”)  
15 program. I once again allowed myself to imagine a different and better future, and finally felt a renewed  
16 sense of hope. I immediately started to think about how I could improve my resume so that I could  
17 ultimately work towards becoming a full time teacher.

18 13. The news about DACA spread quickly in my community. I educated myself about the  
19 program by researching it online, and I soon learned that I would be able to renew my DACA status  
20 every two years and that the government would not use my personal information for purposes other than  
21 the DACA program. Both of these were important elements of the program to me; the first because it  
22 meant that I could invest in a long term career, and the second because it meant that the Government  
23 would not use information I submitted to them to deport myself or my family.

24 14. In applying for the DACA program, I placed my trust in the U.S. Government. I felt  
25 comfortable trusting the Government because I believe that when the Government provides you with  
26 information about a new program or benefit, like the DACA program, they are not going to do a bait-  
27 and-switch to then use the information provided to them for the purpose of deporting or otherwise  
28 harming the people they promised to help. Part of the reason that I felt I could trust the Government was

1 because of the very specific details and requirements of the DACA program – the program required  
2 applicants to be under 31 years old, to have arrived in the country before the age of 16, and to have  
3 continuously lived in the U.S. for at least five years, amongst other things. It was clear to me that the  
4 Government had put a lot of thought into coming up with these specific requirements, and to me when  
5 the Government has a particularized plan and procedures for how to help a certain community (in this  
6 case, the immigrant community) this means that they intend to follow through with and continue to carry  
7 out that plan.

8 15. Given the very specific requirements of the program, which I researched thoroughly, I  
9 was confident that my DACA application would be approved if I applied. I did not have a criminal  
10 record and I was well within the qualifications and requirements of the program; to me, it seemed as  
11 though I was a perfect fit. The only concern I had was whether I would fill out the application correctly,  
12 which is why I enlisted the services of attorneys at the Armando Villegas & Associates law firm and  
13 paid them \$1965.00 to assist me in completing my application. I paid for their help and for the  
14 application fee from my own savings, which I had earned through my many part-time jobs over the  
15 years.

16 16. I was even more confident that my application would be approved when I applied for  
17 renewal of my DACA status. The requirements of the program remained the same as the first time I  
18 applied, and because I had already gone through the process and been approved before, it seemed almost  
19 certain that I would be approved again. Applying for renewal therefore became routine, and I had the  
20 expectation that I would receive renewal at the end of every two years. And, in fact, I did.

21 17. I also felt encouraged by the U.S. Government to apply for renewal each time. Every two  
22 years, approximately 90 days before my DACA status was set to expire, I received an email from the  
23 Government reminding me about my renewal deadline. These emails specifically stated: “Don’t Let  
24 Your Work Permit Expire; Follow These DACA Renewal Tips.” Attached as Exhibit A is a true and  
25 correct copy of one such email that I received from U.S. Citizenship and Immigration Services  
26 (“USCIS”) on June 21, 2015. I also received paper renewal notices by mail reminding me to renew by a  
27 specific date. Attached as Exhibit B is a true and correct copy of one such Form I-797C Notice of  
28

1 Action reminding me that my “current period of deferred action [would] expire in 100 days,” which I  
2 received from USCIS on June 26, 2017.

3 **DACA Applications and Approvals**

4 18. I first applied for DACA status on October 22, 2012. Attached as Exhibit C is a true and  
5 correct copy of the DACA Application (Form I-821D) that I submitted to USCIS on October 22, 2012.  
6 Attached as Exhibit D is a true and correct copy of the Form I-797C Notice of Action that I received  
7 from USCIS on October 25, 2012, acknowledging receipt of my 2012 DACA Application. Attached as  
8 Exhibit E is a true and correct copy of the Form I-797C Notice of Action that I received from USCIS on  
9 October 29, 2012, informing me of my biometrics appointment in connection with my DACA  
10 application.

11 19. I also applied for employment authorization on October 22, 2012. Attached as Exhibit F  
12 is a true and correct copy of the Form I-765 Application for Employment Authorization that I submitted  
13 to USCIS on October 22, 2012. Attached as Exhibit G is a true and correct copy of the Form I-765WS  
14 (Application for Employment Authorization Worksheet) that I submitted to USCIS on October 22, 2012.  
15 Attached as Exhibit H is the Form I-797C Notice of Action that I received from USCIS on October 25,  
16 2012, acknowledging receipt of payment for my Application for Employment Authorization.

17 20. I received approval of my DACA application on January 30, 2013. Attached as Exhibit I  
18 is a true and correct copy of the Form I-797 DACA Application Approval Notice that I received from  
19 USCIS on January 30, 2013.

20 21. I also received employment authorization on January 30, 2013. Attached as Exhibit J is a  
21 true and correct copy of the Form I-797 Application for Employment Authorization Approval Notice  
22 that I received from USCIS on January 30, 2013. Attached as Exhibit K is a true and correct copy of the  
23 mailing that I received from USCIS on January 31, 2013 with my employment authorization card.

24 22. I applied for renewal of my DACA status on November 3, 2014. Attached as Exhibit L is  
25 the Form I-797C Notice of Action that I received from USCIS on November 5, 2014, acknowledging  
26 receipt of my 2014 DACA Application. Attached as Exhibit M is a true and correct copy of the Form I-  
27 797C Notice of Action that I received from USCIS on November 7, 2014, informing me of my  
28 biometrics appointment in connection with my DACA application.

1           23. I also applied for renewal of my employment authorization on November 3, 2014.  
2 Attached as Exhibit N is a true and correct copy of the Form I-765 Application for Employment  
3 Authorization that I submitted to USCIS on November 3, 2014. Attached as Exhibit O is the Form I-  
4 797C Notice of Action that I received from USCIS on November 5, 2014, acknowledging receipt of  
5 payment for my Application for Employment Authorization.

6           24. I received approval of my first DACA renewal application on December 29, 2014, and  
7 also received a renewed employment authorization card around that time. Attached as Exhibit P is a true  
8 and correct copy of the Form I-797 DACA Application Approval Notice that I received from USCIS on  
9 December 29, 2014. Attached as Exhibit Q is a true and correct copy of the mailing that I received from  
10 USCIS on December 31, 2014 with my employment authorization card.

11           25. On May 12, 2015, I applied for a Social Security card, which I received from the U.S.  
12 Government approximately two weeks later. Attached as Exhibit R is a true and correct copy of a  
13 receipt from the Social Security Administration regarding my application for a Social Security card,  
14 dated May 12, 2015.

15           26. I applied for renewal of my DACA status a second time on August 3, 2017. Attached as  
16 Exhibit S is the Form I-797C Notice of Action that I received from USCIS on August 7, 2017,  
17 acknowledging receipt of my 2017 DACA Application. Attached as Exhibit T is a true and correct copy  
18 of the Form I-797C Notice of Action that I received from USCIS on August 12, 2017, informing me of  
19 my biometrics appointment in connection with my DACA application.

20           27. I received approval of my second DACA renewal application on September 8, 2017. My  
21 DACA status will expire on September 7, 2019. Attached as Exhibit U is a true and correct copy of the  
22 Form I-797 DACA Application Approval Notice that I received from USCIS on September 8, 2017.

23           28. I applied for renewal of my employment authorization on August 3, 2017, and received  
24 my renewed employment authorization card in September 2017. Attached as Exhibit V is a true and  
25 correct copy of the Form I-797C Notice of Action that I received from USCIS on August 7, 2017,  
26 acknowledging receipt of my 2017 Application for Employment Authorization. Attached as Exhibit W  
27 is a true and correct copy of the mailing that I received from USCIS on September 13, 2017 with my  
28 employment authorization card.

1           29.     When I learned that my DACA application had been accepted I felt excited and  
2 overjoyed. I knew that many doors would suddenly be opening for me and that I would now have many  
3 new opportunities if I just worked hard to obtain them. I began to look forward to my future and to the  
4 new life that I would now be able to have.

5                   **Professional, Personal, and Other Benefits Provided by DACA**

6           30.     Before obtaining DACA status, there were a number of benefits that I was unable to  
7 obtain, in addition to my inability to obtain a full time job. As mentioned above, I could not get a  
8 driver's license, which is a necessity when living in the Los Angeles area. Because I did not have a  
9 social security card or other form of U.S. Government identification, I could not get credit cards. I also  
10 could not get an apartment lease or car lease because I did not have a social security number. After  
11 graduating from college, I was forced to move back in with my parents since I could not rent (or afford)  
12 my own place to live. I was also unable to fly anywhere even within the United States because I lacked  
13 identification.

14           31.     As soon as I obtained DACA status, however, I immediately started to make use of the  
15 newfound benefits to which I was now entitled and the many doors that had suddenly opened up for me.  
16 I applied for and got three part-time jobs in order to build out my resume. The first was as a sports  
17 coach for an after school program for the Los Angeles Unified School District. The second was as a  
18 Math and English tutor for Leading Edge Tutors. The third was an overnight position managing an  
19 adolescent rehabilitation center.

20           32.     After three months working these three part-time jobs, I accepted a full-time job as a  
21 Program Coordinator with the national nonprofit HealthCorps in the summer of 2013, and was placed at  
22 my former high school, Roosevelt High. Obtaining this job was a turning point in my life and my  
23 career; it was the first time that I was able to use my college education as a full time educator and to earn  
24 a full time salary in a job that required a college degree.

25           33.     In this role, I worked part of the time teaching and part of the time coordinating health  
26 activities at the high school, tailoring the programming to the schools' individual needs. I facilitated  
27 fitness, nutrition, and leadership advocacy clubs to teach students healthier habits; coordinated with  
28 teachers to integrate nutrition lessons into their curriculums; and promoted health awareness events on



1 campus and in the community. I even mobilized students to participate in a gardening club and a fitness  
2 club. I began to learn and understand what it meant to work at a high school full time, interacting with  
3 the administrators, tutors, and teachers on a daily basis. I relished being in front of my own classroom  
4 of students and helping them to grow and learn every day, and I especially enjoyed doing so back where  
5 I was formerly a student myself.

6 34. As soon as I began working at Roosevelt High, I also took on coaching positions at the  
7 school, and even continued on as a coach after I left the HealthCorps program. Between 2013 and 2017,  
8 I served as the Assistant Football Coach for the boy's Varsity team, Head Football Coach for the boy's  
9 Junior Varsity team, and Head Soccer Coach for the girl's Junior Varsity team.

10 35. Although my position with HealthCorps was meant to last only two years, I was asked to  
11 stay on at Roosevelt High by the program's funders for an additional year. At the end of my third year  
12 with HealthCorps, in August 2016, I accepted a position as a substitute teacher in the Los Angeles  
13 Unified School District, where I taught general and special education classes at the middle school and  
14 high school level.

15 36. About one year later, I was contacted by Stevenson Middle School about a full time  
16 position as a special education teacher. I now teach the special education special day class at Stevenson  
17 Middle School, which involves teaching math, U.S. history, and world history to a group of students  
18 with mild to moderate learning disabilities. I find teaching special education classes particularly  
19 rewarding and meaningful, given the smaller class sizes and my ability to truly make a difference in the  
20 lives of these students who face unique and significant challenges. Not only do I identify with these  
21 students because they are growing up in the same community—Boyle Heights—that I grew up in, but I  
22 can also empathize with their day to day experiences. Many of them face bullying at school, something  
23 that I too experienced while growing up.

24 37. When I began working at Stevenson Middle School, I was accepted into the Los Angeles  
25 Unified School District Intern Program, which is an Alternative Teacher Certification Program  
26 accredited by the State of California. The District Intern Program is a two-year program that involves  
27 simultaneously teaching and taking classes, and at the end of the two years participants become fully  
28 certified teachers. I am now six months into the program and have a year and a half left to complete.

1           38.    In addition to my current job and position in the District Intern Program, none of which  
2           would have been possible without DACA, having DACA status has enabled me to obtain a number of  
3           other significant benefits that I was not able to get before. I now have a California driver’s license so  
4           that I can travel between home and work and to visit my family and friends. I have also been able to  
5           obtain several credit cards using my social security number, which has enabled me to begin building my  
6           credit with the hope that I will one day be able to purchase a home and a car. I have also entered into a  
7           four-year car lease as well as a month-to-month apartment lease. The ability to rent my own apartment  
8           was especially important and rewarding for me, since it meant that I could finally move out of my  
9           parents’ home and gain independence as a full-fledged adult.

10           39.    Being able to work a full-time job earning more than minimum wage has also enabled me  
11           to provide financial support for my parents. I pay all of the bills at my parents’ house except the light  
12           bill, which my younger brother pays.

13           40.    Additionally, through my job at Stevenson Middle School, I am now paying into social  
14           security, Medicare, and employment disability insurance.

15           41.    I have also been able to travel within the United States since obtaining DACA status,  
16           since I can now use my license to fly domestically. Since obtaining DACA, I have flown to Texas,  
17           Arizona, Illinois, Nevada, and New York. I traveled to New York for a training program to enhance my  
18           professional development while employed with HealthCorps.

19           42.    It is my goal to obtain a master’s degree in education and to continue teaching and  
20           coaching for the remainder of my professional life in the Boyle Heights area. I would like to spend my  
21           career molding and enriching the lives of young people within the same community in which I grew up,  
22           particularly those with special education needs.

23           **Potential Impact of Losing DACA Status**

24           43.    Losing my DACA status would be devastating. Being without legal status is emotionally  
25           painful and challenging, and I would be distraught to have to return to a state of limbo with respect to  
26           my ability to remain in this country. I remember a time in college, when I tore my MCL during a  
27           football game at Oklahoma Panhandle State. When I arrived at the hospital, the nurse refused to admit  
28           me because I did not have a social security number, even though I was entitled to health care through the

1 school. It was at that moment that the impact and weight of being undocumented truly hit me, and I  
2 thought about my sisters and my parents and the pain that they too have gone through. All of the  
3 feelings that I had bottled inside came to a head, and all of the anger, fear, and anxiety that I had grown  
4 up with finally came out. I was a linebacker and I found myself crying in my smentor's car in the  
5 parking lot of that hospital. Although I was eventually able to receive treatment for my torn MCL, I  
6 carry this story with me each day.

7 44. I also would be deprived of a number of important benefits in my life. First, I would not  
8 be able to complete the District Intern Program to become a fully certified teacher. This is because work  
9 authorization is required to complete the program, and without my DACA status and the related work  
10 authorization I would no longer be able to teach at Stevenson Middle School. My ability to financially  
11 support myself and my family would be significantly hampered if I were no longer able to be employed  
12 as a full time teacher.

13 45. I also would not complete a master's degree in education without DACA status, as I  
14 would only be able to afford to attend if I qualified for financial aid and could otherwise work to help  
15 pay for the degree, and there would be no future for me professionally after doing so without DACA.

16 46. In addition, I would no longer be able to travel even within the country if my DACA  
17 status were taken away.

18 47. I would also lose the sense of security and comfort that I feel in knowing that I will not  
19 be deported from the country and taken from the only home and family that I have ever known and  
20 loved. All of my immediate family resides in the United States, and I do not have any ties or  
21 connections to Mexico. My younger brother was born in this country and is a U.S. citizen. My older  
22 sister is also a DACA recipient, while my father is legally present in this country and has a valid social  
23 security card. If I were forced to leave the country, I would be separated from them and I would have to  
24 live in a country I don't know.

25 48. If I lose my DACA status, I would also no longer be able to give back to the Los Angeles  
26 community by serving as a teacher, coach, and mentor to my students, many of whom are the sons and  
27 daughters of people I went to high school with in Boyle Heights.  
28

1           49. Before DACA, I had grown to accept – and almost become numb to – the idea that I  
2 would have few opportunities in this country and would not be able to become a professional, as that  
3 was all that I had ever known. Now that I have had a taste of success and opportunity through the  
4 DACA program, however, it would be particularly heartbreaking to have all of my success and  
5 opportunities ripped away.

6           50. I have now come to expect a different life for myself and my family than the one I knew  
7 before becoming a DACA recipient. I have come to expect more for myself and have, in turn, been able  
8 to give back more to the community than I would have ever expected. Being a teacher and a coach is  
9 who I am, and I do not know what the future would hold for me if I were no longer able to teach and  
10 coach in my community. If I had my DACA status taken from me, I would feel like the Government  
11 had broken its promise to me.

12           51. I have already begun to feel the impact of the rescission of DACA on my life. Although I  
13 continue to try to be the best teacher I can be and do the best job that I can do, it is difficult to go  
14 through each day with the stress and anxiety that I currently feel because of the uncertainty surrounding  
15 my future. It is incredibly difficult to create lesson plans, complete reports, remain positive in front of a  
16 classroom full of students, and carry out my daily routine when in the back of my mind is the constant  
17 fear that in a short period of time this may all be taken away.

18           52. Further, the rescission of the DACA program has already impacted professional decisions  
19 that I have made to since the announcement of the program’s termination. Before DACA was  
20 terminated, I was planning to apply for master’s programs in education, in order to improve as a teacher  
21 and to enhance my professional capabilities and opportunities. Now that the program is ending,  
22 however, I have chosen not to apply because I am not sure if I will be permitted to remain in the country  
23 or to continue working as a teacher. I have also been forced to question whether I can or should  
24 continue paying rent for my apartment or whether I should pull out of the rental agreement and move  
25 back in with my parents instead, given that I may not have be able to continue to afford my rent if I lose  
26 my job as a teacher. Thinking of moving back in with my parents and relying on them for financial  
27 support as a 30-year-old man weighs on me heavily.


28

1           53. I hope that I am continued to be given the opportunity to remain in the country that I call  
 2 home, so that I can work to provide for my family and to give back to my community in a positive and  
 3 significant way. As I wrote in my first Application for Employment Authorization Worksheet back in  
 4 2012, attached herein as Exhibit G, "I would like to one day own a home, finish paying my student loans  
 5 and most importantly, aid my parents economically. It is my desire[ ] to be able to work within my own  
 6 field and strive to acquire the American Dream."

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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 29, 2017, in Los Angeles, California.

  
 \_\_\_\_\_  
 Saul Jimenez



# EXHIBIT 45

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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,  
23 in her official capacity as President of the  
24 University of California,

25 Plaintiffs,

26 v.

27 U.S. DEPARTMENT OF HOMELAND  
28 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 BRADFORD S. JONES**

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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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DECLARATION OF BRADFORD S. JONES  
All DACA Cases (Nos. 17-5211, 17-5235, 17-5329, 17-5380, 17-5813)



1 I, BRADFORD S. JONES, DECLARE:

2 1. I am a Professor at the University of California, Davis. The matters set forth herein are  
3 true and correct of my own personal knowledge and, if called as a witness, I could and would testify  
4 competently thereto.

5 2. I have been teaching political science at the university level for 23 years. My work  
6 includes teaching classes focused on Latino studies, and researching issues facing Latino communities,  
7 such as how Latinos perceive and cope with discrimination.

8 3. I have had DACA recipients, including Doe, as students and as research assistants.

9 4. As a professor, I observe firsthand the ways DACA students add to the classroom  
10 environment. Doe was in my class on Latino Politics, which covers immigration policy, Latino political  
11 behavior, and Latino public opinion. Doe earned an A grade and distinguished herself as a bright  
12 student. She spoke frequently in class and provided insight that improved her classmates' educational  
13 experience. In that class, 80-85% of my students are Latino, and one of the learning objectives is to  
14 expose individuals to the different experiences that exist within the Latino community. I am third-  
15 generation Mexican American, some of my students are American citizens born to immigrant parents,  
16 and some, like Doe, are undocumented immigrants—either with or without DACA status. We each have  
17 different experiences being Latino in America. Given her unique experience, Doe was able to reveal to  
18 me and my other students what the undocumented experience is like. Without her voice or the voice of  
19 other DACA students, we get only part of the picture in our class discussions.

20 5. DACA students are also invaluable to my research. My current research focuses on the  
21 increased anxiety of different Latino communities in response to the Trump Administration's proposed  
22 immigration policies. For example, in one recent survey, I showed randomized groups of respondents  
23 images of Trump and bullet points summarizing his immigration policy. The survey results indicated a  
24 statistically significant increase in anxiety among Latinos after mere exposure to these images. The  
25 results show that Latino individuals everywhere live in a state of anxiety, but anxiety increases the  
26 closer the person is to immigration—if the respondent is an immigrant or is personally close to an  
27 immigrant, then they will feel more anxiety each time they are exposed to these triggers.

28



1 6. In conducting this research, I regularly need to distribute surveys. I often use a method  
2 called "snowball" surveying: I start the surveys by "seeding" surveys within my personal network, in  
3 which volunteers fill out the survey, and then those volunteers distribute it among their own social  
4 networks.

5 7. My DACA and undocumented students are essential to this method of surveying. In the  
6 immigrant communities I study, trust is the most essential factor in encouraging survey responses. My  
7 DACA and undocumented students are trusted members of their communities. This is what enables  
8 them to distribute surveys, encourage responses, and reassure respondents that their information will be  
9 anonymous and never misused.

10 8. The result is that my trusted network of DACA students, including Doe, directly improve  
11 the response rates of my research surveys. For example, in my recent survey that Doe and other  
12 undocumented and DACA students assisted with distributing, the response rate was about 20% among  
13 Latino immigrants (who self-identified as immigrants in their responses). I would expect the response  
14 rate to be considerably lower for this population without the assistance of my students. This expectation  
15 is based on my personal experience conducting snowball method surveys without DACA and  
16 undocumented student volunteers. It is also based on surveys I have conducted in which respondents  
17 were solicited by a professional survey firm. For example, the comparable response rate among Latino  
18 immigrants in the professionally collected data for the same survey was much lower, at only  
19 approximately 10%.

20 9. The much higher response rate my DACA and undocumented students facilitate in  
21 snowball surveying increases the statistical power of my findings. The more responses I collect, the  
22 more confident I can be that the conclusions drawn from the research are substantively meaningful. That  
23 makes it more likely the research will hold force and persuasiveness with policy and lawmakers.

24 10. My DACA and undocumented students are also essential to the diversity of survey  
25 responses in my research. Since I am interested in differences between different populations within the  
26 Latino community, it is important for me to get responses from different populations, specifically  
27 immigrants and non-immigrants.  
28

1 11. Working with DACA recipients also informs the substance of my research. For example,  
2 I am currently studying immigrant coping behaviors in the context of threat, and immigrant status mis-  
3 attribution (i.e. identification of individuals as immigrants when they are not). I hold focus groups with  
4 volunteer DACA and undocumented students to discuss my current research. They have helped me to  
5 understand the threats and discrimination experienced by undocumented and immigrant Latino  
6 communities, by explaining how they themselves cope with or handle stress. For example, in one  
7 discussion with a group of undocumented and DACA students, I learned that in a threatening  
8 environment, in which these students believe people may treat them negatively because of their status or  
9 ethnicity, many of the students tend to withdraw from potential interactions. One student even  
10 explained to me that he tried to “imagine his skin was lighter” colored, because of the belief that skin  
11 color would impact how he was treated. I am a third-generation Mexican American and my particular  
12 experience being Latino American is different from theirs. I can read all the books in the world and still  
13 not fully understand their perspective as first-generation immigrants who have been without status in the  
14 United States.

15 12. The decision to rescind the DACA program is causing negative effects on my DACA and  
16 undocumented students. DACA students continue to visit me on a regular basis because students trust  
17 and know me as a professor of Latino studies and ally. Typically, students will come to my office two or  
18 three times a term with course-related questions while they are in my class. During the fall term, Doe  
19 and other students have visited my office ten or more times. These visits were unusual since many of  
20 these students, including Doe, were not in my class at the time. During these visits, Doe and others have  
21 discussed with me the looming loss of their investment in their educations and the loss of post-graduate  
22 employment opportunities. Now, they feel that the time, energy, and money they have put into their  
23 education is all for naught, and they are wondering if there is any point in continuing their education.

24 13. During these visits, the students appear scared, anxious, and overwhelmed by the  
25 uncertainty caused by the DACA policy rescission. Some of the students have started crying and shaking  
26 while in my office. DACA recipients have told me they feel more at risk of deportation than non-DACA  
27 recipients, because the government has all their personal information from their DACA application  
28 forms, making them easier for immigration enforcement to find.



1           14. Addressing the stress, anxiety and increased needs of these students as a result of the  
2 DACA rescission announcement is necessarily diverting attention and time from my research, class  
3 preparation and other academic pursuits that are my core role as a professor at the University of  
4 California, Davis.

5           15. I expect that undocumented and DACA students in my classes will be less likely to fully  
6 participate in their college education than when they had DACA protection. More specifically, I expect  
7 that DACA and undocumented students will be less open about their immigration status with me or their  
8 classmates due to the fear that identifying themselves will increase the risk of deportation. While in the  
9 past students would often share their DACA status in class, already I see that this is no longer the case.  
10 DACA students have told me that they are particularly afraid of being at the top of the list for targeting  
11 by immigration authorities, because they have provided their detailed information to the government to  
12 obtain their DACA status. This fear will impact the quality of discussion of immigration policy in my  
13 classes because students who are most knowledgeable and affected by immigration status are rendered  
14 less likely to speak up. When UC loses the confidence of students to share their perspectives, the school  
15 is robbed of that unique undocumented immigrant narrative.

16           16. The rescission of the DACA program will cause additional harms in the future. I have  
17 observed the tendency of undocumented people to go underground in response to fear of immigration  
18 authorities, and I am concerned that the end of the DACA program will cause more students who would  
19 otherwise have received DACA to do the same, at the cost of their education. First, I expect that fewer  
20 otherwise DACA-eligible students will be able attend college. UC expects students to provide some of  
21 the cost of attendance through part-time work or other funding. I anticipate that otherwise DACA-  
22 eligible students will have difficulty affording school without DACA work authorization. Second,  
23 without DACA status and the protection that it provides from federal immigration agents, some  
24 undocumented high school students might not apply to college at all. Applying to and attending college  
25 creates risks of being caught by immigration enforcement; students may feel safer not putting  
26 themselves out in the open.

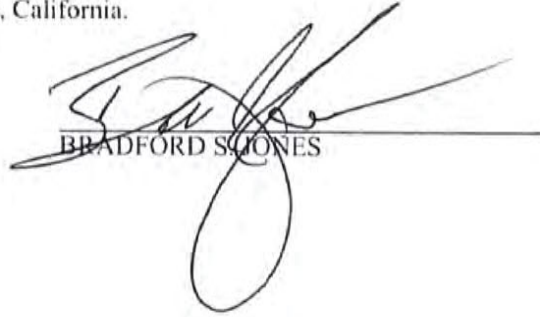
27           17. The rescission of DACA will therefore also make it more difficult for me to conduct my  
28 research, which as described above, relies on DACA students. Students like Doe serve as a conduit

1 between academia and oft-overlooked communities of undocumented immigrants, providing important  
2 connections and perspectives on immigration status for research like mine.

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

5 Executed on October 24, 2017 in Davis, California.

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BRADFORD S. JONES

# EXHIBIT 46



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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 TUAJUANDA C.  
JORDAN**

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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, Dr. Tuajuanda C. Jordan, declare:

2 1. I am the president of St. Mary’s College of Maryland (“St. Mary’s  
3 College” or “SMCM” or the “College”).

4 2. I have served as the College’s president since July 2014.

5 3. St. Mary’s College is a public institution of higher education and an  
6 instrumentality of the State of Maryland.

7 4. St. Mary’s College holds inclusive diversity as one of our core values and  
8 most important strategic priorities. Enrolling approximately 90% of our students from Maryland,  
9 it is a constant struggle to attract and enroll students from diverse backgrounds. Such students are  
10 critical to our mission of access and are also a critical element of a quality education for all  
11 students - majority and minority alike. DACA students, while growing up in Maryland and the  
12 United States, bring with them an invaluable depth of experience and empathy. Their attendance  
13 at St. Mary’s College deepens the understanding of global citizenship for all our students.  
14 Benefits include: intercultural awareness, new insights and approaches. The diversity intensifies  
15 the richness of the experiences of students/faculty/staff as individuals work and learn together  
16 across cultures and languages. Additionally, increases in opportunities to build new skills,  
17 conduct research and greater insights and understanding of various cultures represented are  
18 benefits.

19 5. As the Public Honors College, a majority of our graduates remain in the  
20 State of Maryland for employment. The skill set and talent our graduates contribute include their  
21 work, outside civil engagement, and service.

22 6. The benefit of DACA students to the State is real and multi-leveled. On  
23 the macro level, as discussed above, DACA students bring to the education of every student a  
24 genuine empathy and global perspective otherwise difficult to give Marylanders. Our graduates,  
25 most of whom stay, work, and live in Maryland, possess the intellectual skills and values  
26 necessary for Maryland to compete in today’s global economy. On the micro level, DACA  
27 students themselves represent an incredible asset of their collective human potential. These  
28 students, many of whom come from disadvantaged backgrounds, already fight against a system

1 that discourages their success as undocumented members of our society. Yet, they succeed,  
2 graduating with top-notch college educations built by a work-ethic sorely missing in key  
3 elements of our nation. These students, educated in part by State resources, stand ready and  
4 willing to apply their talents and energy to making their communities better places to live and  
5 work.

6 7. The rescission of the DACA program would negatively impact the  
7 opportunity to enroll additional DACA students who, upon graduation, would contribute more  
8 greatly to the state's economy because of the earnings premium that a bachelor's degree  
9 provides.

10 8. For each DACA student, the loss of work authorization will result in a  
11 significant increase in the student's demonstrated need because the student will no longer be able  
12 to contribute work earnings to meet the cost of attendance. This additional demonstrated  
13 financial need would then be funded from increased institutional financial aid in order to support  
14 the persistence to graduation of current students as well as to enroll future students.

15 9. St. Mary's College has not lost faculty or staff yet as a result of the  
16 rescission of the DACA program. However, we are ever mindful of the fact that when we fail to  
17 protect and embrace one marginalized population, it sends a message of futility, elitism, and  
18 exclusion that reverberates throughout our nation's most vulnerable populations. Faculty and  
19 staff from diverse and/or international backgrounds perceive aggression against one vulnerable  
20 population as an aggression against all vulnerable populations. Frankly, rescission of the DACA  
21 program represents nothing less than a shot across the bow of the exact diverse and global  
22 faculty and staff that we have worked so hard to attract and retain as part of our educational  
23 enterprise.

24 10. In the absence of DACA, prospective DACA student workers would not  
25 be able to satisfy the requirements of the I-9 form. The I-9 form and supporting documents  
26 identify a worker's right to work in the U.S. An institution cannot legally employ persons who  
27 have not satisfied the I-9 requirement within 3 days from date of hire. Beyond these pragmatic  
28 and tangible negative outcomes rest the even more detrimental social, emotional impacts. As a



1 college that values personal growth and intellectual transformation, we strive to provide all  
2 students with a safe space in which to voice their views, listen to the views of others, fail, re-try,  
3 and eventually succeed. For DACA students, the threat of losing the only home they have ever  
4 known represents enormous emotional baggage to overcome. For all students, seeing the  
5 supposedly safe space of St. Mary's College ripped out from underneath DACA students instills  
6 a sense of suspicion and distrust great enough to block their genuine exposure to, and  
7 engagement with, transformational learning experiences; one cannot grow when one is  
8 imprisoned by a fear of retribution and exclusion.

9 11. The time and resources expended from the College's Office of Student  
10 Affairs has been most evident in preparation of staff in the Wellness Center and the Office of  
11 Student Support Services on how to support and address these issues should they present  
12 themselves. In addition, the Department of Public Safety has had internal discussions on roles  
13 and expectations for law enforcement collaboration if external law enforcement were to request  
14 assistance or present themselves unannounced on campus.

15 12. At present, the College has one DACA student. In addition to concern  
16 about our current student, our students have concerns about the rescission of DACA for  
17 prospective students, as well as students' families and friends as related to deportation. This  
18 intense stress has a negative impact on students and requires the institution to provide increased  
19 services and support for these students based on individual situations. Our Office of Student  
20 Support Services and our Wellness Center are the two primary areas where this increased need  
21 will likely occur.

22 13. Our students have concern about the rescission of the DACA program for  
23 themselves, as well as for their families and friends as related to deportation. This intense stress  
24 has a negative impact on the students and requires the institution to provide increased services  
25 and support for these students based on individual situations. Our Office of Student Support  
26 Services and our Wellness Center are the two primary areas where this increased need will likely  
27 occur.

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14. The students who are Dreamers are very talented. St. Mary’s College’s DACA student has served on search committees for critical positions for SMCM and has served as a student leader orientation, resident assistants, and student government. The student is a critical member of our community who adds more than they take. The current DACA student at St. Mary’s College of Maryland is, in fact, a college student and, as such, contributes to the greater good by questioning all that is seen, challenging the status quo, imagining a different world, and working to make Maryland, our nation, and the world a more fair and just world for all.

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. Mary’s City, Maryland.

  
TUAJUANDA C. JORDAN

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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 JOHN KELLER**

1 STATE OF CALIFORNIA, STATE OF  
 2 MAINE, STATE OF MARYLAND, and  
 3 STATE OF MINNESOTA,  
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 5 Plaintiffs,  
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 7 v.  
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 9 U.S. DEPARTMENT OF HOMELAND  
 10 SECURITY, ELAINE DUKE, in her official  
 11 capacity as Acting Secretary of the Department  
 12 of Homeland Security, and the UNITED  
 13 STATES OF AMERICA,  
 14  
 15 Defendants.

CASE NO. 17-CV-05235-WHA

9 CITY OF SAN JOSE, a municipal corporation,  
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 11 Plaintiffs,  
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 13 v.  
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 15 DONALD J. TRUMP, President of the United  
 16 States, in his official capacity, ELAINE C.  
 17 DUKE, in her official capacity, and the  
 18 UNITED STATES OF AMERICA,  
 19  
 20 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,  
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 22 Plaintiffs,  
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 24 v.  
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 26 UNITED STATES OF AMERICA, DONALD  
 27 J. TRUMP, in his official capacity as President  
 28 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

Pursuant to 28 U.S.C. § 1746(2), I, John Keller, hereby declare as follows:

1. I am the Executive Director of Immigrant Law Center of Minnesota (ILCM), a statewide nonprofit organization. I am over the age of eighteen, am competent to testify as to the matters below, and make this declaration based on personal knowledge.
2. ILCM was established in 1996 as a 501(c)(3) organization. It is located at 450 North Syndicate Street, #200, St Paul, Minnesota 55104. In addition to its primary office in St. Paul, ILCM has four other offices across the state.
3. ILCM is Minnesota’s largest provider of free legal immigration services, education, and policy services to low-income immigrants and refugees. More than 4,000 individuals across the state receive legal assistance each year from ILCM, through full representation, brief advice, or other services. In addition to 27 staff members, ILCM has a robust pro bono program through which more than 250 attorneys provide a wide variety of services to Minnesota’s immigrants and refugees. ILCM is also one of the state’s premier providers of education in immigration law, and is a local leader in the drive to promote fair and just public policy in the area of immigration reform.
4. Irma Marquez Trapero is the Secretary of ILCM’s Board of Directors and a member of

1 its Executive Committee. She came to the United States at the age of 9 and was undocumented until the  
2 DACA program. She was granted DACA in 2012. She graduated from Gustavus Adolphus College with  
3 a Bachelor of Arts degree and double-major in Political Science and Gender Women and Sexuality  
4 Studies in 2012. In 2013, she received a Certificate of Commendation from Minnesota Governor Mark  
5 Dayton in recognition of her leadership to support the Latino and immigrant community. She was a  
6 Policy Fellow at the University of Minnesota Humphrey School of Public Affairs in 2015-2016. She  
7 works as the Director of Talent Recruitment at Hiawatha Academies and has also been employed as a  
8 paralegal in Twin Cities law offices. Her personal experience and leadership have guided ILCM's board  
9 and the organization's commitment to serve DACA recipients and the immigrant community over the  
10 last 5 years.

12 5. ILCM has assisted thousands of young people through the Deferred Action for Childhood  
13 Arrivals (DACA) program since it began in 2012. Throughout that time, ILCM has had a staff member  
14 who has provided legal services full-time to potential DACA applicants from Minnesota, with other staff  
15 members and pro bono attorneys providing additional DACA services.

17 6. ILCM's work on behalf of DACA applicants includes: representation before U.S.  
18 Citizenship and Immigration Services (USCIS) in initial and renewal DACA and work authorization  
19 applications, legal consultations and advice, legal information, and referrals as appropriate to other  
20 service providers. Through ILCM's pro bono program, 200 pro bono attorneys have represented clients  
21 in initial or renewal DACA applications. Our DACA services reach across the state; ILCM has  
22 represented clients from every county in Minnesota in DACA applications.

24 7. Since 2012, ILCM has assisted 1,934 individuals in more than 3,370 DACA matters. We  
25 have provided full representation before USCIS to over 1,700 individual DACA applicants, representing  
26 those applicants in initial filings, renewal applications, or, in many cases, both. Each of these clients,  
27 like all DACA beneficiaries, has lived in the United States since at least 2007 and was younger than 16  
28

1 when she or he first came here. For many, the United States is the only home they remember.

2 8. Nearly all DACA applicants, including ILCM’s clients, have been successful in obtaining  
3 DACA along with the often life-changing benefits provided by the program. Because of DACA,  
4 thousands of Minnesotans have been able to work, contribute to their families and communities, and  
5 focus on their futures in the United States. DACA grantees qualify for Minnesota driver’s licenses,  
6 which enable them to commute to work or school, and to provide transportation assistance to their  
7 family members. Many DACA grantees have found jobs with employer-sponsored health insurance  
8 coverage.  
9

10 9. DACA has profoundly affected our clients’ plans and hopes for their future, by freeing  
11 them from the fear of deportation and allowing them to pursue professional and educational aspirations.  
12 The overwhelming majority of ILCM’s DACA clients have graduated from or are enrolled in high  
13 school or GED programs. Nearly all of our DACA clients who have finished school are employed and  
14 are pursuing career goals.  
15

16 10. The rescission of the DACA program most directly and immediately affects ILCM’s  
17 1,700 DACA clients and the more than 4,500 other DACA grantees in Minnesota. When their DACA  
18 protections expire beginning in March 2018, these thousands of young adults and teenagers will no  
19 longer be authorized to work and will lose benefits to which they would otherwise be entitled. Many of  
20 these young people have been building careers for five years under the DACA program, and will be  
21 forced to abandon their professional ambitions. Additionally, the loss of work authorization will  
22 negatively impact the financial and housing stability of the dependents of DACA recipients.  
23

24 11. The rescission order provides a 30-day window for some of Minnesota’s DACA  
25 recipients whose status expires between September 2017 and March 2018 to renew their expiring DACA  
26 status. This 30 day window to reapply is a new change that marks an abrupt change of policy that  
27 previously encouraged DACA recipients to file to renew their cards between 3-4 months prior to  
28



1 termination. Due to this abrupt change MN DACA recipients will be harmed when they are unaware or  
2 unable to comply during this arbitrary 30 day window. They will lose status, be unable to renew their  
3 two years of successive status and work authorization, and will be subject to deportation due to this  
4 abrupt change.

5  
6 12. The rescission of the DACA program also affects the estimated 8,000-10,000 additional  
7 Minnesota residents that are or would have become eligible to apply for DACA but are now precluded  
8 from that opportunity by the rescission order.

9  
10 13. The rescission of DACA has already heightened grantees' fears of immigration  
11 apprehension and deportation. These fears lessened significantly during the years of the program, as  
12 reflected in reports by ILCM's clients and other grantees. Now, the psychological burdens of being  
13 undocumented and unprotected will be worse for many grantees than they were before, given that the  
14 federal government is actively and intentionally stripping away the protections that it once provided. At  
15 the same time, DACA grantees and their families are more vulnerable than they were five years ago, as  
16 the federal government maintains years of personal and family information for each of the grantees,  
17 which information can be used at any time for immigration enforcement purposes.

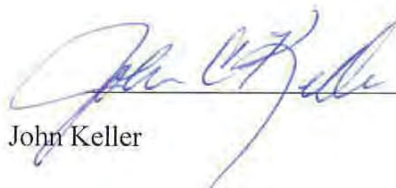
18  
19 14. The end of DACA affects thousands of families in Minnesota, including thousands of  
20 U.S. citizens. ILCM's DACA clients have more than 870 U.S. citizen children among them, and they  
21 live with hundreds of additional U.S. citizen brothers, sisters, and other family members. DACA  
22 grantees frequently provide full or partial financial support to these young U.S. citizen relatives. The  
23 DACA rescission will cause significant hardships for these family members. First, families will face a  
24 loss of income because DACA grantees will not be able to work in the U.S. once the protections expire.  
25 In addition, U.S. citizen children and siblings of DACA grantees will suffer the psychological toll of  
26 potential apprehension and deportation of their family members.

27  
28 15. ILCM will assist Minnesotans who have benefited from DACA, by providing

1 informational workshops and legal services to pursue other immigration remedies when appropriate and  
2 possible. However, many of the Minnesota residents who have DACA protections are not currently  
3 eligible for other immigration relief. Many of those who are eligible for other relief cannot afford a  
4 private attorney or find a legal services provider with capacity to provide free representation in  
5 complicated cases. DACA grantees who have no other immigration relief available to them, or are not  
6 able to find legal representation, will be cut off from the employment and other benefits, and from safety  
7 from deportation, that they have accessed since 2012.

9  
10 I declare under penalty of perjury that the foregoing is true and correct.

11  
12 Executed on this 27<sup>th</sup> day of October, 2017

13  
14   
15  
16 John Keller



# EXHIBIT 48

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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 KUTZ**

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, CHRISTOPHER KUTZ, DECLARE:

1. I am the C. William Maxeiner Distinguished Professor of Law in the Jurisprudence and Social Policy Program at University of California, Berkeley (“JSP”). The matters set forth herein are true and correct of my own personal knowledge and, if called as a witness, I could and would testify competently thereto.

2. I teach classes in criminal law, moral and political philosophy, and the ethics of international law. I have taught and advised several DACA recipients, including Joel Sati, a second-year JSP student.

3. Joel is representative of the rich vein of talent that became available to us as DACA-recipients began working their way through undergraduate programs and began applying for graduate programs. Before the Deferred Action for Childhood Arrivals (“DACA”) policy was introduced, these talented students did not have employment opportunities available to them that made investing in a graduate degree worthwhile. Additionally, some of our graduate programs emphasize international travel and research. Prior to the DACA policy, these students had no option to obtain advance parole and therefore could not engage in the travel necessary to complete their programs.

4. I first met Joel when I began recruiting him to join JSP when he was an undergraduate at City College of New York (“CCNY”). In my experience, CCNY has always been a place that produces tremendous intellectuals, but it is not known as an especially nurturing environment. Instead, students there have to struggle to break free from the crowd if they want to build close relationships with their professors. Joel did that. He distinguished himself as a brilliant thinker and he was able to form lasting relationships with several leading academics.

5. While at CCNY, Joel co-taught a course with Richard Bernstein, a leading philosophy, constitutional law and political science scholar. Richard wrote a letter of recommendation for Joel when Joel applied for a Soros Foundation grant. It was the best letter of recommendation I have ever read.

6. As a student, Joel has exceeded my admittedly high expectations for him. As a relatively young graduate student, he is doing things that would be impressive if done by someone two or three years further along in their studies. In fact, Joel consistently beats out more senior students for the opportunity to present his research. Joel is thinking profound new thoughts in a rigorous and organized



way, and is contributing meaningfully to what is, in my opinion, the hardest thing a university is responsible for: generating new ideas.

7. Joel's scholarship has already been recognized as noteworthy. As a second-year graduate student, he has been invited to travel to international conferences to present his research. Some conferences have even offered to cover the cost of his attendance. This is unusual for most graduate students, let alone for someone so early in their doctoral studies.

8. Based on his academic ability alone, Joel is a once-in-a-decade student. Once you factor in the personal and financial obstacles that Joel overcame to make it to JSP, and the unique perspective that he provides to the field and our program, Joel becomes irreplaceable.

9. Joel is a member of a Workshop in Law, Philosophy and Politics with our department this year. The current Workshop is focused on immigration, and Joel provides concrete experiences that ground our philosophical discussion in the real world. Joel is able to draw from his own personal experience to provide context to his scholarship on citizenship that other academics cannot. He draws upon his own experiences navigating different institutions like the healthcare system and the education system as an undocumented individual, using this to explain the actual consequences of policies in concrete terms; this allows him to compare policy alternatives and suggest certain approaches in a credible, persuasive way. He is also able to pose probing questions based on his own lived experiences, that advance the discussion and benefit the other Workshop participants.

10. My personal understanding has also benefited from conversations with Joel. One common argument within immigration theory is that citizenship is a relatively minor and discrete right. The theory is that, while citizenship is linked with an individual's ability to participate in the political process—i.e., voting—you can remove citizenship from the larger bundle of rights, and the two most important rights in that bundle—legal rights or human rights—will remain unaffected. Joel has made clear to me that the notion that “citizenship is just about voting” is an oversimplification of a complex reality. He has impressed upon me that you cannot simply filter issues of citizenship out of discussions about issues such as labor policy and effective law enforcement, which also heavily implicate legal rights and human rights.

11. I have found the contributions that other DACA recipients make in my classes are also invaluable. These students' contributions provide both credence and context to arguments and force the entire class to acknowledge and grapple with the theories presented at a far more nuanced level. In one of my classes, focusing on the intersection of immigration and criminal law, a DACA recipient volunteered her perspective on how marginalized groups view and interact with police. This particular dynamic was covered in the assigned reading and my lecture, but it is radically different for my students to read it in a book or hear it from me than it is for them to hear it from a classmate with personal experience on the subject. As humans, we understand words with an emotional connection, and when someone puts a face and a voice to an argument, we instantly understand that the view is valid and should be taken seriously. When they are exposed to the perspectives of their DACA-recipient classmates, my students are forced to reckon with different—and at times complementary—points of view that they would not otherwise afford the same weight.

12. When they share their unique perspectives, DACA recipients' ability to improve understanding is not limited to the classroom environment. Thanks to efforts by our DACA students, understanding within the UC Berkeley community of the complexities of immigration policy has deepened. DACA students at Berkeley have been adamant that all undocumented citizens have claims to respect and dignity. Our DACA recipients have maintained that the tendency to distinguish between "good immigrants" and "bad immigrants" is flawed, forcing out community to think in broader terms about what it means to be an immigrant. It is a testament to the empathy of our DACA students that they are so focused on others who are denied the benefits that DACA conveys.

**The Decision to Rescind the DACA Policy has Caused Immediate Harm and Will Continue to Harm Our DACA Students, Their Classmates, and The University**

13. The decision to rescind the DACA policy is frustrating Joel's professional development. Following the rescission of the DACA policy, Joel was denied advance parole. He had sought advance parole for travel to multiple academic conferences. He will therefore be unable to attend these prestigious international conferences which invited him to present his research. There are benefits for Joel to attending these conferences beyond the opportunity to present his scholarship. Since a main part of securing jobs in academia hinges on who an aspiring professor knows and how large their cast of

1 supporters is, these conferences also serve as important networking opportunities for young academics  
2 Joel is now denied this important opportunity because advance parole ended with the announcement of  
3 the DACA policy rescission. His ability to build his global network, an essential part of his journey  
4 towards a career in academia, will continue to be frustrated as he is prevented from attending these  
5 conferences.

6 14. The rescission of the DACA policy will also result in administrative harms to the  
7 University and its faculty. It has already resulted in increased administrative costs, legal fees, and  
8 distractions for the University which have resulted in less time and money available to spend on core  
9 educational focuses. I have personally experienced this diversion of resources in my capacity as a  
10 professor. All these distractions prevent faculty from delivering our resources efficiently, and so, in our  
11 role as educators we are harmed.

12 15. But the greatest harm is that the rich vein of talented students the DACA policy opened  
13 will be closed. Without the DACA policy, these students will be without work authorization and certain  
14 scholarship and financing opportunities, and will therefore find it much harder to finance education at  
15 four year programs or in advanced degrees. Additionally, I expect their performance in high school and  
16 college will likely be chilled, for fear of standing out. Uncertainty about their futures will dissuade them  
17 from making the kinds of investments of time and tuition required for professional programs.

18 16. This means that we at the University of California Berkeley will be unable to attract the  
19 once-in-a-decade minds like Joel's that add to our original scholarship. It also means we will be unable  
20 to tap into these students' unique histories and perspectives that add so much to our classroom  
21 environments and our community discussions around citizenship and identity. These things, once lost,  
22 are impossible to replace.

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

25 Executed on October 23, 2017 in Berkeley, California.

26  
27   
28 CHRISTOPHER KUTZ

# EXHIBIT 49

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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 JIRAYUT  
LATTHIVONGSKORN**



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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, JIRAYUT LATTHIVONGSKORN, DECLARE:

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 to the facts stated  
4 herein.

5 **Arrival in United States & Early Life**

6 2. I was born in Thailand in 1989. My name is Jirayut Latthivongskorn, but everyone  
7 calls me New, which I have gone by since birth. My parents grew up poor, but they both worked  
8 hard and through that hard work made their way into the Thai middle class by becoming business  
9 owners. I was nine years old when I moved to the United States with my parents. There was a severe  
10 economic crash in Southeast Asia in the mid-1990s, and my family lost almost everything.

11 3. Quality academic and career opportunities in Thailand are often dependent on private  
12 schooling. After the crash, my parents realized that even if my family could find a way to survive,  
13 there was no way they could pay for school for my two siblings and me. My aunt, who was living in  
14 Fremont, California, at the time, told us that in the United States, the K-12 public education system  
15 might be available and accessible to immigrant children. My parents decided to move our family to  
16 California with the hope that we would be able to realize our full potential in the United States and in  
17 order to find stable work in the restaurant industry.

18 4. I was raised in Northern California, which I consider to be my home. My family first  
19 settled in Fremont, California, where my parents worked cleaning toilets, mopping floors, and  
20 waiting tables at various restaurants. In 2004, we moved to Sacramento, where my parents hoped to  
21 make more money by opening a restaurant so they could send my siblings and me to college.

22 5. My family is very close. My siblings and I worked alongside our parents for most of  
23 our childhoods. We still share one car when we are at home. My parents are dependent on my  
24 siblings and me for basic tasks in daily living, including paying bills, writing résumés, assisting them  
25 in applying to jobs, and accompanying them to doctors' appointments in order to act as their  
26 interpreters.

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1           6.       My parents became U.S. Legal Permanent Residents in 2012 (through my brother) and  
2 are on track to becoming naturalized U.S. citizens. They have great pride in the United States and  
3 feel at home here.

4           7.       Growing up, I often felt isolated and lived with the constant fear that I or someone in  
5 my family might be deported. My parents always told me just to walk away if anyone asked me any  
6 questions about my citizenship status. I vividly remember the fear I felt one time when we were  
7 stopped by a police officer for a traffic violation. As the red and blue lights flashed through our back  
8 window, I held my breath, hoping that a simple traffic stop would not jeopardize our life in the  
9 United States. Every time I came across some sort of government authority, I was reminded that I—  
10 unlike my peers or any average American—was deemed as different and therefore vulnerable.

11           8.       As I grew older, I continued to experience the challenges of being undocumented and  
12 those challenges became more daunting. Most importantly, I could not help contribute financially to  
13 my family. After working for years as waiters in restaurants, my parents hoped to realize the  
14 American dream by opening their own small business, a restaurant of their own. In 2004, they  
15 opened Muang Thai restaurant in Roseville, California. Given the challenges of starting a new  
16 business, compounded by the ensuing economic recession, I wanted to help supplement our family's  
17 income and help us succeed by working myself. I watched as friends of mine obtained jobs at In-N-  
18 Out Burger, Coldstone Creamery, or at other restaurants; the type of jobs sought by any other  
19 American teenager.

20           9.       In addition, my friends started getting their driver's licenses when we turned sixteen.  
21 There was no public transportation in west Sacramento, and, without my own license, my ability to  
22 travel freely was curtailed. I could not spend much time with my friends, who could drive where  
23 they pleased. I was also embarrassed about why I did not have a driver's license and would make up  
24 excuses to cover my shame. Another time, my friends and I went to watch an R-rated movie, and,  
25 although I was old enough to buy a ticket to the film, I did not have an ID to prove my age, and so I  
26 was turned away at the box office. I left embarrassed, frustrated, and demoralized.

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1           10.     The first time I took an airplane, since flying to the United States at age 9, was in June  
2 2010. I feared using my Thai passport to get through airport security, and I was so anxious that I had  
3 my lawyer on speed-dial. Airports are dangerous places for undocumented people like myself.

4           11.     I did not tell anyone I was undocumented until I was in high school, when my close  
5 friend noticed that I left my Social Security Number off my college application to the UC schools. I  
6 had remained silent all those years because I did not want to risk everything my parents had  
7 sacrificed—I hold the lives of my family in my hands every time I make the decision to trust  
8 someone enough to tell them about our undocumented status. This made it difficult to form close  
9 relationships and it deeply impacted my social and emotional well-being growing up.

10          12.     When I was a junior in high school, my mother was diagnosed with ovarian tumors. I  
11 was the primary person coordinating her care. As she does not speak English, the language barrier  
12 posed a real problem for her care, and, although I was helping her, I had no experience accessing the  
13 healthcare system. We had no support navigating the insurance system either. This was a very  
14 traumatic experience for me, and I felt very helpless and powerless. Fearing that engaging in  
15 negotiations or asking too many questions could lead to negative immigration-related consequences,  
16 we often settled for less than excellent care for my mother. We all felt as though we had to settle for  
17 whatever we were given. I consider this to be a formative experience in my life. It was after living  
18 through my mother’s illness that I was determined to become a doctor and devote my life to helping  
19 immigrant and low-income communities improve their access to health care.

20          13.     My parents always emphasized the importance of hard work and education. While I  
21 was in high school, I helped work in my family’s restaurant on nights and weekends—cooking,  
22 waiting tables, mopping floors, and washing dishes—always balancing these jobs and chores with my  
23 schoolwork. I took honors and AP classes with the hope that I could one day achieve my parents’  
24 dream for me of receiving higher education here in the United States.

25                   **Applying to College, Attending UC Berkeley, and Community Service**

26          14.     I graduated as salutatorian of my high school class and was accepted to a number of  
27 colleges within the University of California. It was a very proud moment for me and my family, and  
28



1 it reflected my parents' hopes for us when they uprooted our lives to move us here so many years  
2 ago. I felt like I was achieving the American Dream.

3 15. As excited as I was by the prospect of attending college, I was worried about being  
4 able to pay for it. My family was struggling financially, and we were losing a lot of money from the  
5 restaurant. As an undocumented immigrant without a Social Security Number, I did not qualify for  
6 federal financial aid, and even some institutional funding that is available to documented applicants.

7 16. In March 2008, I learned that I had been offered the Regents Scholarship for UC  
8 Davis—the most prestigious scholarship offered to undergraduates, awarded to students based solely  
9 on their academic and personal achievements—which would have covered most my tuition costs for  
10 all four years. I was so happy and proud, and I thought that, for the first time in my life, I would  
11 finally be able to focus only on my schoolwork and not lie awake at night worrying about money. I  
12 was optimistic that my family would not have to bear the complete financial burden of my college  
13 education.

14 17. That optimism was short-lived. My Regents Scholarship was revoked after the school  
15 learned that I was undocumented, and that as such I was ineligible to receive such financial aid under  
16 the rules as they existed at that time. The university expressed their regret, and said they hoped that I  
17 would let them know if I became eligible for aid in the future.

18 18. I was devastated, but still determined to get a college education. I considered  
19 attending community college with the plan of eventually transferring into a 4-year university.  
20 However, my family was determined to not let my acceptances to competitive universities go  
21 unfulfilled, and to not let financial concerns stand in my way. My family, including my extended  
22 family, pitched in and managed to find a way to put together enough funds for my first year at UC  
23 Berkeley.

24 19. I was constantly worried about how to pay for the rest of my education and living  
25 expenses. To help pay for school, I worked nights as a busboy at a Thai restaurant and secured  
26 scholarships from several nonprofit organizations. One of those organizations, Educators for Fair  
27 Consideration, introduced me to a community of undocumented individuals and supporters,  
28 eventually inspiring me to become an activist organizing for immigrant rights.

1 20. Despite maintaining the rigorous academic schedule necessary to get into medical  
2 school and working to pay for my education, I made time to volunteer with several local nonprofit  
3 organizations. Among other things, I cared for disabled patients at a local hospital (Alta Bates in  
4 Berkeley, CA), assisted low-income and homeless community members through a running a student  
5 health organization called the Suitcase Clinic, and provided health and wellness seminars to East  
6 Oakland youth as a trained “Healthy Ambassador”.

7 21. While at UC Berkeley, I also advocated for federal and state legislation to assist  
8 undocumented communities, and testified before the California Legislature in support of the  
9 California Dream Act, which was enacted into law in 2012.

10 22. Even though I was becoming more vocal about my identity as an undocumented  
11 person, I still continued to suffer the consequences of that status. In 2011, I was robbed at gunpoint  
12 just five blocks from the UC Berkeley campus. I decided not to report the crime to the police out of  
13 fear that stepping forward might lead to me being deported. I felt suffocated. An awful, violent act  
14 had been perpetrated on me and, yet, I was not able to report the crime or rely on law enforcement to  
15 bring me justice. I felt that there was nothing I could do, so I just went back to studying.

16 23. In 2012, I co-founded Pre-Health Dreamers (“PHD”), a national nonprofit  
17 organization with over 700 members that provides advice, resources, and advocacy for  
18 undocumented students interested in pursuing careers in health care and science. In January 2017,  
19 *orbes* Magazine named me and my co-founder to its “30 Under 30 in Education” list, commending  
20 me for being “on the frontline of getting undocumented students into medical professions and on the  
21 path to becoming physicians and health care professionals.”

22 24. In 2012, I graduated from UC Berkeley, earning a bachelor’s degree with honors in  
23 Molecular & Cellular Biology and Distinction in General Scholarship.

24 **Receiving DACA Status & Applying to Medical School**

25 25. In spite of my excellent academic record, I was told by the Deans of Admissions at  
26 several medical schools that I should not apply to their programs because I was undocumented. Dr.  
27 Gabriel Garcia of Stanford School of Medicine told me that if he were me, he would not apply to  
28 medical school at that time because medical schools did not want to invest their resources in training

1 me if I might not be able to stay in the United States to practice medicine. Refusing to take “no” for  
 2 an answer, I applied to medical school anyway, but was turned down, as the Deans of Admissions  
 3 had predicted would happen.

4 26. Exactly one month after I graduated from UC Berkeley, the federal government  
 5 announced the DACA program on June 15, 2012. I was skeptical at the beginning, so I decided to  
 6 wait several months before applying. I was nervous about giving my information to the government  
 7 because I did not know what they would do with it. After observing that the government was living  
 8 up to its promises to undocumented individuals like me, I decided that I could trust the government  
 9 and complied with the requirements of the application process, including giving them my identifying  
 10 information and submitting to a rigorous background check. I trusted that the government would not  
 11 use my information against me and my family, and I took the government up on the chance to walk  
 12 on the path of economic and academic opportunity that was paved by the DACA program.

13 27. The ability to renew DACA was particularly important to me. The risk-benefit  
 14 analysis that I undertook before applying for DACA led me to conclude that it was only worth it if I  
 15 was able to renew for the foreseeable future. It would not make any sense to give the government my  
 16 information if I only received DACA for two years, or if after each renewal I faced an uncertain  
 17 prospect for my future DACA status. Medical school is a long path—I would have at least 4 years of  
 18 school and 3+ years of residency. I would not be able to be a resident trainee without work  
 19 authorization. So DACA had to be a long-term solution for me, and the government indicated that it  
 20 very well could be. Throughout the process of applying for and receiving DACA benefits, I  
 21 understood that I would be eligible to receive DACA and continue to renew it as long as I continued  
 22 to play by the rules.

23 28. I applied for DACA in the Fall of 2012. Attached as Exhibit A is a true and correct  
 24 copy of my initial DACA application, Form I-821D. I paid \$465 dollars for the application.  
 25 Attached as Exhibit B is a true and correct copy of the payment receipt notice I received from the  
 26 U.S. government. In connection with my DACA application, I went to a USCIS application support  
 27 center on October 3, 2012 to have my biometrics taken. Attached as Exhibit C is a true and correct  
 28 copy of my ASC Appointment Notice dated October 3, 2012.

1 29. I passed the background check and was granted DACA status on January 24, 2013.  
2 Attached as Exhibit D is a true and correct copy of my first Notice Of Action that I received from the  
3 U.S. government granting my DACA status until October 15, 2014.

4 30. I also applied for and was granted employment authorization at the same time.  
5 Attached as Exhibit E is a true and correct copy of my first I-765, Application for Employment  
6 Authorization. Attached as Exhibit F is a true and correct copy of the Notice of Action I received  
7 from the U.S. government granting me employment authorization until October 15, 2014.

8 31. I applied for renewal of my DACA status on July 18, 2014. Attached as Exhibit G is a  
9 true and correct copy of my DACA renewal application, Form I-812D. Attached is Exhibit H is the  
10 Notice Of Action that I received from the U.S. government renewing my DACA status until  
11 September 25, 2016.

12 32. I again applied for renewal of my DACA status in 2016. Attached as Exhibit I is a  
13 true and correct copy of my DACA renewal application, Form I-812D. Attached is Exhibit J is the  
14 Notice Of Action that I received from the U.S. government renewing my DACA status until January  
15 12, 2019.

16 **Benefits of My DACA Status**

17 33. Being granted DACA status was a “game changer” for me. It immediately opened  
18 doors at the medical schools I wanted to apply to. I reapplied to medical schools and, in 2014, I  
19 enrolled at the school that I always dreamed of attending—UCSF. I was the first undocumented  
20 medical student at UCSF. I am on a five-year track in the Program in Medical Education for the  
21 Urban Underserved (“PRIME-US”), which is for students committed to working with urban  
22 underserved communities.

23 34. Because of DACA, I was also able to apply for and be granted Advance Parole to visit  
24 my 87-year-old grandmother in Thailand, when she was ill in December 2014, my first visit to  
25 Thailand since I arrived in the U.S. On that trip, I traveled with my mother and siblings to see my  
26 grandmother after she suffered an acute fall, requiring emergency surgery, which compounded her  
27 already advanced chronic diseases. The ability to travel back to Thailand was invaluable, and  
28 allowed us to be there with her in her most vulnerable moments, and made possible the reunification

1 of our family. Attached as Exhibit K is a true and correct copy of the Authorization for Parole of an  
2 Alien Into the United States that I received from the U.S. government.

3 35. DACA also allowed me to immediately start working. I contracted with PHD as an  
4 independent contractor from January 2013 to September 2015. I also completed a two-month  
5 internship with Health Access California through Health Career Connection during the summer of  
6 2013 to advocate for expanding health care access to undocumented Californians. I paid taxes for  
7 both these jobs.

8 36. DACA has also allowed me to start building credit. I participated in a Lending Circle  
9 through the Mission Asset Fund, which I would not have been able to do without a Social Security  
10 Number. I was able to apply for and be approved for credit cards, which allowed me to become more  
11 economically flexible and stable.

12 37. Receiving DACA was also life-changing on a more fundamental, personal level. I felt  
13 like I could finally breathe easy. I was finally able to do things that I had never been able to do  
14 before, and that other people take for granted. After years of lying to my friends, I obtained a  
15 driver's license, which helped me commute from Fremont while I was working after college to build  
16 PHD.

17 38. I am continuing my work in helping underserved communities. I volunteered at the  
18 UCSF student-run homeless clinic, helped to implement a quality improvement project at the San  
19 Francisco Department of Public Health's community health center, am involved with several  
20 organizations that provide support for undocumented students and other immigrants, and serve on the  
21 Board of Directors for Asian Health Services (Oakland, CA) as well as UC President Janet  
22 Napolitano's Advisory Council for Undocumented Students.

23 39. Being undocumented helps me relate to my underserved and undocumented patients in  
24 ways that many other medical students and doctors cannot. Because of my personal experiences with  
25 my mother's health issues, I can understand—and help overcome—the barriers to healthcare access  
26 and trust that my patients experience. My personal knowledge of these barriers also helps me to  
27 advocate for changes in public health policy.  
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1 President Trump’s words in an April 2017 interview that “dreamers should rest easy,” and his answer  
2 that his administration’s policy was to allow DACA recipients to stay. I also read reports issued on  
3 June 15, 2017 that the administration would continue to allow for DACA renewals and that the  
4 DACA program would remain in effect. Those reports provided hope that the DACA program would  
5 continue.

6 45. Less than three months later, however, on September 5, 2017, the Administration  
7 announced the rescission of the DACA program. That announcement threw my life into chaos and  
8 has been a shock to my world: educationally, professionally, emotionally, and physically. Since the  
9 rescission of DACA was announced, I have not been sleeping well because of the anxiety the  
10 announcement caused and the frustration about not knowing where my future stands. In fact, I have  
11 suffered sleeplessness for the first time in my life. I wanted to make the most out of my year at  
12 Harvard by immersing myself in study of health policy and by developing connections for my future  
13 career. But that career was put in jeopardy just a week after I started school, with the announcement  
14 of the end of the DACA program upending my life. As a result, I have been paralyzed by the fear  
15 that I will lose everything that I had worked so hard to achieve—that my future would vanish in a  
16 flash. My focus has been taken away from the important opportunities available to me at Harvard.

17 46. The announcement of the rescission of DACA has consumed significant emotional  
18 energy, and I live in fear of the loss of the future my parents and I had worked so hard to create. The  
19 stress is unbearable. Following the announcement that the DACA program would be ended, I have  
20 suffered headaches for the first time in my life, and I have no doubt that the stress and headaches are  
21 due to the chaos that the announcement of the rescission of DACA has caused me.

22 47. The announcement of the end of the DACA program is already affecting my education  
23 and professional prospects. I was planning to travel internationally as part of my MPH studies at  
24 Harvard. During the month of January, international travel for MPH students is common, and I  
25 hoped and planned to travel as part of the program, in January 2018. Without the ability to do so, I  
26 would be one of the few students not to travel internationally as part of my MPH program, which  
27 would place me at a disadvantage against my colleagues.

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48. And, in my fourth year of medical school, I was planning on completing an away rotation in an international country, to be able to have more experience with global health work, serving needy communities abroad. This will be impossible if my DACA is rescinded.

49. I am due to apply for residency next year. Without DACA and without my work authorization, however, I will become ineligible to apply for and be considered by residency programs across the country. I have spent years of my life working tirelessly towards this goal, and having my dream snatched away from me so close to the finish line hurts emotionally more than I imagined, and causes me great stress on a daily basis ever since the government announced that DACA would be rescinded.

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

Executed on OCTOBER 30, 2017, in Cambridge, Massachusetts.

  
\_\_\_\_\_  
JIRAYUT LATTHIVONGSKORN

# EXHIBIT 50

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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 JULIE LEE**



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, Julie Lee, 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 Director of Operations for the California Governor's Office, a position I have held since July 2013. In that capacity, I oversee executive compensation, out-of-state travel, and human resource policies for state government. Prior to working as the Director of Operations, I was a manager at the California Department of Human Resources, where I was in charge of government reorganization.

3. As of September 6, the State of California employs 48 DACA recipients. These individuals are employed in a variety of capacities, including a firefighter, corporation examiner, a registered nurse, and a psychiatric technician. These individuals work for at least 14 State agencies, including the Department of Social Services, Department of State Hospitals, Department of Developmental Services, and the Department of Corrections and Rehabilitation. Hiring these DACA recipients has helped to directly advance the goals of a diversified workforce that reflects the population served by the state workforce.

4. The vast majority of these employees are civil servants, which means they were required to pass a competitive civil service examination. In addition to meeting minimum requirements for a particular position, departments will often look to hire employees who have additional, desirable skills that would be useful for a particular position, such as being multilingual, or having experience with a particular underserved community.

5. In the event that Rescission is implemented and these individuals lose work authorization, each of these agencies will lose the benefit of employing these individuals and the unique talents and attributes they bring to State service. The loss of these valued employees will mean a loss of investment and resources that went into their hiring and training, and will impact the productivity of these agencies.

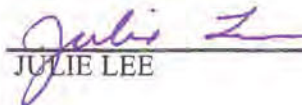
6. In addition, these agencies will need to incur the administrative burden of terminating the employment of these individuals when their work authorization expires and expending resources to find, hire, and train replacement employees. The Governor's Office estimates that the average cost to replace a State employee is \$15,000, which includes the amount of time necessary to post a vacancy, grade

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examinations, review applications, and interview potential candidates. The actual cost may be significantly higher for individual employees with unique skills and attributes.

7. In addition, the Governor's Office has heard from a number of DACA recipients outside of State employment who are concerned about the effect Rescission will have on educational and employment opportunities, as well as the possibility of enforcement. The Governor's Office has diverted staff time and resources to addressing these concerns.

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 27, 2017 in Sacramento, California.

  
\_\_\_\_\_  
JULIE LEE

# EXHIBIT 51



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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,  
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.

28 STATE OF CALIFORNIA, STATE OF

CASE NO. 17-CV-05211-WHA  
**DECLARATION OF LINDA LOPEZ**

CASE NO. 17-CV-05235-WHA

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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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I, LINDA LOPEZ, DECLARE:

1. I have been the Chief of the Los Angeles Mayor’s Office of Immigrant Affairs (“MOIA”) since the office was reestablished in September of 2013. Mayor Eric Garcetti reestablished MOIA in order to promote and advance the economic, cultural, and social well-being of immigrant communities in Los Angeles. MOIA’s mission is to support immigrant integration through the coordination of city services, outreach, and legislative advocacy.

2. Since 2013, MOIA has been in contact with both the Los Angeles Field Office of USCIS as well as representatives of the USCIS intergovernmental team in Washington, D.C. regarding DACA. It is my understanding that, because Los Angeles had a high DACA-eligible population, USCIS made a concerted effort to work with MOIA to provide information and materials about the program that MOIA could pass along to the local immigrant population. MOIA also participates in monthly calls with USCIS regarding various immigration issues, including DACA.

3. Since 2013, MOIA has held twenty separate clinics to help eligible people apply for DACA. Several of these events were co-hosted by MOIA and community-based organizations. The information provided at these events included information about how and when to renew DACA applications.

4. Since the decision to rescind DACA was announced on September 5, 2017, MOIA expended resources in the form of hosting four DACA renewal clinics to assist eligible applicants before the October 5, 2017 deadline. But for the decision to rescind the DACA program, MOIA would not have expended these resources on DACA renewal clinics.

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.

  
Linda Lopez

# EXHIBIT 52



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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 PAUL LORENZ**

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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

1 I, PAUL LORENZ, declare:

2 1. I am a resident of the State of California. I have personal knowledge of the facts set forth  
3 in this declaration. If called as a witness, I could and would testify competently to the matters set forth  
4 herein.

5 2. I am the Chief Executive Officer of Santa Clara Valley Medical Center ("SCVMC"),  
6 which is owned and operated by the County of Santa Clara ("the County"). I have held this position  
7 since November, 2012. Prior to my current role at SCVMC, I served as the Chief Deputy Director of the  
8 Ventura County Health Care Agency for the County of Ventura. I have served in public health care for  
9 over 25 years.

10 3. SCVMC was founded in 1876 and is a fully integrated and comprehensive public health  
11 care delivery system. It provides critical healthcare to residents of the County regardless of their ability  
12 to pay. It is the only public safety net healthcare provider in Santa Clara County, and the second largest  
13 such provider in the State of California. Generally, safety net providers like SCVMC have a primary  
14 mission to care for the indigent population and individuals who are uninsured or underinsured, or on  
15 Medicaid, which is the federal healthcare insurance program for low income individuals.

16 4. SCVMC operates a 574-bed tertiary care hospital, eleven ambulatory care clinics, and four  
17 medical and dental units, along with specialized centers that provide trauma, burn, rehabilitation, renal,  
18 and ambulatory care. It has over 6,000 employees, including 350 physicians who train 170 residents and  
19 fellows per year as a graduate medical education provider and teaching institution. SCVMC is a Level  
20 1 Adult Trauma Center and Level 2 Pediatric Trauma Center. Its burn and rehabilitation centers have  
21 been nationally recognized, and its ambulatory specialty center, renal care center, and acute inpatient  
22 psychiatric unit are state of the art. SCVMC provides a full range of health services, including  
23 emergency and urgent care, ambulatory care, behavioral health, comprehensive adult and pediatric  
24 specialty services, the highest-level neonatal intensive pediatric care unit, women's health,  
25 comprehensive hematology/oncology services, and other critical health care services for all residents of  
26 Santa Clara County, regardless of their ability to pay.  
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1 5. SCVMC provides the vast majority of the healthcare services in the County that are  
2 available to poor and underserved patients. In fiscal year 2016, there were nearly 800,000 outpatient  
3 visits to SCVMC’s primary care, express care, specialty clinics, and emergency department, and nearly  
4 125,000 days of inpatient stays in the hospital. Patients who are uninsured, reliant on California’s  
5 Medicaid program (Medi-Cal), or on Medicare, which is the federal insurance program for elderly and  
6 disabled individuals, were responsible for approximately 90% of outpatient visits and approximately  
7 87% of inpatient days.

8 6. If Deferred Action for Childhood Arrivals (DACA) recipients lose their legal status due to  
9 the rescission of the DACA program, they may be less likely to seek and receive essential services like  
10 health care. Some SCVMC patients may choose to forgo routine or preventative health care and only  
11 seek health care when they experience emergencies. Such patients could easily increase SCVMC’s  
12 costs as a public safety net healthcare provider, as it is well-known in the health care industry that  
13 emergency care is much costlier to provide than routine or preventative care.<sup>1</sup> Still other SCVMC  
14 patients may choose to forgo necessary health care services altogether. Under either scenario, health  
15 outcomes for some of the County’s most vulnerable residents would certainly decline.

16 7. If DACA recipients who have employer-sponsored health insurance have additional  
17 uncertainty as they contemplate the future loss of work authorizations and thus the employment through  
18 which they receive insurance, that uncertainty could pose an additional hurdle for them and family  
19 members who would otherwise seek routine and preventative health care at SCVMC. If they are unable  
20 to obtain or keep health insurance, these individuals would likely join SCVMC’s uninsured population  
21 when they do seek care at SCVMC, thus increasing SCVMC’s costs.

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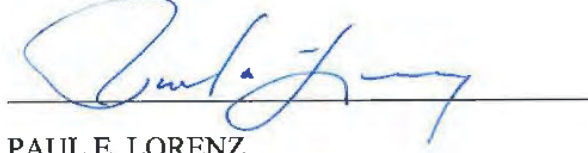
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26 <sup>1</sup> E.g., Elaine Cox, “Why Do We Continue Using the ER for Care?” US News and World Report, at  
27 [https://health.usnews.com/health-news/patient-advice/articles/2015-12-14/why-do-we-continue-using-](https://health.usnews.com/health-news/patient-advice/articles/2015-12-14/why-do-we-continue-using-the-er-for-care)  
28 [the-er-for-care](https://health.usnews.com/health-news/patient-advice/articles/2015-12-14/why-do-we-continue-using-the-er-for-care) (last accessed October 25, 2017).



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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 to the best of my knowledge and belief and that this declaration was executed on October 27, 2017 in San José, California.



PAUL E. LORENZ

# EXHIBIT 53

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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. CATHERINE  
LUCEY**

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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, CATHERINE LUCEY, DECLARE:

2 1. I am the Vice Dean of the University of California San Francisco School of Medicine  
3 (“UCSF”). The matters set forth herein are true and correct of my own personal knowledge and, if called  
4 as a witness, I could and would testify competently thereto.

5 2. I direct the UCSF graduate, undergraduate, and continuing medical education programs.  
6 This includes responsibility for medical student education and medical residency programs.

7 3. UCSF is a leading institution dedicated to advancing health worldwide through advanced  
8 biomedical research, graduate-level education in the life sciences and health professions, and excellence  
9 in patient care. Our mission is to advance human health through education, research, patient care, and  
10 public service. To fulfill our mission, UCSF is committed to training physicians from all backgrounds  
11 and cultures, and to developing a diverse community in all training programs.

12 4. I understand that there are approximately twelve DACA recipients who are currently  
13 health professional students (medical, dental, pharmacy or nursing) across the University of California  
14 Health system (“UC Health”), including students at UCSF. UCSF has one fourth year medical student  
15 and one first year medical student who are DACA recipients.

16 5. Admission to our medical school is extraordinarily competitive. Less than 5% of  
17 applicants are admitted in an average year, and those admitted have exceptionally high grade point  
18 averages (both generally and in science courses specifically) and scores on standardized tests. For the  
19 2017 class, for example, we received 8,078 applicants for a class of 145 students. Our DACA students  
20 gained admission to UCSF because of their individual records of high achievement. For example, our  
21 fourth year DACA recipient is among the top of his class academically and has emerged as a leader in  
22 catalyzing his peers and faculty to address the public health needs of immigrant and other vulnerable  
23 populations. He was awarded an Excellence in Public Health Service award in April of this year from  
24 the U.S. Public Health Service.

25 **Immediate Harm to Medical Students from the DACA Rescission**

26 6. The announced rescission of the DACA policy threatens serious harm to DACA-recipient  
27 fourth-year medical students at UC Health who are trying to obtain residency positions. Medical  
28 residency positions require employment authorization. The rescission of the DACA policy is causing

1 uncertainty around their DACA employment authorization, and therefore jeopardizing the only chance  
2 these students have to obtain a residency position and to complete their residency.

3 7. Medical students must complete a residency program to become fully-licensed  
4 physicians. Medical residency is a three to eight year process. Upon graduation, approximately 98% of  
5 UCSF students go into residency programs.

6 8. Employment authorization is required at the outset and for the duration of all residency  
7 programs. This is because medical residents actively practice medicine in a clinical setting and care for  
8 patients. Residents serve as a critically important workforce for all academic hospitals. They care for  
9 patients as employees while they simultaneously learn as residents. Work authorization is thus essential  
10 for residents throughout their residency.

11 9. Physician graduates of American medical schools, including UCSF Medicine, are not  
12 eligible for a medical license until they have completed at least one year of residency training. Without a  
13 residency position, UC Health medical school graduates cannot practice medicine in the United States.

14 10. The matching to residency programs for all medical residency positions in the United  
15 States will occur in mid-February through to mid-March 2018. Residency matching therefore coincides  
16 with the March 5, 2018 end of the DACA program and the expiration of any DACA status for which  
17 renewal is not granted before then. Matching between residency positions and interested students is open  
18 exclusively to fourth-year medical students. These students are already beginning to collect materials in  
19 anticipation of the registration process for matching.

20 11. The process of matching students to residency position is highly controlled by the  
21 National Residency Matching Program (NRMP) for all 146 medical schools and every residency  
22 position in the United States. The NRMP matching process fills virtually every available residency spot  
23 in the country. It becomes almost impossible to obtain a desirable residency position after the matching  
24 process ends. The matching process therefore represents our students' only realistic chance to become  
25 medical residents, and consequently, their only realistic chance to become physicians.

26 12. The announced rescission of the DACA policy has created great hesitancy among  
27 residency programs as to whether to accept otherwise highly-qualified DACA students as matches.  
28 Students indicate their DACA status on their application to the NRMP for matching and each residency

1 program has the discretion to accept or refuse to consider DACA candidates. I am not aware of any  
2 guidance from the NRMP on whether programs should accept DACA candidates.

3 13. Residency programs at UCSF and, as I understand it, in other locations across the United  
4 States are concerned that if they accept DACA recipients as matches, that resident will be unable to start  
5 or complete their residency because they will lose their work authorization. This is a very real worry;  
6 residencies are three to eight years and the rescission of DACA means DACA students' work  
7 authorizations will expire during this period. The hesitancy to accept DACA recipients as residents is  
8 understandable, as it would be difficult for a school to replace a trained resident with another qualified  
9 candidate partway through a residency program. Such programs are often specialized in particular areas  
10 of healthcare. This uncertainty over DACA student employment authorization is making it less likely  
11 that UCSF DACA students will obtain residency positions, which they would have otherwise obtained if  
12 the DACA policy continued.

13 14. This predicament also means our DACA students are considering self-selecting out of  
14 their one-time opportunity to participate in the residency match program. Our students understand that it  
15 is an exceptionally serious commitment to accept any matched residency position. It is an ethical and  
16 legal commitment to carry out the care of patients in the position for which they are matched. To break a  
17 match once it is made, the students would have to obtain a waiver from the NRMP. Students who obtain  
18 a waiver are then viewed as high-risk candidates for any future positions. Residency positions are  
19 already rarely available after the matching occurs; high-risk candidates with waivers are even less likely  
20 to obtain these rare positions.

21 15. The uncertainty of their employment status puts at risk our DACA students' ability to  
22 practice medicine in the United States, which in turn threatens their current and future investment in  
23 their medical education. UC Health medical students invest significantly in their education, graduating  
24 with median student loans totaling approximately \$154,000. The students have taken on this debt with  
25 the expectation that they will be able to rely on DACA to become practicing physicians, with the ability  
26 to earn an income commensurate with that investment. The rescission of DACA puts in serious jeopardy  
27 the students' investment.

1           16.     Finally, the rescission of DACA will leave our DACA students unable to train in  
2 Veterans Affairs hospitals (the “VA healthcare system”). The VA healthcare system is an extremely  
3 significant training resource for UCSF students. The VA has high-quality, integrated community care  
4 and training facilities that serve as an invaluable part of our mission to educate modern physicians. All  
5 UCSF students and one-third of UCSF’s residents train in the VA healthcare system.

6           17.     The rescission of the DACA policy means our DACA students will no longer be able to  
7 train in the VA healthcare system, which requires authorization to work lawfully in the United States.  
8 This will be a significant loss of opportunity for our DACA students. It will be extremely difficult and  
9 costly for UCSF to replicate the training DACA students would have received if they can no longer  
10 work in the VA healthcare system.

11           **Harms to UCSF School of Medicine and California Communities from the DACA Rescission**

12           18.     The DACA rescission threatens significant harm to UCSF and UC Health. We estimate  
13 that UC Health invests approximately \$70,000 per year in each students’ medical education, which is 4-  
14 years. If our students do not secure residency positions, our significant investment in their education  
15 and training is lost. This impacts UCSF’s ability to achieve its mission of advancing human health  
16 through education and patient care, because the students will not go on to become practicing physicians  
17 in the United States.

18           19.     UCSF is preparing physician-leaders who are expected to make significant contributions  
19 to healthcare, medicine, and science in their careers. Accordingly, we invest significant financial  
20 resources in all of our students, including our DACA students. Student tuition provides less than 50% of  
21 the resources required to educate our medical students. UCSF absorbs the remaining cost of student  
22 education. The financial commitment to educate a single medical student represents a long-term  
23 investment in that student’s success, since it can take 10 years or more for a medical doctor to complete  
24 all of his or her training. The attrition rate at UCSF is historically very low, and most of our students  
25 obtain residency positions, so our DACA students are otherwise likely to complete their education. If  
26 medical students leave UCSF before completing their program, or are unable to become physicians  
27 because of the rescission of the DACA policy, our investment in them is lost.

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20. The rescission of the DACA policy threatens the diverse community of students, residents and fellows that is a key ingredient to the groundbreaking life sciences research and world-class healthcare UCSF strives to deliver. Increasing the diversity of the physician workforce increases the quality of care for diverse populations like those in California. Ample literature documents that language and culture concordance between doctors and their patients increases adherence to medical recommendations and improved health outcomes. Students from diverse and immigrant backgrounds are also more likely to practice in medically underserved areas. The UCSF students from minority and immigrant backgrounds, as our DACA students are, are approximately twice as likely to practice in underserved geographic areas and in underserved specialties, such as primary care, general surgery, general psychiatry, where the need for physicians is most dire. Diverse students like our DACA students are therefore essential to delivering the healthcare services California needs most.

21. UCSF takes seriously our responsibility to heal and provide highly-skilled medical care to our communities and train the next generation of physicians. The DACA rescission deprives our DACA students of their well-earned opportunities to become residents and doctors. It is also impairing UCSF's ability to deliver the high-quality care our patients currently need and the next generation of California's physicians. The DACA rescission is harming and will continue to harm UCSF School of Medicine and our DACA students.

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

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

  
CATHERINE LUCEY



# EXHIBIT 54

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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 ZULMA MACIEL**

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

1 STATE OF CALIFORNIA, STATE OF  
 2 MAINE, STATE OF MARYLAND, and  
 STATE OF MINNESOTA,  
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 Plaintiffs,  
 4  
 v.  
 5 U.S. DEPARTMENT OF HOMELAND  
 SECURITY, ELAINE DUKE, in her official  
 6 capacity as Acting Secretary of the Department  
 of Homeland Security, and the UNITED  
 7 STATES OF AMERICA,  
 8  
 Defendants.

CASE NO. 17-CV-05235-WHA

9 CITY OF SAN JOSE, a municipal corporation,  
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 Plaintiffs,  
 11  
 v.  
 12 DONALD J. TRUMP, President of the United  
 States, in his official capacity, ELAINE C.  
 13 DUKE, in her official capacity, and the  
 UNITED STATES OF AMERICA,  
 14  
 Defendants.

CASE NO. 17-CV-05329-WHA

15 DULCE GARCIA, MIRIAM GONZALEZ  
 16 AVILA, SAUL JIMENEZ SUAREZ,  
 VIRIDIANA CHABOLLA MENDOZA,  
 17 NORMA RAMIREZ, and JIRAYUT  
 LATTHIVONGSKORN,  
 18  
 Plaintiffs,  
 19  
 v.  
 20 UNITED STATES OF AMERICA, DONALD  
 21 J. TRUMP, in his official capacity as President  
 of the United States, U.S. DEPARTMENT OF  
 22 HOMELAND SECURITY, and ELAINE  
 DUKE, in her official capacity as Acting  
 23 Secretary of Homeland Security,  
 24  
 Defendants.

CASE NO. 17-CV-05380-WHA

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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.

I, **ZULMA MACIEL**, 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 currently the Assistant to the City Manager of the City of San Jose, California ("San Jose") and lead the Strategic Partnerships and Office of Immigrant Affairs. I have over 20 years of prior public administration experience. I have a Bachelor of Arts degree from the University of California, Santa Cruz.

3. The City of San Jose has devoted significant resources to the cultivation of productive relationships between government and immigrant communities. In my role as head of the Office of Immigrant Affairs, I have been responsible for organizing and implementing many of these efforts.

4. The City's Office Immigrant Affairs was established in 2015 to coordinate a comprehensive local response to President Obama's Deferred Action on Childhood for Childhood Arrivals ("DACA") executive order. The Office's purpose is to facilitate immigrant integration, maximize potential benefits created by recent immigration action, promote mutual respect and cooperation between immigrants and U.S.-born residents, and create policies that make it easier for immigrants to participate fully in civic, cultural, and economic life. As head of the Office of Immigrant Affairs, I aim to create a more informed, engaged, and welcoming experience for immigrants, increase

1 opportunities for shared prosperity among all City residents, and help San Jose become the most  
2 successful multicultural city in the world.

3 5. Also in conjunction with my leadership role with the Office of Immigrant Affairs, I have  
4 been responsible specifically for communicating with the County of Santa Clara (in which San Jose is  
5 situated) and community-based organizations about the DACA program and its effects on San Jose  
6 residents.

7 6. The City Manager's Office and Office of Immigrant Affairs worked representatives from  
8 multiple sectors and community members to develop the "Welcoming San Jose Immigrant Integration  
9 Plan," which was approved by the Mayor and City Council in October 2016. This three-year immigrant-  
10 integration plan recommends goals and objectives to create a more welcoming environment and improve  
11 the quality of life for immigrants. Given immigrants' central role in communities throughout San Jose,  
12 the City has devoted extensive time and resources to helping disenfranchised immigrants gain a stronger  
13 social and economic foothold and contribute more fully to our economy and the communities in which  
14 they live and work, without living in fear. A true and correct copy of the Office of Immigrant Affairs's  
15 Welcoming San Jose Immigrant Integration Plan—which includes the full mission statement of the  
16 Office, the Council Resolution creating it, statistics on San Jose, and specific welcoming messages to  
17 new immigrants from both the Mayor and City Manager of San Jose—is attached hereto as Exhibit A.

18 7. Among the specific programs the City has implemented through its Office of Immigrant  
19 Affairs are translation and interpretation services; customer service training that includes particular  
20 training on cultural competency; and civic engagement among Limited English Proficient residents.

21 8. The City of San Jose has allocated \$250,000 for the specific purpose of funding the  
22 initiatives of the Welcoming San Jose Immigrant Integration Plan.

23 9. I have interacted directly with members of the immigrant community, including DACA  
24 recipients, in my capacity as head of the Office of Immigrant Affairs. These interactions have taken  
25 place in a variety of settings, the most prominent of which have been community forums and small  
26 group meetings my office has had with immigrant residents. Rescission of DACA has caused significant  
27 fear, uncertainty and other negative impacts among its recipients and their family members in San Jose.  
28 The rescission affects not only DACA recipients and their families, but also the very communities to




1 which they contribute so much. Having relied on the work and other social and economic contributions  
2 of DACA recipients, San Jose suffers clear and severe losses from the rescission and the harm it causes  
3 to its city employees.

4 10. It is my judgment and experience based on years of interaction with immigrant  
5 communities within San Jose that protecting these young people from removal would allow them to live  
6 productive lives and to further enrich themselves, their families, and their adopted country as vital parts  
7 of our community. The City of San Jose recognizes their important contributions and through its actions  
8 and ideals aims to demonstrate that it is a welcoming community that truly values diversity. That is the  
9 central mission of the Office of Immigrant Affairs.

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I declare under the 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 26, 2017 at San Jose, California.

  
ZULMA MACIEL

# EXHIBIT 55

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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 DR. JAMES L.  
MADARA, MD**

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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

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

CASE NO. 17-CV-05813-WHA

3 Plaintiffs,

4 v.

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

10 Defendants.

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I, JAMES L. MADARA, MD, HEREBY SUBMIT THE FOLLOWING DECLARATION IN SUPPORT OF THE PLAINTIFFS IN THE ABOVE-CAPTIONED MATTERS:

1. I am a Medical Doctor as well as the Chief Executive Officer and Executive Vice President of the American Medical Association (the "AMA"), an Illinois not-for-profit corporation. I am also an adjunct professor of pathology at Northwestern University in Chicago, Illinois.

2. The AMA is the largest professional association of physicians, residents and medical students in the United States. Additionally, through state and specialty medical societies and other physician groups, seated in the AMA's House of Delegates, substantially all United States physicians, residents and medical students are represented in the AMA's policy making process. The objectives of the AMA are to promote the science and art of medicine and the betterment of public health. Its members practice in every state and in every medical specialty.

3. It is the position of the AMA that our nation's health care workforce depends on the care provided by physicians and medical students with Deferred Action for Childhood Arrivals ("DACA") program status. These physicians and students are trained at medical schools in the United States and fill gaps in patient care, as well as offset the current deficit in the physician workforce. The Health Resources and Services Administration reported that there is a current shortage of over 8,200 primary care physicians. Likewise, an independent study by the Association of American Medical Colleges has projected that the total physician deficit will grow to between 61,700 and 94,700 physicians by 2025. American born physicians will, by themselves, be unlikely to fill these shortages. Estimates have shown that the DACA initiative could help introduce 5,400 previously ineligible physicians into the U.S. health care system in the coming decades to help address these shortages and ensure patient access to care.

4. Removing medical professionals with DACA status will create care shortages, particularly for rural and other underserved areas. DACA physicians are more likely to work in high-need areas where communities face challenges in recruiting other physicians. DACA students are also



1 more likely to be bilingual, to come from diverse cultural backgrounds, and to understand challenges in  
2 certain ethnic communities. The AMA is concerned that without these DACA physicians, the quality of  
3 care provided in these communities will decline and patient access to care will suffer.

4 5. Those protected by the DACA program also include medical students, residents, and  
5 fellows who are working to complete the lengthy and rigorous training and education needed to become  
6 a physician. In 2016, 108 students with DACA status applied to U.S. allopathic medical schools. Those  
7 who enrolled will now face uncertainty about completing their degrees, paying their student loans, and  
8 serving patients. Furthermore, if DACA residents are unable to complete their training, which typically  
9 spans three to six years after medical school, this could potentially waste graduate medical education  
10 funds, leave training slots unfilled, and generally exacerbate the physician shortage our country is  
11 facing, especially for our most vulnerable patients. The AMA believes that for the good of the DACA  
12 recipients and our nation's healthcare system as a whole, these DACA recipients should be able to  
13 continue to study, work, and improve patient access to care without the fear and uncertainty of being  
14 removed before their training is completed.


15 16  
17 6. Those with DACA status help contribute to a diverse and culturally responsive physician  
18 workforce, which benefits all patients. These individuals have demonstrated their commitment to the  
19 United States in numerous ways by attending medical school, training to become doctors, caring for  
20 patients, conducting research, and improving our health care system.

21 22 7. Additionally, on behalf of the AMA, I previously submitted a letter to Senate Majority  
23 Leader Mitch McConnell, Senate Democratic Leader Chuck Schumer, Speaker of the House Paul Ryan,  
24 and House Democratic Leader Nancy Pelosi on September 5, 2017, describing AMA's position  
25 regarding the cancellation of DACA as I have explained it here, and urging Congress to support DACA  
26 recipients and pass a legislative solution in the near future. A true and correct copy of that letter is  
27 attached to this declaration as Exhibit A.  
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I declare under penalty of perjury under the laws of the State of Illinois that the foregoing is true and correct.

Executed on 10/25, 2017, in Chicago, Illinois.

  
James L. Madara, M.D.

# EXHIBIT 56

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

20 THE REGENTS OF THE UNIVERSITY OF  
21 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.  
28

CASE NO. 17-CV-05211-WHA

**DECLARATION OF MIGUEL MÁRQUEZ**



1 STATE OF CALIFORNIA, STATE OF  
 2 MAINE, STATE OF MARYLAND, and  
 STATE OF MINNESOTA,  
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 Plaintiffs,  
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 v.  
 5 U.S. DEPARTMENT OF HOMELAND  
 SECURITY, ELAINE DUKE, in her official  
 6 capacity as Acting Secretary of the Department  
 of Homeland Security, and the UNITED  
 7 STATES OF AMERICA,  
 8  
 Defendants.

CASE NO. 17-CV-05235-WHA

9 CITY OF SAN JOSE, a municipal corporation,  
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 Plaintiffs,  
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 v.  
 12 DONALD J. TRUMP, President of the United  
 States, in his official capacity, ELAINE C.  
 13 DUKE, in her official capacity, and the  
 UNITED STATES OF AMERICA,  
 14  
 Defendants.

CASE NO. 17-CV-05329-WHA

15 DULCE GARCIA, MIRIAM GONZALEZ  
 16 AVILA, SAUL JIMENEZ SUAREZ,  
 VIRIDIANA CHABOLLA MENDOZA,  
 17 NORMA RAMIREZ, and JIRAYUT  
 LATTHIVONGSKORN,  
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 Plaintiffs,  
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 v.  
 20 UNITED STATES OF AMERICA, DONALD  
 21 J. TRUMP, in his official capacity as President  
 of the United States, U.S. DEPARTMENT OF  
 22 HOMELAND SECURITY, and ELAINE  
 DUKE, in her official capacity as Acting  
 23 Secretary of Homeland Security,  
 24  
 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, MIGUEL MÁRQUEZ, DECLARE:

2 1. I am the Chief Operating Officer for the County of Santa Clara (the “County”). I have  
3 personal knowledge of the facts stated herein and, if called as a witness, I could testify to them  
4 competently under oath.

5 2. I have been the Chief Operating Officer for the County since August 2016. In this  
6 capacity, I supervise and oversee the County’s operations. From 2012-2016, I served as an Associate  
7 Justice on California’s Sixth District Court of Appeal. Before my appointment to the Court of Appeal,  
8 from 2009-2012, I served as County Counsel and the Acting County Counsel of the County. In this  
9 capacity, I advised the County Board of Supervisors and executives on a broad range of legal matters,  
10 including issues involving finance, local governance, and local policy. Before my employment at the  
11 County, I represented several other public entities in connection with matters involving governance and  
12 finance, among other things.

13 3. I have been in high-level roles at the County and other public entities for nearly twenty  
14 years. I am extremely familiar with the County’s policies, structure, operations, and budgeting  
15 processes.

16 4. The County was established in 1850 as one of the first counties in California. Today,  
17 approximately 1.9 million people reside in Santa Clara County. Thirty-eight percent of the county’s  
18 residents are foreign born. County residents rely on the County to provide essential services, such as  
19 law enforcement, health care, care for the county’s youth and elderly, and other social services. Many  
20 of the County’s programs serve its neediest residents, including abused and neglected children, indigent  
21 and uninsured individuals requiring health care, individuals who are mentally ill or substance dependent,  
22 and those who are physically or mentally disabled.

23 5. The County is one of the largest employers in the region, with more than 18,000  
24 employees addressing the diverse needs of its residents. The County oversees most public health and  
25 public safety functions in Santa Clara County, including emergency planning and services, disease  
26 control and prevention, and criminal justice administration. The County also operates roads, airports,  
27 parks, libraries, election systems, and many other critical functions.

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1           6.     One of the primary ways in which the County has benefited from the Deferred Action for  
 2 Childhood Arrivals (DACA) program is through its employment relationships with DACA recipients.  
 3 DACA recipients have relevant skills that make them particularly valuable in the County's efforts to  
 4 meet the unique needs of its residents. For example, many DACA recipients' lived experience,  
 5 particularly with immigration, is akin to that of the County residents we must effectively serve. Further,  
 6 the vast majority of DACA recipients are bilingual. The County values this skill because it helps ensure  
 7 meaningful access to services for all Santa Clara County residents, including the more than half of  
 8 county residents who speak a language other than English at home. The County invests in the provision  
 9 of language access services to its residents by contracting with outside vendors and hiring in-house  
 10 interpreters. The County, for instance, employs in-house interpreters to provide interpretation services  
 11 at the Santa Clara Valley Medical Center. But the County faces challenges in filling its open positions –  
 12 it currently has a number of openings for interpreter positions. Rescinding DACA and thereby removing  
 13 a class of bilingual applicants from potential consideration for these positions will further shrink the  
 14 already limited applicant pool.

15           7.     The County has made significant investments in its DACA-recipient employees. It has  
 16 taken the time and effort to hire and train DACA recipients in their new roles. If DACA recipients who  
 17 are County employees were to lose their work authorization, the County would be forced to terminate  
 18 their County employment. As a result, the County would not only lose out on its investment in DACA  
 19 recipients, it would be forced to expend significant resources to address the turnover. The County would  
 20 be forced to temporarily fill positions, conduct hiring searches, and train new employees.

21           8.     In addition to its DACA-recipient employees, the County employs at least three DACA  
 22 recipients as fellows in its New Americans Fellowship Program. The County began the program in July  
 23 2017. Since then, 20 fellows have participated in the program, with 10 fellows receiving placements in  
 24 County departments or Board of Supervisors Offices and 10 participating in the Silicon Valley Dream  
 25 Summer, a fellowship program placing immigrant youth in community-based organizations. Fellows  
 26 commit to working a minimum of 20 hours per week, for a period no less than 10 weeks. This program  
 27 aims to identify, recruit, and develop DACA recipients to serve as ambassadors to Santa Clara County  
 28 residents. Fellows in the program work on a wide range of impactful projects, including developing a



1 plan for a “Community Safety Initiative” focused on problem-solving relationships between immigrant  
2 and refugee residents and local law enforcement, creating a framework for a “Civics Empowerment  
3 Education Program” to develop a curriculum for immigrants and refugees to learn more about law and  
4 policy, and launching a countywide campaign to promote financial literacy.

5 9. The County has allocated \$400,000 to support the New Americans Fellowship Program,  
6 including \$200,000 for additional fellows, but the program’s future is uncertain in light of the rescission  
7 of DACA. Like other forms of County employment, the program could not continue if DACA is  
8 rescinded and DACA recipients lose their work authorization

9 10. The New Americans Fellowship Program is just one of a number of ways in which the  
10 County has invested in DACA recipients. The County previously allocated \$200,000 for outreach and  
11 education regarding the DACA program and to support DACA eligible residents in completing their  
12 applications. After the Trump Administration’s rescission announcement, the County allocated an  
13 additional \$200,000 from its contingency reserve to assist DACA recipients with completing renewal  
14 applications before the October 5, 2017 renewal deadline.

15 11. In recognition of the many ways in which DACA recipients have contributed to the  
16 County, the County’s Board of Supervisors unanimously adopted a resolution affirming its support for  
17 the DACA program and its commitment to immigrant youth and young adults.

18 12. As a safety-net service provider, the County also stands to incur additional costs as a  
19 result of the rescission of DACA. The County operates the Santa Clara Valley Medical Center  
20 (“SCVMC”), a public safety-net hospital that provides, and in some cases is required to provide,  
21 services to poor and uninsured residents. Since payments from these patients and public insurance  
22 programs do not cover the costs of services patients receive at SCVMC, the County provides a  
23 substantial subsidy to SCVMC each year to cover the deficits incurred. During the first three quarters of  
24 fiscal year 2017, SCVMC provided more than \$90 million in unreimbursed services. DACA recipients  
25 who will stand to lose their employment – and therefore their employer-sponsored health insurance –  
26 will face uncertainty as to their health insurance coverage for routine and preventive care. The rescission  
27 of DACA will also cause renewed uncertainty among DACA recipients and their families about their  
28 legal status. As a result of this uncertainty and fear of deportation, some SCVMC patients may choose



1 not to seek or receive routine or preventive health care and only seek health care when they experience  
2 emergencies. These patients would increase SCVMC's costs, and as a result, the County's expense in  
3 subsidizing SCVMC's costs, as emergency care is much costlier to provide than routine or preventive  
4 care.

5 13. Likewise, the County Office of Supportive Housing (OSH) seeks to increase the supply  
6 of housing and supportive housing that is affordable and available to low-income or special needs  
7 households. In fiscal year 2015, the County allocated \$73.8 million in resources to housing and related  
8 services countywide, and in 2015, the Board of Supervisors approved increasing these expenditures by  
9 \$33.9 million over FY 2016-2018. One such service is the provision of housing subsidies to families in  
10 need of support to pay their rent. In the course of working with families to which it provides subsidies,  
11 OSH has experienced the impact that the uncertainty of legal status can have on families seeking shelter.

12 14. Similarly, the County's Code Enforcement Division, which enforces zoning and building  
13 ordinances to ensure safe living conditions for county residents, has received reports that some tenants  
14 are reluctant to report code violations because landlords have threatened to report immigrants to  
15 Immigration and Customs Enforcement.

16 15. Along with inhibiting the receipt and efficient provision of these services, DACA's  
17 rescission would hinder the County's ability to protect the safety of its residents. DACA recipients were  
18 granted a status that enabled them to feel secure in their lawful presence in America. That security  
19 enabled DACA recipients to engage more freely with the government without fear of detention or  
20 deportation. DACA recipients – and, in some instances, their friends and families – will experience a  
21 renewed reluctance to engage with the government for fear of immigration consequences. Indeed,  
22 DACA-recipient County employees felt compelled by fear of immigration enforcement actions against  
23 them or their families to forgo the opportunity to assert their rights in this litigation.

24 16. Both of the law enforcement agencies in the county, the Santa Clara County District  
25 Attorney's Office and the Sheriff's Office, rely on community cooperation in conducting investigations  
26 into crimes committed in the county. With the heightened reluctance of immigrant communities to  
27 engage with the government that is likely to result from the rescission of DACA, it will be more difficult  
28 for these law enforcement agencies to gather information from these communities.

1 17. As another example, the County’s Public Health Department, which provides disease  
2 control and pandemic response services throughout the County—and functions as the public health  
3 agency for each of the cities within Santa Clara County—would likely have more difficulty engaging  
4 DACA recipients and their families to provide them with services, such as immunizations and  
5 preventive therapy, that help safeguard the public health of all county residents.

6 18. The harmful impacts of DACA’s rescission could extend to DACA recipients’ families.  
7 Mixed status families may see young documented children separated from their DACA recipient parent.  
8 The threat of the Trump Administration’s action coming between DACA recipients and their children is  
9 particularly prominent in Santa Clara County, where approximately sixty percent of children have at  
10 least one parent who is foreign born. In these cases, the documented children may enter the foster care  
11 system. The County provides financial support to foster parents to satisfy the basic needs of foster youth  
12 placed in their care. In fiscal year 2017, the County invested \$25 million in foster care youth, and the  
13 separation of DACA recipients’ families because of the rescission of DACA could bring more children  
14 into the foster care system, increasing the cost to the County.

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# EXHIBIT 57

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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 KEVIN M. MAXWELL**



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, Kevin M. Maxwell, Ph.D., declare and state as follows:

1. I am the Chief Executive Officer of Prince George's County Public Schools (PGCPS) located within the State of Maryland.
2. I have served as the Chief Executive Officer of PGCPS since 2013.
3. PGCPS is invested in providing academic excellence within a safe and welcoming school environment for all its 131,000 students, 19,000 employees, and families.
4. As the second largest school system in Maryland and the 25th largest in the country, we take seriously our role as educational leaders. Our district represents a myriad of races/ethnicities, with over 93% of our students identifying as African American/Black and Latino/Hispanic, 64% receiving Free and Reduced Priced Meals, 22,000 English Learners, and 47,000 international students. Our students speak over 164 languages from over 129 countries. PGCPS is providing a world class education for the next wave of American leaders.
5. As we abide by federal regulations, PGCPS does not track students' immigration status. However, through requests for support received by staff, decreased attendance and decreased parental engagement when Immigration and Custom Enforcement (ICE) was feared, we are aware that our district has a significant number of undocumented youth and families, some of

which receive benefits currently in place under the Deferred Action for Childhood Arrivals (DACA) Program.

6. It stands to reason that our county then has a large number of DACA and DACA eligible recipients.

7. As a district we have emphasized an investment in our English Learners and new Americans, in the following ways: opening two international high schools to meet the needs of our new Americans; creation of the Office of Diversity Affairs, to provide systemic input to removing barriers for students to access educational opportunities; and increased funding for the Office of Interpreting and Translation to provide language access to families of English Learners.

8. We see these investments in our students and families as an integral piece in fulfilling our mission to educating thriving citizens. Education is the cornerstone of any federal or state plan to increase economic opportunities. Research overwhelming demonstrates that students with a high school diploma, associate's degree, and bachelor's degree earn more than students who drop out of school. When students stay in school and pursue post-secondary opportunities, juvenile delinquency and crime is reduced.

9. The potential impact of the termination of DACA on our students, families, staff, and community could be unprecedented. With over 47,000 international students in PGCPs we anticipate the following negative impacts: decreased attendance as students will no longer see post-secondary education as a possibility and will drop out sooner to pursue work in a shadow economy; diminished resources to serve the needs of this vulnerable population, as district funding is determined in large part by the total number of students enrolled; and increased need for social-emotional supports, such as trauma informed counselors, as students see families in their communities torn apart as a result of deportation.

10. In anticipation of the enactment of the termination of DACA, PGCPs has convened a Rapid Response Team comprised of the Diversity Officer, General Counsel, and senior staff from the offices of Pupil Accounting, Student Services, and Security Services. We are

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developing training and protocols to provide support to school-based administrators and staff in the event that they have parents who are detained by Immigration and Customs Enforcement (ICE) and have left no provisions for the care of their children.

**11.** In addition, Prince George’s County Public Schools continues to stand committed to safeguarding the personal information of our families to the fullest extent of the law. We cannot provide instruction under a cloak of fear and our schools cannot become the campus on which ICE decides to conduct their operations. We must abide by our federal civil rights laws and ensure the rights of *all* students to a free public school education.

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

Executed on 10/26/17 in Upper Marlboro, Maryland.

  
\_\_\_\_\_  
KEVIN M. MAXWELL, PH.D

# EXHIBIT 58



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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 ANNE MCLEOD**

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, Anne McLeod, declare:

1. I am the Senior Vice President, Health Policy and Innovation, with the California Hospital Association (CHA). I have served at CHA in this, and similar positions, for more than 10 years. CHA represents hospitals and health systems in California on state and federal legislative and regulatory issues. In my role, I provide leadership for developing policy objectives that support the implementation of health care reforms and the transformation of health care in the future. I have worked on health policy issues that include access to care, health care coverage and health care financing and delivery system improvement. In my work I have promoted initiatives aimed at enhancing the health care infrastructure, including developing strategic solutions to meet the demand for health care professionals and supporting education and training programs that promote expanding access to care in all communities in California including underserved areas.

2. Access to medical insurance is an important component of public health. By providing work authorization, DACA has significantly improved access to employer-based health insurance. More than 90 percent of DACA grantees are employed, and 57 percent of DACA grantees credit the program with securing a job with health insurance or other benefits, according to a 2017 survey.<sup>1</sup> These individuals are not eligible to purchase health insurance in a Marketplace, even at full cost, and they are not eligible for federal tax credits to make private health insurance in the Marketplace affordable.<sup>2</sup> Maintaining access to employer-based health insurance is, therefore, an important driver for both individual and the health of the communities where DACA grantees live and work.

3. Having health care coverage helps individuals get the appropriate care when needed, including preventative services and primary care. Further, when kids and families receive necessary preventative care they have better attendance in school and their parents are better able to work. Without access to insurance, their health and the health of the community could be jeopardized.

<sup>1</sup> Tom K. Wong et al., *2017 National DACA Study* (last visited Oct. 10, 2017), <https://cdn.americanprogress.org/content/uploads/2017/08/27164928/Wong-Et-Al-New-DACA-Survey-2017-Codebook.pdf>.

<sup>2</sup> Dinah Wiley, *For DACA Grantees, Health Insurance Is (Only) a Dream*, Georgetown University Health Policy Institute (Apr. 11, 2014), <https://ccf.georgetown.edu/2014/04/11/for-daca-youth-health-insurance-is-only-a-dream/>.

4. Getting the proper level of treatment in a timely manner helps reduce health costs for everyone. California hospitals have worked hard to reduce costs through delivery system reform, care coordination and clinical efficiencies. These innovations mean patients often recover quicker and can return to work and home sooner. Lower utilization results in lower costs. When individuals and families don't have health care coverage, they also lose access to care. Providers don't get paid to treat uninsured individuals. When patients can't be seen by a primary care doctor, they often turn to hospital emergency rooms—the most expensive place to be treated—as a last resort. Preserving emergency rooms for those truly needing emergency care ensures life-saving treatment is there when needed for everyone.

5. Caring for patients in the appropriate setting can lower costs and improve patient well-being. Sometimes the hospital is not the appropriate level of care for patients. But when a patient is uninsured, other providers such as nursing home, rehabilitative services or other post-acute care settings are not willing to accept hospital patients unless there is a form of payment guaranteed. This means the uninsured can stay in the hospital longer than what is needed, increasing costs for the entire health care system. Patients recover quicker when they receive timely and appropriate care in the appropriate setting. And, the proper level of treatment is often less costly.

6. Hospitals have not directly reported information to CHA as to whether or not they employ DACA recipients. However, it is estimated that at least 4 percent of DACA recipients are working in health care in some capacity.<sup>3</sup> Further, an estimated 222,000 of the 800,000 total DACA recipients are from California.<sup>4</sup> This means that approximately 8,880 DACA recipients in California are working in health care in some capacity. Many of those health care jobs could be in hospitals or health systems

<sup>3</sup> Randy Capps, et al., *The Education and Work Profiles of the DACA Population*, Migration Policy Institute, p. 6 (Aug. 2017), <https://www.migrationpolicy.org/research/education-and-work-profiles-daca-population>.

<sup>4</sup> USCIS, *Number of Form I-821D, Consideration of Deferred Action for Childhood Arrivals by Fiscal Year, quarter, Intake Biometrics and Case Status Fiscal Year 2012-2017* (Mar. 31, 2017), [https://www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/Immigration%20Forms%20Data/All%20Form%20Types/DACA/daca\\_performancedata\\_fy2017\\_qtr2.pdf](https://www.uscis.gov/sites/default/files/USCIS/Resources/Reports%20and%20Studies/Immigration%20Forms%20Data/All%20Form%20Types/DACA/daca_performancedata_fy2017_qtr2.pdf).



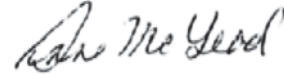
with hospitals. This is no small number for an industry already facing significant labor shortages. These individuals are most likely serving diverse communities with health professional shortage designations, like the central valley. In addition, 65 DACA recipients were enrolled in medical school in the 2016-2017 school year, and an additional 113 DACA recipients had applied to medical school in 2016.<sup>5</sup> There are no specific estimates as to how many of the medical students are in California; however, given the high percentage of DACA individuals in California and the high percentage of medical students that are trained in the state, an estimate of one-third of those medical students are likely studying in California. These future physicians are more likely to work in high-need areas where communities face challenges in recruiting new physicians. DACA students are also more likely to be bilingual, come from diverse cultural backgrounds, and understand the challenges of providing health care in diverse communities—attributes that are underrepresented by today’s medical professionals. When communities are served by medical professionals that understand the language and cultural sensitivities that are unique to them, care is improved and better outcomes are achieved.

7. As the national debate continues over federal immigration policies, hospitals have reported to CHA that there is a growing level of wariness and fearfulness from individuals who might need medical care but do not seek care for fear of deportation or reporting. In response to this growing concern, CHA developed a comprehensive toolkit of materials on hospital practices related to federal immigration policies for member hospitals and health systems. The toolkit includes resources to help hospitals communicate with their patients, employees and community stakeholders. The resources help convey to patients that hospitals have always provided care to everyone in need, regardless of a person’s ability to pay, the language they speak or their immigration status. It is important to preserve the health of communities and protect the public’s health. If immigrant groups start avoiding institutions like hospitals because they are fearful of the federal government learning of their status, the health of communities could be at risk.

<sup>5</sup> Sunny Nakae, et al., *Considerations for Residency Programs Regarding Accepting Undocumented Students Who Are DACA Recipients*, Association of American Medical Colleges (2017), [https://undocu.ucsf.edu/sites/undocu.ucsf.edu/files/Considerations\\_for\\_Residency\\_Programs\\_Regarding\\_DACA\\_Recipients\\_2017.pdf](https://undocu.ucsf.edu/sites/undocu.ucsf.edu/files/Considerations_for_Residency_Programs_Regarding_DACA_Recipients_2017.pdf).

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

Executed on October 24, 2017, at Sacramento, California.



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ANNE MCLEOD

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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 NICK MELVOIN**

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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





1 I, NICK MELVOIN, DECLARE:

2 1. I proudly serve on the Los Angeles Unified School District (“L.A. Unified”) Board of  
3 Education (“Board”) as the elected Board Member for the District 4 communities, which include  
4 portions of Hollywood, the San Fernando Valley and the Westside of Los Angeles. I also serve as the  
5 Vice President of the L.A. Unified Board.

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

8 3. I understand that Plaintiff Saul Jimenez Suarez (“Mr. Jimenez”) is an undocumented  
9 person serving as a special education teacher within an L.A. Unified school, and was hired as an intern  
10 credentialed teacher with authorization to work through the Deferred Action for Childhood Arrivals  
11 (“DACA”) program.

12 4. L.A. Unified has been at the forefront of ensuring that our students, families, employees,  
13 and community—regardless of immigration status—are welcome and supported in our schools. This  
14 includes L.A. Unified’s commitment to affording students a free public education aligned with the  
15 United States Supreme Court case of *Plyler v Doe*, which held that undocumented children have a  
16 constitutional right to receive a free public K-12 education to become “self-reliant and self-  
17 sufficient participant[s] in society” and to learn the “fundamental values necessary to the maintenance of  
18 a democratic political system.”

19 5. L.A. Unified’s commitment is embodied in the numerous resolutions passed by the Board  
20 in support of immigration reform.

21 6. For example, when DACA was implemented in 2013, the Board passed a resolution to  
22 establish the “DREAMers Program,” a centralized process to assist students and graduates of L.A.  
23 Unified to obtain educational histories to support their DACA applications. From 2013-2017,  
24 approximately 21,000 students and graduates availed themselves of the program. This year, educational  
25 records for 719 students have been requested. These figures alone show that L.A. Unified’s students,  
26 graduates, and community will be significantly and irreparably impacted by the rescission of DACA.

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1           7.       Additionally, on February 9, 2016, the Board passed a resolution entitled *LAUSD*  
2 *Campuses as Safe Zones and Resource Centers*, which declared every L.A. Unified site a place of  
3 support and resource for all students and families, regardless of immigration status.

4           8.       The Board also adopted the *Reaffirmation of Los Angeles Unified School District as Safe*  
5 *Zones for Families* resolution, which further propelled efforts to provide services to immigrant students  
6 and their families, including, but not limited to, (1) a reference guide in the event ICE agents seek access  
7 to students or student records; (2) a district-wide campaign to build awareness around immigrant  
8 students' rights called *We Are Here LA Unified Standing with Immigrant Families*; (3) the Education &  
9 Immigration Resource Guide outlining academic, legal, health and wellness, and enrollment information  
10 for immigrant families and school communities; and, (4) opening a Center for Education & Immigration  
11 Resources in each local district, where families can access information on immigration, enrollment,  
12 healthcare services, and other supports.

13           9.       After the September 5, 2017 announcement on the rescission of DACA, L.A. Unified  
14 immediately distributed letters to schools, families, and employees about the termination of DACA and  
15 provided referrals to legal resources. Superintendent Michelle King sent a letter to all employees  
16 denouncing the Presidential Administration's decision to end DACA and declaring L.A. Unified's  
17 unwavering support to all employees, including teachers in our classrooms and other employees, who  
18 may be affected by the rescission of the program. We did this, in no small part, because we knew that  
19 even this announcement of the rescission would have immediate, devastating consequences for the  
20 students and families in our community.

21           10.       Prior to serving as an L.A. Unified Board Member, I served as an L.A. Unified middle  
22 school teacher for several years at Markham Middle School, initially serving through an intern  
23 credential program in partnership with Teach For America, whereby I provided instruction while  
24 simultaneously studying to obtain my teaching credential. This internship program is similar to the one  
25 I understand Mr. Jimenez to be hired through.

26           11.       In general, L.A. Unified hires intern credentialed teachers for hard-to-fill positions that  
27 are experiencing teacher shortages, such as in the field of special education. These hires are essential to  
28

1 the L.A. Unified given the shortage of qualified candidates in these fields, and we rely on these  
2 employees to continue within our teaching force for years to come.

3 12. If employees like Mr. Jimenez do not have authorization to work, however, L.A. Unified  
4 will not be able to hire or continue to employ such individuals to serve our students.

5 13. Without the availability of intern-credentialed teachers like Mr. Jimenez to work with  
6 special education students, L.A. Unified might be forced to resort to staffing special education  
7 classrooms with short or long-term substitute teachers, which I believe to be particularly detrimental to  
8 these students' academic achievement as well as to their social and emotional development.

9 14. In addition to filling a high-need position, the shared experience between Mr. Jimenez  
10 and our significant population of undocumented students is valuable in helping to ensure that our  
11 schools create a safe and welcoming space for all in accordance with L.A. Unified's stated  
12 commitments.

13 15. The impact of the rescission of DACA will be especially dramatic in places like  
14 California—and Los Angeles in particular—where there is an incredibly high number of DACA  
15 recipients working and serving in their respective communities.

16 16. L.A. Unified does not have a record of how many of its employees, including teachers  
17 credentialed through internship programs or otherwise, are DACA recipients because employment  
18 authorization documents do not provide that information and the District does not inquire about an  
19 employee's immigration status. However, based on the number of employees who have self-identified  
20 as DACA recipients and based on third-party studies of DACA recipients, we believe that a significant  
21 portion of our educator workforce may have DACA status. For example, an August 2017 study by the  
22 Migration Policy Institute found that, in 2014, approximately 14,000 "immediately eligible DACA  
23 population" were in the Education, Training, and Library occupations, and I understand that a significant  
24 portion of DACA participants reside in the Los Angeles Region.

25 17. Additionally, according to Teach for America, more than 190 corps members and alumni  
26 have DACA status and reach 10,000 students across 11 states, including California and the Los Angeles  
27 region specifically, where teachers largely are placed in L.A. Unified schools or charter schools that are  
28 authorized and overseen by L.A. Unified and by myself as an L.A. Unified Board Member.

1           18. I believe that the rescission of DACA discriminates against this class of young  
2 immigrants like Mr. Jimenez in violation of the Equal Protection guarantee of the Fifth Amendment by  
3 depriving them of their substantial interests in pursuing a livelihood, including opportunities in higher  
4 education.

5           19. I believe that the rescission of DACA will have a significant and negative impact on the  
6 DACA participants amongst our teaching force, and on our students and families who rely on those  
7 teachers to provide a high quality education and a supportive and welcoming environment.

8           20. I believe that the announcement of the rescission of DACA has already had an  
9 immediate, significant, and negative impact on the DACA participants amongst our teaching force, and  
10 on our students and families who rely on those teachers to provide a high quality education and a  
11 supportive and welcoming environment. I have spoken with several teachers with DACA status and  
12 they are particularly frustrated, dismayed, and discouraged because they used their DACA opportunity  
13 to be able to give back to the community they felt had given them so much. The teachers I have spoken  
14 with came to work at L.A. Unified after they were granted work authorization because they felt that L.A.  
15 Unified and the community it supports provided them with opportunities for success. Those  
16 opportunities are now unfairly being pulled out from underneath them. These teachers have offered  
17 themselves as sources of comfort and as role models for students who are undocumented or who have  
18 undocumented family—and now both our teachers and those students have extra anxiety, worry, and  
19 stress to cope with on account of the recent announcement that DACA would be discontinued. The  
20 educators I have spoken with are paralyzed with fear and are afraid to pursue any professional  
21 opportunities outside of L.A. Unified, one of the increasingly few places they feel supported and  
22 understood. Further, our students are now not only terrified that their family members may be swept  
23 away, detained, deported, and disappeared at any moment, but that their trusted educators may be as  
24 well.

25           21. Every child deserves an opportunity to dream without boundaries and I will not watch  
26 from the sidelines as this White House ignores the catastrophic implications of rescinding DACA.

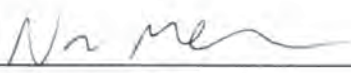
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I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 29, 2017, in Los Angeles, California.



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Nick Melvoin

# EXHIBIT 60

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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 RIKO MENDEZ**

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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, Riko Mendez, declare:

2 1. I am the Chief Elected Officer (“CEO”) of Service Employees International Union, Local  
3 521 (“Local 521” or “the Union”). I was elected CEO of Local 521 in January 2017. Prior to that time I  
4 served as Local 521’s Political Director for thirteen years. I have also worked with other entities in the  
5 labor movement, including the United Farm Workers and the AFL-CIO. I hold a double bachelor’s  
6 degree in Sociology of Law and Chicana/o Studies from the University of California, Davis. The  
7 matters set forth below are true and correct of my own personal knowledge and, if called as a witness, I  
8 could and would testify competently thereto.

9 2. This declaration describes Local 521, its membership, the employees it represents (and  
10 the employers for which those employees work), and its mission. It then explains Local 521’s  
11 longstanding commitment to immigration reform and the Union’s investment in immigration advocacy.  
12 Finally, it discusses Local 521 members who are themselves recipients of deferred action status pursuant  
13 to the Deferred Action for Childhood Arrivals (“DACA”) program, as well as Local 521 members  
14 whose family members are DACA recipients, and describes the harms that rescission of DACA will  
15 cause to the Union and its members.

16 **Local 521 and Its Membership**

17 3. Local 521 represents approximately 40,000 public and private-sector workers in  
18 California’s central Bay Area and Central Valley. Local 521 is an affiliate of the Service Employees  
19 International Union (“SEIU”), which represents more than two million working men and women around  
20 the world. The primary mission of Local 521 is to organize, represent, and empower workers.

21 4. Most of the workplaces at which Local 521 represents employees are city and county  
22 governments. Across the large geographic area where Local 521 is active – roughly one quarter of the  
23 state of California – Local 521 represents workers in both urban and rural counties, and cities large and  
24 small. For instance, Local 521 represents employees of populous counties such as San Mateo, Santa  
25 Clara, Monterey, and Fresno, as well as in rural counties such as Mariposa, Stanislaus, and Tulare.  
26 Local 521 also represents employees of Silicon Valley cities such as Menlo Park, Mountain View, and  
27 Palo Alto; larger cities on the Central Coast, such as Santa Cruz; and more rural cities in the Central  
28 Valley, such as Bakersfield, Soledad, and Coalinga. Local 521 also represents employees of school

1 districts such as the Fresno Unified School District, the Cupertino Union School District, and the Santa  
2 Clara County Office of Education, to name a few. Additionally, Local 521 represents workers employed  
3 by a number of county superior courts and three major medical centers including Valley Medical Center  
4 in San Jose, Natividad Medical Center in Salinas, and Kern Medical Center in Bakersfield. Finally,  
5 Local 521 also represents employees of some private, non-profit organizations funded largely by public  
6 funds, including organizations providing services to the developmentally disabled.

7 5. Local 521 members perform many different kinds of work. Some examples of the types  
8 of jobs our members hold include social workers, child protective service workers, public health nurses,  
9 911 dispatchers, child support, behavior and mental health workers, adoption and foster care workers,  
10 head start program workers, janitors, clerical workers, family childcare providers, roads maintenance  
11 workers, agriculture inspectors, arborists, librarians, and mechanics. At some of the large public sector  
12 employers with which Local 521 has bargaining relationships, such as the County of Santa Clara, Local  
13 521 represents almost all county employees with the exception of upper-level management.

14 6. Local 521's members reflect the diversity of the communities in which they live and  
15 work. Although the Union does not keep statistics on the race or ethnicity of its membership, I know  
16 from first-hand experience that a large percentage of Local 521's membership is Latino and that many  
17 are first-generation immigrants.

18 7. Nearly all of Local 521's collective bargaining agreements with employers contain  
19 provisions that protect employees against arbitrary dismissal and other adverse employment actions, and  
20 include anti-discrimination provisions. For instance, Local 521 represents more than 10,000 employees  
21 of the County of Santa Clara and has a collective bargaining agreement with the County governing the  
22 terms and conditions of those workers' employment. Section 2.1 of that agreement provides: "Neither  
23 the County nor the Union shall discriminate (except as allowed by law) against workers because of race,  
24 age, sex, color, creed, national origin, religion, Union activity, affiliations, political opinions, or sexual  
25 orientation." Additionally, Santa Clara County's merit employment system provides protections from  
26 discipline and termination without just cause. County Ordinance Code §A25-300 et seq. Certain  
27 provisions of the County's charter also provide protections, Santa Clara County Charter §§703(c)  
28 (appeals process for employees subject to "suspension, demotion, or dismissal"), 708 (procedural



1 protections for employees subject to “suspension,” “demotion,” or “removal”), and County employees  
2 are broadly protected from discrimination in employment. Section 700 of the County Charter provides:  
3 “No person employed or seeking employment with the county shall be unlawfully discriminated against  
4 because of age, color, creed, national origin, political opinions, race, religion, sex, or union activity.”

5 **Local 521’s Immigration-Related Advocacy**

6 8. The Mission Statement incorporated in Local 521’s Constitution provides:

7 The Mission of SEIU Local 521 is to provide our members with a voice in the workplace,  
8 in their Union and in the larger community. Through our actions, we intend to create a  
9 more just and humane society. We are committed to protecting and improving the lives of  
10 workers and their families. We will work to improve and protect the services we provide  
11 to our communities. We believe that by working together as a united front, we can win  
12 better contracts and build industry power in our region.

13 In so doing, we affirm that our members shall be treated and accepted equally with  
14 dignity and respect. All members will be welcomed into our Union, encouraged to  
15 participate and shall not be discriminated against regardless of race, ethnicity, religion,  
16 age, physical ability, gender, gender expression and sexual orientation, marital status,  
17 creed, color, ancestry, disability, immigration status, or national origin.

18 Similarly, Article III of the Union’s Constitution identifies as one of the purposes of the Union:

19 “Engaging in all such civic, social, legal, economic, cultural, educational, charitable, and other  
20 activities, as will advance this Union's standing in the community and in the labor movement and  
21 further all interests of our Local and further the interests of this organization and its membership,  
22 directly or indirectly.”

23 9. Immigration reform with a pathway to citizenship has long been a core priority of SEIU  
24 and of Local 521. This priority was reiterated at the 2016 International SEIU Convention in Detroit.  
25 SEIU Local 521 held our own convention October 13-15, 2017, and our delegates who have been  
26 chosen by our membership adopted the following priority: “comprehensive immigration reform with a  
27 pathway to citizenship and protections for immigrants.”

28 10. Reflecting its members’ interests, Local 521 has long been an advocate around  
immigration issues. In 2014, the Union’s Executive Board voted to form a Committee on  
Comprehensive Immigration Reform, a member-based committee that engages in organizing, advocacy,  
and education to help undocumented workers. The Committee was comprised of approximately 25

1 Union members and staff, with the goal of advocating for comprehensive immigration reform at the  
2 federal level resulting in a pathway to citizenship for undocumented individuals. Committee members  
3 met with elected officials and community leaders to explain the need for immigration reform and to  
4 better understand what the Union could do to assist reform efforts. Committee members also testified at  
5 legislative hearings in Sacramento concerning legislation of special interest to immigrants.

6 11. In addition, Local 521 encouraged eligible individuals to apply for DACA status and  
7 assisted them in doing so. In conjunction with the California Attorney General, the Union has  
8 conducted “know your rights” information sessions and workshops, and held community forums on  
9 DACA and Deferred Action for Parents of Americans and Lawful Permanent Residents. Local 521  
10 hosted events attended by hundreds of individuals around the state to spread the word about DACA and  
11 also helped to establish the iameric.org website to connect DACA-eligible individuals with resources to  
12 help them in the application process.

13 12. In connection with these efforts, Local 521 surveyed a sample of its membership to  
14 understand their interest in immigration issues and willingness to get involved. Approximately 40 Local  
15 521 members volunteered and were trained as “screeners” to talk with prospective DACA applicants  
16 before they met with lawyers who would help them with the application process.

17 13. Most recently, Local 521 has submitted a brief as an amicus curiae in support of litigation  
18 brought by the County of Santa Clara and others challenging the Trump administration’s threat to cut off  
19 federal funding to sanctuary cities and counties. Union members and staff have also met with elected  
20 officials in other cities and counties to encourage them to adopt sanctuary policies.

21 **Local 521 Has Members Who Are DACA Recipients and Many More Who Have DACA-Recipient**  
22 **Family Members**

23 14. In my more thirteen years with Local 521, as Political Director and now as Chief Elected  
24 Officer, I have had the opportunity to meet with numerous Local 521 members and their families. I  
25 have met with several Local 521 members who are themselves DACA recipients, and many others who  
26 have family members who are DACA recipients. Local 521 members who are DACA recipients are  
27 spread out across the geographic regions and employers at which the Union represents workers,  
28 including Santa Clara County.



1           15. Like other DACA recipients, Local 521 members who have applied for deferred action  
2 status are fearful of what will happen to them and their loved ones now that the program has been  
3 rescinded. The Union recently produced a video in which one member describes the experiences of his  
4 family and what the DACA program has meant to them. See SEIU Local 521, Support the Dream Act  
5 (Oct. 23, 2017), available at: <http://www.seiu521.org/2017/10/dream-act/>.

6           16. Local 521's members who are DACA recipients are able to work legally and, thus, to be  
7 members of the Union, only because of the work authorization they obtain through the DACA program.  
8 DACA status also affords these individuals freedom from fear of deportation, the opportunity to  
9 integrate more fully into the fabric of their communities, and all of the other benefits that have flowed  
10 from the DACA program.

11 **Harms Arising From Rescission of DACA**

12           17. The rescission of the DACA program will cause a number of harms to Local 521's  
13 members and to the Union. As an initial matter, when they lose DACA status, the Union's DACA-  
14 recipient members will also lose their work authorization and thus their jobs. The jobs they will lose are  
15 union jobs, with the higher standards – a living wage, healthcare, and pension benefits – that these  
16 members and their co-workers have fought for over the course of years. Returning to the shadow  
17 economy will be especially hard for these individuals and their families. Moreover, in the absence of  
18 deferred action status, these union members will be subject to deportation from the only country that  
19 many of them have ever known.

20           18. Union members whose spouses and other relatives are DACA recipients will also suffer  
21 harm from DACA's rescission. Many of our members rely on the income that their spouses, siblings, or  
22 other relatives contribute to their families. The loss of work authorization will have serious negative  
23 consequences for these families. More fundamentally, our members care about these relatives and, if  
24 these relatives are removed from the United States, the loss of their companionship and destruction of  
25 family ties will cause our members significant injury.

26           19. Rescission of the DACA program will also harm Local 521's non-DACA members. The  
27 DACA recipients who work in workplaces represented by Local 521 are valued friends and co-workers.  
28 Their loss of work authorization will create vacancies, many of which will be hard to fill, and will

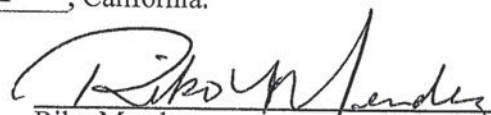


1 increase the burden on co-workers who are required to pick up the slack. For instance, Santa Clara  
2 Valley Medical Center, a public hospital owned and operated by the County of Santa Clara at which  
3 Local 521 represents a large group of employees, is required by law to provide qualified interpreters to  
4 limited-English-proficient individuals and relies on medical interpreters to satisfy that requirement. It  
5 takes an average of five to six months to fill interpreter vacancies at Santa Clara's hospital and clinics,  
6 and it has been difficult to fill several open positions. For positions such as this, cultural competency is  
7 just as important as language proficiency, and DACA-recipient Local 521 members are a critical bridge  
8 between the local governments that employ them and the communities those governments serve.

9 20. Because of their front-line roles delivering public services, Local 521 members are  
10 uniquely well-situated to understand the effect that the rescission of DACA, and rhetoric from federal  
11 government officials around immigration issues, has had on local government. There has been a  
12 correlation between diminished use of public services by undocumented individuals and that anti-  
13 immigrant rhetoric, which is even more present in the public mind because of the rescission of DACA.  
14 Out of fear of detention and deportation, fewer undocumented individuals are willing to interact with  
15 local governments to obtain public services, such as health care programs and law enforcement  
16 assistance. This harms not only those individuals and their communities, but also the community at-  
17 large. Moreover, the Local 521 members who are charged with administering and implementing those  
18 programs have a harder time reaching out to the already disadvantaged undocumented community. In  
19 other words, because of federal action rescinding DACA and anti-immigrant rhetoric, the hardest jobs  
20 are becoming harder. When the rescission of DACA is complete, these problems will become much  
21 worse, because those individuals who were protected against removal by their DACA status will now  
22 have to fear that they will be discovered if they interact with public entities and services.

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

25 Executed on October 27, 2017, at San Jose, California.

26   
27 Riko Mendez  
28 Chief Elected Officer  
SEIU Local 521

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# EXHIBIT 61



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13 *University of California*

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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 FERNANDO S.  
MENDOZA**

1 STATE OF CALIFORNIA, STATE OF  
 2 MAINE, STATE OF MARYLAND, and  
 3 STATE OF MINNESOTA,  
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 5 Plaintiffs,  
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 7 v.  
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 9 U.S. DEPARTMENT OF HOMELAND  
 10 SECURITY, ELAINE DUKE, in her official  
 11 capacity as Acting Secretary of the Department  
 12 of Homeland Security, and the UNITED  
 13 STATES OF AMERICA,  
 14  
 15 Defendants.

CASE NO. 17-CV-05235-WHA

9 CITY OF SAN JOSE, a municipal corporation,  
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 11 Plaintiffs,  
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 13 v.  
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 15 DONALD J. TRUMP, President of the United  
 16 States, in his official capacity, ELAINE C.  
 17 DUKE, in her official capacity, and the  
 18 UNITED STATES OF AMERICA,  
 19  
 20 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,  
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 22 Plaintiffs,  
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 24 v.  
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 26 UNITED STATES OF AMERICA, DONALD  
 27 J. TRUMP, in his official capacity as President  
 28 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



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

4 Plaintiffs,

5 v.

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

15 Defendants.

CASE NO. 17-CV-05813-WHA

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1 I, FERNANDO S. MENDOZA, declare and state as follows:

2 1. I am the Associate Dean of Minority Advising and Programs and Professor of Pediatrics  
3 (General Pediatrics) at the Lucile Salter Packard Children's Hospital. I write this declaration as a doctor  
4 and an expert in pediatric medicine in support of all Plaintiffs in the related-lawsuits regarding the  
5 Deferred Action for Childhood Arrivals program, commonly known as DACA. I have been an academic  
6 general pediatrician at Stanford University School of Medicine for 36 years, and have held the rank of  
7 Professor for the past 16 years. During that time, I also have held the position of Associate Dean of  
8 Minority Advising and Programs (1983 to present), and Chief of the Division of General Pediatrics at  
9 the Lucile Packard Children's Hospital (1996-2014). I received my MD in 1975 from Stanford  
10 University, School of Medicine, and my Masters of Public Health from Harvard University in 1979. My  
11 training in pediatrics was at Stanford University, School of Medicine as a resident from 1975 to 1978,  
12 and as a fellow in academic general pediatrics from 1979-1981. Relevant to this declaration is also my  
13 experience as a member of the Committee on the Health and Adjustment of Immigrant Children and  
14 Families, National Research Council, Institute of Medicine (1996-98).

15 2. Throughout my career of 36 years, I have focused in particular on the physical and mental  
16 well-being of immigrant and Mexican-American children. I have taught courses on delivering health  
17 care to diverse populations, and promoting well-being in immigrant children and youth. I have published  
18 numerous peer-reviewed publications on these issues. A copy of my curriculum vitae is attached  
19 (Exhibit A).

20 3. As a faculty member in the Pediatrics Department, I have spent my clinical time treating  
21 children and youth in the outpatient and inpatient settings at the Lucile Packard Children's Hospital.  
22 Most recently, my clinical time has been as an attending physician in the outpatient clinic of the  
23 Gardner-Packard Children's Health Center, a Federally Qualified Health Center run by the Gardner  
24 Family Care Corporation in partnership with Lucile Packard Children's Hospital. This clinic serves  
25 primarily children and youth from low-income families in our region; many of them come from  
26 immigrant families. Overall, my clinical experiences for the past 36 years has been with this population  
27 of children and youth, treating acute and chronic illness, providing well child care, and working with  
28 families on issues of child wellness.



1           4. In 2017, I co-authored a peer-reviewed study titled “Protecting unauthorized immigrant  
2 mothers improves their children’s mental health,” which was published in *Science*. A copy of that study  
3 is attached (Exhibit B). Using Medicaid claims data from the state of Oregon, we found that mothers’  
4 DACA eligibility decreased adjustment and anxiety disorder diagnoses by 50% among their U.S. born  
5 children. This study suggests that intergenerational benefits can occur when an immigration policy  
6 (DACA) positively impacts one generation (mother) in such a way that the impact on the parent’s health  
7 and wellbeing is felt by the next generation (children), resulting in their improved development and  
8 well-being. More specifically, the results of this study indicated that parents’ unauthorized status is a  
9 substantial stressor to children because of the daily uncertainty of deportation. When this stress is  
10 alleviated by a policy such as DACA, normal child development is more likely to occur leading to a  
11 lower prevalence of anxiety and adjustment disorders. DACA can prevent a health disparity among U.S.  
12 children (a high level of chronic stress) by eliminating a parental disadvantage (fear of deportation) that  
13 can impact their U.S. children.

14           5. As a pediatric practitioner, I am familiar with the short-term and long-term health effects of  
15 adjustment and anxiety disorder diagnoses for children. A child diagnosed with these disorders can be  
16 depressed and withdrawn, be unable to complete schoolwork, lash out at classmates and teachers,  
17 behave recklessly, and have trouble sleeping. These are conditions that significantly impair daily  
18 functioning and interfere with children’s psychological and emotional development. If the cause of the  
19 anxiety is not addressed, the subsequent impairment can have long-term effects for school performance  
20 and general mental health, including an increased risk for substance abuse (The Effects of Childhood  
21 Stress on Health Across the Lifespan, Centers for Disease Control and Prevention, 2008).

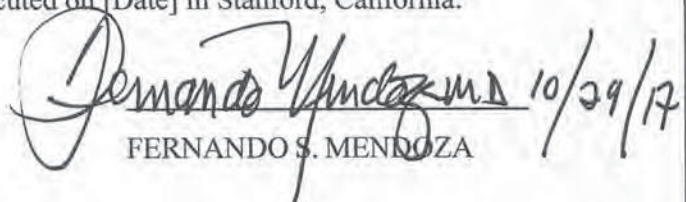
22           6. One of the greatest stressors to children is the loss of a parent by death, divorce, or in this  
23 case, deportation. However, in the case of deportation, the level of stress is heightened by the  
24 uncertainty of the event. Think about a young child going to school one day and returning home and not  
25 finding their mother. Or having the father leave in the morning, and always thinking, “will this be the  
26 last time I see him?” This is the current status of 4 million children who have one undocumented parent.  
27 This is the stress and uncertainty that DACA was able to relieve.  
28



1 7. Childhood mental health problems are associated with serious challenges later in life.  
2 Struggles in school can lead to limited job prospects and long-term reliance on welfare, and adults who  
3 experienced trauma during these formative years have higher rates of substance abuse and chronic health  
4 problems (CDC: 2008). By curbing acute anxiety in young children, programs like DACA could have  
5 cascading effects in improving health and other outcomes across the lifespan. In addition, there are  
6 significant implications for cost savings given that it is estimated that at present, we spend \$247 billion  
7 for U.S. youth in providing mental health and health services, and dealing with their lost productivity  
8 and crime (Preventing mental, emotional, and behavioral disorders among young people: Progress and  
9 possibilities. National Research Council and the Institute of Medicine of the National Academies,  
10 Washington, DC: National Academies Press; 2009).

11 8. Over the past 12 months, I have observed the effects that uncertainty about parental  
12 immigration status has on children. I have been asked to write letters for undocumented parents who  
13 have a U.S. child with chronic illness to be used for their request to stay with them in the U.S. I also had  
14 to discuss with parents the situation of being deported and not being able to return home to care for their  
15 U.S. children. In this situation, I have learned that parents are engaged in obtaining legal documents to  
16 entrust their children to other family members or friends, rather than have their children be placed in  
17 foster care. I cannot think of anything more stressful for parents and children than having to go through  
18 the process of dealing with the breakup of a family. As a pediatrician, my role is to care for all children,  
19 including those who have undocumented parents. This involves not only providing health care, but also  
20 advocating for children and their families. As such, I believe bringing to light the situation that children  
21 with undocumented parents face with regard to their health and wellbeing is important, and a vital first  
22 step toward addressing these public health concerns.

23  
24 I declare under penalty of perjury under the laws of the United States that the foregoing is  
25 true and correct and that this declaration was executed on [Date] in Stanford, California.

26   
27 FERNANDO S. MENDOZA 10/29/17  
28

# EXHIBIT 62



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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 ROBERT MENICOCCI**

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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, ROBERT MENICOCCHI, DECLARE:

2 1. I am a resident of the State of California. I have personal knowledge of the facts set forth  
3 in this declaration. If called as a witness, I could and would testify competently to the matters set forth  
4 herein.

5 2. I am employed as the Director of the County of Santa Clara’s (“County”) Social Services  
6 Agency. I have held the Social Services Agency Director position from 2015 to the present. I am  
7 responsible for overseeing more than 2,800 Social Services Agency employees who provide a wide  
8 array of social services to residents throughout Santa Clara County, including in all 15 cities within the  
9 county and in the county’s unincorporated areas.

10 3. Prior to becoming the Social Services Agency Director, I served in financial management  
11 capacities at two California counties, Lake County and Santa Barbara County. I was also employed for  
12 two years as a Deputy Commissioner for Management and Budget for the Commonwealth of  
13 Massachusetts’s Department of Mental Health. I also served for six years as the Chief Financial Officer  
14 and Vice President of AP Associates, a consulting firm in Massachusetts that specialized in public  
15 consultation on a variety of federal, state, and local rules, regulations, policies, and procedures to enable  
16 its public-agency clients to have maximum access to financial resources.

17 4. The mission of the County’s Social Services Agency is to provide resources and  
18 opportunities in order to enhance the quality of life in our community by protecting and delivering  
19 necessary services to individuals and families.

20 5. In the most recently completed fiscal year, from July 1, 2016 through June 30, 2017, the  
21 Social Services Agency’s total expenditures were approximately \$781 million. Although Fiscal Year  
22 2017-2018 is still in progress, I expect the Social Service Agency’s expenditures for this year to be  
23 consistent with, and likely somewhat larger than, the previous year.

24 6. The Social Services Agency serves County residents through three different departments:  
25 (1) the Department of Aging and Adult Services; (2) the Department of Employment and Benefit  
26 Services; and (3) the Department of Family and Children’s Services.

27 ///

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1           7.       The Department of Aging and Adult Services serves seniors, dependent adults, and the  
2 disabled through the delivery of protective services, quality nutrition, and supportive in-home services.  
3 In addition, the Department of Aging and Adult Services evaluates community needs, develops  
4 programs and services, and advises on matters of policy that concern the welfare of seniors and persons  
5 with disabilities. Department of Aging and Adult Services programs include In-Home Supportive  
6 Services, the Senior Nutrition Program, and Adult Protective Services.

7           8.       In-Home Supportive Services is a federally, state-, and locally funded program designed  
8 to provide assistance to eligible elderly, blind, and disabled county residents who, without this care,  
9 would be unable to remain safely in their own homes. This program provides services according to the  
10 recipient's ability to perform daily activities, and can include feeding, bathing, dressing, housekeeping,  
11 laundry, shopping, meal preparation and clean up, respiration, bowel and bladder care, moving in and  
12 out of bed, accompaniment to medical appointments, paramedical services, and protective supervision.  
13 In Fiscal Year 2016-2017, the In-Home Supportive Services (IHSS) program served an average of over  
14 21,000 county residents each month.

15           9.       With a loss of DACA status, DACA recipients would no longer qualify to be IHSS  
16 providers to eligible elderly, blind, and disabled county residents. Their IHSS clients would no longer  
17 be safe in their homes. If unable to remain in their homes, these county residents may require additional  
18 services from the County's Health and Hospital System.

19           10.       The Department of Employment and Benefit Services provides low-income county  
20 residents with access to programs that provide health insurance, employment services, foster care  
21 benefits, food assistance, and support for basic living costs. In doing so, it promotes the transition of  
22 public assistance recipients to employment and self-sufficiency.

23           11.       The Department of Family and Children's Services provides child welfare services to  
24 protect, prevent, and remedy abuse and neglect of children while advancing child and family safety and  
25 well-being. It promotes diversion, prevention, and in-home services to prevent the removal of children  
26 from their homes and to support less restrictive placement options for children that have been removed  
27 from their homes. In doing so, the department partners with diverse community organizations to ensure  
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1 that any child or youth who is at risk or has suffered abuse or neglect is safe, cared for and grows up in a  
2 stable, loving family, on a path to reaching their unique potential.

3 12. Child welfare services include emergency response services, family maintenance  
4 services, family reunification services, and permanent placement services for children or youth at risk of  
5 abuse and neglect, children in out-of-home placements, and adopted children.

6 13. The Department of Family and Children's Services provides numerous services to foster  
7 care youth, including the following:

- 8 • The Independent Living Program provides services designed to assist foster youth ages  
9 16 to 21 in their transition to living independently and self-sufficiently. The services  
10 include budgeting education, college enrollment support, driver's education,  
11 scholarship application and financial aid support, educational support, housing search  
12 assistance, job search assistance, and life skills training.
- 13 • The Transitional Housing Placement Program helps participants emancipate  
14 successfully by providing a safe environment for youth to practice the skills learned in  
15 the Independent Living Program (ILP). Participants live with roommates in  
16 apartments and single-family dwellings with regular support and supervision provided  
17 by THPP provider staff, social workers, and ILP coordinators. The supportive services  
18 include regular visits to participants' residences, educational guidance, employment  
19 counseling, and assistance reaching emancipation goals outlined in participants'  
20 Transitional Independent Living Plans.
- 21 • Foster youth are provided job search and employment support. Participants in these  
22 services receive assistance with job leads, help with completing applications,  
23 preparing resumes, and interview practice. The support continues once a participant  
24 receives a job offer in the form of mentorship and continued job training.
- 25 • Foster youth also receive financial literacy education, in which participants learn about  
26 banking, savings, and credit. They learn to better manage and save money in order to  
27 build assets for financial stability  
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- The HUB is a youth-led community resource center that offers a one-stop-shop for support and resources, including access to computers, internet, food, clothing closet, shower, and laundry services.

14. The rescission of DACA would likely lead to more children entering the County's child welfare services system. Researchers have found that about one quarter of DACA recipients have children who are U.S. citizens or otherwise documented. If DACA were to be rescinded and DACA recipients were subject to deportation, mixed-status families may see young U.S. citizen children separated from their DACA-recipient parents. The Department of Family and Children's Services would invest significantly in any such U.S. citizen child through its reunification efforts (including by coordinating with another country to reunify the child with their parents in that country as necessary), adoption services if reunification is impossible or not in the child's best interests, or placement and services in the absence of reunification or adoption. Under all three scenarios, the Department of Family and Children's Services would incur costs and expend resources to serve U.S. citizen children separated from DACA-recipient parents.

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 October 27, 2017 in San Jose, California.



ROBERT MENICOCCI

# EXHIBIT 63

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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 H. MARISSA  
MONTES**

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, H. Marissa Montes, declare and state as follows:

- 2 1. My name is H. Marissa Montes and I am the Co-Director and Clinical attorney for Loyola  
3 Law School, Los Angeles' Immigrant Justice Clinic ("LIJC"). In my position, I teach and  
4 practice immigration law and help manage and oversee clinical law students and staff  
5 attorneys. I am licensed to practice under the State Bar of California, SBN 285360. I am  
6 writing this declaration on behalf of LIJC.
- 7 2. LIJC is a community based collaboration of Loyola Law School, Loyola Marymount  
8 University, Homeboy Industries and Dolores Mission Church. We have a dual pronged  
9 mission to advance the rights of the indigent immigrant population in East Los Angeles  
10 through direct legal services, education, community empowerment, while teaching law  
11 students effective immigrants' rights lawyering skills in a real world setting.
- 12 3. LIJC has a team of five full time attorneys. This team includes myself, as well as Emily  
13 Robinson (Co-Director), Yanira Lemus (Supervising Attorney), Sandra Ruiz and  
14 Alejandro Barajas (Staff Attorneys). LIJC also counts on the assistance of Faculty  
15 Supervisor, Professor Kathleen Kim, and Adjunct Professor, Gina Amato-Lough. During  
16 the academic year, our clinic has an approximate enrollment of 12-20 law students, who  
17 assist in our efforts to offer representation to our target client population.
- 18 4. Due to LIJC's community based model, we sustain a constant presence in the community of  
19 East Los Angeles by offering weekly consultations at our partner sites of Dolores Mission  
20 Parish and Homeboy Industries. Our clinic purposefully focuses on the area of East Los  
21 Angeles due to the lack of credible immigration service providers and the high immigrant  
22 population. Through these intake clinics, we remain attuned to community needs in the  
23 area of immigration and identify indigent clients who qualify for our pro bono  
24 representation. On average, we provide free consultation to 50-80 individuals each week.
- 25 5. Since our target community is predominately comprised of families with mixed legal status,  
26 we often service a high number of immigrant and undocumented youth. From January  
27 2017 to September 5<sup>th</sup>, 2017, our clinic assisted over 300 young adults with the attainment  
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- 1 of an initial grant or renewal of deferred action under Obama’s executive order. In total,  
2 since the inception of the program in 2012, LIJC has serviced about 600 DACA recipients.
- 3 6. Upon the news of Trump’s decision to end DACA, we experienced an immediate increase  
4 in demand for DACA renewal services and inquiries, both for previously retained and new  
5 clients. On the day of the announcement, we had an approximate total of 100 individuals  
6 reach out for representation and consultations, which was in addition to our already  
7 existing and growing caseload given the high rate of immigration enforcement.
- 8 7. In light of the demand and our mission to remain responsive to community needs, LIJC  
9 immediately mobilized 90-100% of its already strained staff and resources to staff our  
10 community intakes, and organize a weekend DACA workshop that had the capacity to  
11 serve 100 DACA applicants seeking to renew their deferred action before the October 5<sup>th</sup>  
12 deadline.
- 13 8. In order to mobilize in such a short amount of time, we worked diligently and overtime to  
14 organize the event. Though some Loyola Law School staff provided us their time in kind,  
15 LIJC still incurred substantial costs to pay staff members, including campus planning,  
16 instructional technology, and security, to help facilitate the event. Additionally, LIJC  
17 attorneys had to create volunteer training materials, screening materials, and know your  
18 rights and DACA informational worksheets for participants. The creation of these  
19 materials, not only lead to an increase in cost in regards to attorney time, but caused us to  
20 incur production and printing costs.
- 21 9. Prior to the workshop, LIJC, with the help of the Mexican Consulate and NALEO Education  
22 fund, was also responsible for advertising the event and registering participants and  
23 volunteers. Due to our successful promotion, LIJC was able to secure over fifty law  
24 student and attorney volunteers, and pre-register approximately seventy DACA applicants.  
25 LIJC also simultaneously launched a fundraising campaign to help cover the filing fees for  
26 eligible DACA applicants. Based on our prior experience servicing this client population,  
27 we knew that it was imperative to help raise money to cover cost of the high filing fee that  
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often poses a barrier to renewal. To date, we have successfully fundraised over \$8,000, which has gone directly to DACA applicants.

10. During the day of the workshop, all LIJC attorneys were responsible to oversee volunteers, conduct attorney review and sign off on representation. In total, we screened approximately 100 DACA applicants at the event, and filed 55 applications on behalf of recipients who qualified for renewal during the designated period. Additionally, LIJC imputed additional screening mechanisms to ensure that anyone who had legal complications did not run a risk in renewing their application.

11. After the workshop, we have continued to file DACA renewals for eligible applicants who seek our services. Up until October 5<sup>th</sup>, we will also be working weekly with the Mexican Consulate at their intake clinic that is aimed solely to service and consult DACA recipients. Since the announcement, we have on average, been completing 40 DACA renewals or consultations a week. Our staff has also been volunteering their time over the weekends at DACA workshops, throughout Los Angeles, to help assist any additional applicants. We have also been hosting a variety of community education town halls to inform the public as to the changes in policy pertaining to DACA. Since September 5<sup>th</sup>, we have hosted four presentations one of each taking place at Loyola Law School, East Los Angeles College, Loyola Marymount University, and Dolores Mission Parish. Through these workshops, we were able to educate approximately 150 individuals as to the status of DACA. We also maintained an active media presence, by partnering with various local news sources including, but not limited to, Univision, Telemundo, NPR, NBC, The Los Angeles Time and the San Francisco Chronicle, to educate greater California on this issue.

12. Though we are incredibly passionate about serving our client population, the recession of DACA did cause a major strain on our limited resources, and forced us to divert our attention from our pre-existing student, community and client demands. The recession has also caused unprecedented harm upon (1) DACA recipients, who are eligible to renew during the time period, but may be unable to do so due to a complexity or financial need.

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and (2) DACA recipients whose status expired before September 5<sup>th</sup>, 2017 or expires after March 5<sup>th</sup>, 2018.

13. For example, on the day of the workshop, GR sought our services since his DACA expired in December 2017. GR was convicted of minor offense after his last DACA renewal application. The conviction in itself is not a bar to DACA, but due to the current stance of the administration, we advised the client to reconsider submitting his DACA renewal application to avoid risk of deportation.

14. LIJC also observed that many DACA renewal applicants struggled to secure the filing fee in time to meet the October 5<sup>th</sup> deadline. For example, we had two siblings, AJ and LJ, seek our representation for renewal. Both siblings, under the age of 21, depended on their parents for support as they were both full time college students. AJ and LJ's family, being low income, could not afford to cover the filing fee for both children.

15. Additionally, we received inquiries of many DACA recipients, whose work permit expired outside of the designated time period of September 5<sup>th</sup>, 2017 to March 5<sup>th</sup> 2018. For example, our client, JC, whose work authorization expired on August 30<sup>th</sup>, 2017, had tried to renew application by filing it on September 5<sup>th</sup>, 2017. Despite his efforts, JC received a rejection notice from USCIS a week later. JC is a business owner, and is now concerned that he may be subject to deportation and may lose his business and ability to continue employing other individuals with legal status.

16. Our clinic also assisted YH with the preparation of his initial DACA application over the course of the past year. YH had difficulty securing necessary documents, include those to show the required continuous presence. YH had completed his application days before the announcement, but given the threat of the lawsuit of the 10 Attorneys General, YH decided to wait for the September 5<sup>th</sup> announcement, and was no longer able to apply.

17. Our clinic also represented two siblings, JH and SH, in their initial and previous DACA renewals. Though JH and SH, both had renewed simultaneously in the past, SH received an earlier approval that gave her an expiration date of February 2018, while JH was approved a month later and received an expiration date of March 8<sup>th</sup>, 2018. Due to the



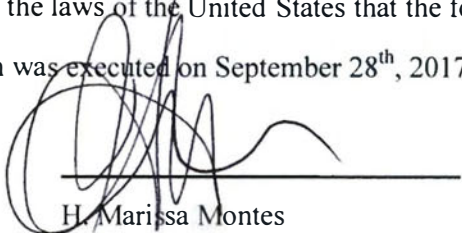
1 cutoff date, SH was the only one eligible to renew. Both SH and JH work to support their  
2 family. SH will become the primary provider come March, once JH's deferred action  
3 expires.

4 18. Our client, AP, is also ineligible to apply, given that her DACA expires after March 5<sup>th</sup>,  
5 2018. AP is a single mother to four US citizen children and is a survivor of domestic  
6 violence. Upon receiving DACA, AP was empowered to finally cut ties with her abuser, as  
7 she was able to work lawfully to support herself and her children. DACA allowed AP to  
8 pursue her dream of working as a case manager for at-risk youth. Upon losing DACA, AP  
9 fears her employment will be terminated and that she will no longer be able to support her  
10 children on her own.

11 19. Our client, BAP, is also ineligible to as her DACA expires outside of March 5<sup>th</sup> deadline.  
12 BAP is a community college student at Pasadena City College and is on her way to transfer  
13 to UCLA, in hopes of pursuing a career in nursing. BAP also works part time at a local  
14 church, and uses her income to cover the cost of her schooling, as well as provides financial  
15 assistance to her parents and younger US citizen brother. BAP fears that she will no longer  
16 be able to attend college or help support her family.

17 20. Even after the October 5<sup>th</sup> deadline for renewal, we are aware, as an organization, that we  
18 will need to continue to allocate a large portion of our resources to serving the DACA  
19 community, given that many of them will eventually lose protection from deportation and  
20 can be placed in removal proceedings. The rescission of DACA will have lasting  
21 consequences on our resources, the United States economy, and in the general national  
22 welfare.

23 I declare under penalty of perjury under the laws of the United States that the foregoing is  
24 true and correct and that this declaration was executed on September 28<sup>th</sup>, 2017.



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Signing on behalf of,

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*Co-Director and Clinical Attorney*

Kathleen Kim  
*Faculty Advisor*

Gina Amato-Lough  
*Adjunct Professor*

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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 CALVIN MORRILL

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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, CALVIN MORRILL, DECLARE:

2 1. I am the Associate Dean of the Jurisprudence and Social Policy (“JSP”) Program in the  
3 School of Law, as well as a professor of law and professor of sociology, at University of California,  
4 Berkeley (“UC Berkeley”). The matters set forth herein are true and correct of my own personal  
5 knowledge and, if called as a witness, I could and would testify competently thereto.

6 2. In my role as Associate Dean of the JSP Program, which I have been in for the last four  
7 years, I manage students, faculty, and staff in the program. My role includes guiding Ph.D. students to  
8 achieve their research goals and facilitating their successful careers after graduation. In some cases, this  
9 involves arranging funding and logistics for student participation in both on- and off-campus academic  
10 conferences and training experiences. I also sit *ex officio* on the admissions committee for the JSP  
11 Program.

12 3. Joel Sati, a Deferred Action for Childhood Arrivals (“DACA”) recipient, is a second-year  
13 student in the JSP Program who studies legal philosophy and epistemic justice, with a focus on law and  
14 normative citizenship as it relates to marginalized peoples. Joel is unique in that he is able to bring his  
15 own personal experiences to bear on otherwise esoteric fields of political theory and legal philosophy.  
16 Academically, he is well ahead of the normal student trajectory in the JSP Program and is already  
17 making important contributions to the field.

18 4. I have witnessed firsthand how the announcement of the rescission of the DACA policy  
19 has already denied Joel significant career opportunities. Given the international focus of the JSP  
20 Program, DACA’s rescission is sure to continue to affect Joel and others’ academic and career futures.

21 5. The JSP Program and the larger undergraduate population with whom I work contain a  
22 significant undocumented student population, and many of these individuals are DACA recipients.  
23 Based on the limitations that the inability to travel freely will bring, I expect our admissions and student  
24 involvement in the coming months and years will continue to suffer if the DACA program is dismantled.

25  
26 **The JSP Program**

27 6. The JSP Program is a specialized interdisciplinary Ph.D. program in law, social sciences,  
28 and humanities. It is the oldest interdisciplinary Ph.D. program in the country and one of the leading

1 programs of its kind in the world. Admissions to the JSP Program are extremely competitive. We  
2 typically admit around 8 percent of the approximately 100 to 125 applications we receive each year from  
3 graduates of top universities across the country and internationally.

4 7. As leaders of the JSP Program, we seek to admit students with exceptional academic  
5 potential. On average, approximately 90 percent of our students go into the rigorous world of academia,  
6 and we need to make sure they will thrive in the rigorous training we offer at UC Berkeley and in their  
7 careers.

8 8. Like other elite programs, we are always mindful of promoting diversity in our outreach  
9 efforts while still meeting exceedingly high standards of excellence. In fact, one of my main goals as  
10 Associate Dean has been to increase the diversity of our applicants, and three most recent classes have  
11 been the most diverse in the history of JSP.

### 12 13 **Joel's Contributions to the Fields of Political Theory and Legal Philosophy**

14 9. Traditionally, the fields of political theory and legal philosophy have been dominated by  
15 older white males with little personal exposure to issues of immigration and marginalization. This  
16 strikes a sort of irony in their scholarship, because these fields are dedicated to developing normative  
17 theories that can aid in understanding how political and legal change affect real people on the ground in  
18 multiple countries. Often, senior researchers are required to rely upon the perspectives of others to better  
19 understand the practical implications of their own research. That is why I think diversity is so important  
20 to the JSP Program. If we can recruit exceptional students who have personal experiences to inform the  
21 political and legal philosophy they study, this will inevitably infuse the existing scholarship with a sense  
22 of reality and practicality that it is often missing. Added realism of this type may also offer a way  
23 forward to help understand the possibilities for democracy in a variety of different contexts around the  
24 world.

25 10. From the moment I first reviewed Joel's application, he stood out as having a unique  
26 perspective and ability to contribute to the academic discourse on legal philosophy, particularly as it  
27 pertains to the real-world implications of citizenship and immigration issues. I was immediately  
28 impressed with Joel's ability in his written application materials to navigate between the academic and

1 scholarly issues of citizenship and the associated stigmas and harms that undocumented people face,  
2 drawing on his own personal experiences. In my view, it is often very difficult for students to blend  
3 high-level philosophical models with the day-to-day realities of experience, and Joel showed great  
4 mastery of that skill in his application and since then as a student in the JSP Program.

5 11. I met Joel at the start of his first year in the program. I found him to be incredibly smart  
6 but also humble and uniquely capable of connecting personally with students and faculty alike. In his  
7 classes since then, Joel has excelled beyond his years from the very beginning. He is unusually talented  
8 for a first-year graduate student. During annual faculty meetings, at which we evaluate all 55 graduate  
9 students in our programs, faculty members immediately identified Joel as a high performer and ahead of  
10 his cohort academic acumen. All five faculty members who worked with Joel during his first year in JSP  
11 expressed praise for his work. It is rare for faculty to have such a high opinion of a student in his first  
12 year because it takes time in a Ph.D. program for students to transition from being consumers to  
13 producers of academic knowledge, which Joel has already begun to master. It is equally challenging to  
14 evaluate Ph.D. students early in a Ph.D. program before they have developed a coherent research focus.  
15 Here again, Joel is ahead of the typical trajectory because he has not only developed a clear research  
16 focus, but also is already making contributions to his chosen research focus at a professional level.

17 12. Joel has been a leader in the JSP's Workshop in Law, Philosophy and Political Theory  
18 ("Workshop"). In the Workshop, a distinguished professor or researcher from another institution often is  
19 invited to UC Berkeley to present their research. For each weekly Workshop, at which approximately 40  
20 students and faculty attend, organizing faculty members pre-select one student to act as the "first  
21 responder" who is charged with responding to and critiquing the presenter's research. The selection is  
22 based on analytical and intellectual ability, presentation ability, and confidence in presenting to the  
23 speakers, who are often renowned in their fields. This position is an honor. Joel has been the first  
24 responder in the Workshop sessions on three separate occasions during his first year alone. Most  
25 students only serve as the first responder once or twice in the span of their time in the JSP Ph.D.  
26 program degree, and typically when they have been at JSP for several years. This exceptional  
27 achievement demonstrates Joel's great promise as a leading academic, as well as his courage and  
28 conviction.





1 19. Because this was such a special opportunity, I worked closely with multiple units on the  
2 Berkeley campus to secure special funding for Joel to attend the Malta Conference. His funding  
3 involved investments from both the JSP Program and the greater UC system.

4 20. With my encouragement, Joel applied to the Department of Homeland Security for  
5 advance parole in August 2017 so that he could attend the Malta Conference, and other conferences in  
6 his field. The application for advance parole was itself time-consuming for Joel, requiring multiple trips  
7 to Oakland by bus.

8 21. When the rescission of the DACA policy was announced on September 5, 2017, any  
9 opportunity for advance parole for DACA recipients to travel out of the United States ended. Because of  
10 the rescission’s immediate cancellation of advance parole, Joel’s advance parole application was  
11 rejected. Now he cannot attend the Malta Conference. The inability to attend the Malta conference is a  
12 huge loss of opportunity for Joel, and for the conference participants who will now not have exposure to  
13 his research. I understand that travelling without advance parole being granted would place Joel at risk  
14 of being unable to return to his life in the United States.

15 22. With the DACA policy rescission, Joel also faces the risk he will lose the work  
16 authorization needed for his employment as a Graduate Student Instructor (“GSI”). He is currently  
17 working as a GSI for two classes and his DACA employment authorization is required for these  
18 positions.

19 23. If Joel’s research and his ability to travel continue to be inhibited, the greater research  
20 world will also continue to suffer a loss of his valuable insight and contributions. This loss already has  
21 begun immediately following the announcement to rescind the DACA policy.

22  
23 **Effects of DACA Rescission for the JSP Program**

24 24. The announcement of the rescission of the DACA policy has had immediate negative  
25 effects on the student environment at UC Berkeley. I anticipate that those effects will increase and create  
26 JSP Program-wide detriments if the DACA policy is permanently dismantled.

27 25. First, the effects on travel that Joel experienced also threaten other students and future  
28 students. The JSP Program is uniquely positioned to train students in law, political theory, and

1 philosophy focused on the international context, so many of our students tend to pursue research on, for  
2 example, the comparative laws in multiple countries. To do this research effectively, students must often  
3 spend significant time in foreign countries conducting field research on legal and political systems. If  
4 students are prevented from travelling, this jeopardizes their ability to conduct relevant research and will  
5 certainly force some students to drop out of the program, or at least abandon a promising international  
6 research topic.

7 26. Second, the fear and anxiety among DACA students is palpable. In my role as Associate  
8 Dean, I interact with many graduate and undergraduate students, including with DACA students.  
9 Doctoral training already is an extremely difficult and stressful time in a student's life, and the  
10 additional stressors of worrying about deportation or the uncertainties facing their futures compounds  
11 that stress dangerously. The usual questions of, "Can I compete at a high level in this academic  
12 environment?," are compounded with, "Will I be deported to an unfamiliar country if I do?" I have  
13 checked in with all the DACA status and undocumented doctoral students in the JSP Program and  
14 multiple students in our undergraduate program, Legal Studies. Every single student has expressed  
15 intensified fear and anxiety since the DACA policy rescission over the potential negative effects it will  
16 have on their educations and career chances. Indeed, we have referred students for additional  
17 professional support to help manage these increased anxieties and fears.

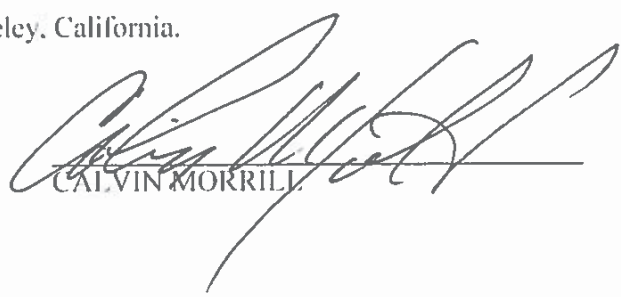
18 27. With the knowledge of the inability to travel and anxieties discussed above, I expect  
19 DACA's rescission to have a chilling effect on applications from diverse students to the JSP Program. I  
20 expect that given the DACA rescission, next year would-be DACA recipient students will not apply or  
21 identify themselves to the JSP Program, because the barriers to them successfully pursuing our  
22 international brand of research would be too great. This will hurt our diversity and deny students  
23 opportunities from which they could otherwise have benefited greatly.

24 28. DACA's rescission has and is taking time and resources from the JSP administration and  
25 faculty. In addition to the normal rigors of research and professional development, we have spent  
26 significant time devising strategies to maintain the status quo for students in an increasingly adverse  
27 political environment. We want to support the students in any way we can, but this effort detracts from  
28 our core function of advising and supporting all students in their careers and research.

1 29. Joel is a prime example of the type of brilliant contributions that DACA students make to  
2 our academic community. Both he and the JSP community have suffered significant harms as a result of  
3 the announcement of the rescission of the DACA policy, and I expect many more harms to come. I ask  
4 that the court allow these students the space and freedom to pursue their academic careers and continue  
5 to contribute to the world unimpeded by the constant restrictions and threat of deportation.

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

8 Executed on October 24, 2017 in Berkeley, California.

9  
10   
11 CALVIN MORRILL

# EXHIBIT 65

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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 LUZ MARINA  
MOSQUERA**



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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, LUZ MARINA MOSQUERA, DECLARE:

2 1. I am the Executive Director of Hermandad Mexicana Transnacional Las Vegas  
3 (“Hermandad”). Hermandad is a community-based non-profit organization accredited by the Board of  
4 Immigration Appeals that has been based in Nevada for twelve years. To date, Hermandad has assisted  
5 more than 2,800 DREAMers—individuals protected under the Deferred Action for Childhood Arrivals  
6 (“DACA”) program—with their DACA applications. I have personal knowledge of the facts set forth in  
7 this declaration, and if called as a witness, I could and would competently testify to them.

8 2. I have known Norma Ramirez since June 2012, when she came to Hermandad to receive  
9 assistance with her DACA application. Ms. Ramirez was one of the first DREAMers from Nevada to  
10 apply for the DACA program and to obtain the benefit of a work permit through DACA. In doing so,  
11 she came out of the shadows as an undocumented individual. She has incredible potential to work and  
12 contribute to our society. Indeed, she already has. Although Ms. Ramirez first came to Hermandad for  
13 help with her own application, she ended up becoming a volunteer at the organization, assisting other  
14 DREAMers with their own DACA applications. Ms. Ramirez was incredibly dedicated to helping these  
15 applicants. She would skip her lunch break just so that she could keep working with her cases under my  
16 supervision. We often stayed in the office late and she would volunteer to assist me after hours. She  
17 would be the first person to arrive the next morning, on time and ready to work. Ms. Ramirez also loved  
18 to give workshops to other applicants to inform them about the DACA application process. She worked  
19 tirelessly and devotedly in her role as a volunteer, and was passionate about helping other DREAMers.

20 3. In December 2012, after her period of volunteer work at Hermandad and after she  
21 received her DACA status and work permit, Ms. Ramirez was offered employment with Hermandad as a  
22 DACA Case Worker. In this role, Ms. Ramirez continued to assist me in collecting and filling out  
23 immigration documentation on behalf of other DREAMers applying for DACA. If Ms. Ramirez hadn’t  
24 received DACA status and a work permit, Hermandad would not have been able to hire her as a case  
25 worker.

26 4. Ms. Ramirez’s work permit also enabled her to work in a different department in  
27 Hermandad as a Case Worker for our Domestic Violence and U-Visa program, which she did from  
28 January 2013 through August 2015. In this role, Ms. Ramirez contributed greatly to the improvement of

1 Hermandad’s Violence Against Women Act (“VAWA”) and U-Visa program. She began by working as  
2 a translator, preparing written declarations on behalf of Spanish-speaking immigrants who were  
3 applying for VAWA and U-Visas. This was particularly important, given that 98% of our clients are  
4 Spanish-speaking only. Within a year, she was promoted to work directly with survivors of domestic  
5 violence, sexual assault, and stalking and to assist them in applying for visas. In addition, Ms. Ramirez  
6 assisted me with research and grant writing—a crucial component of our work that allows us to obtain  
7 financial resources to subsidize our program.

8 5. Through her work in this program, I witnessed Ms. Ramirez grow professionally and was  
9 especially impressed by her ability to manage difficult tasks with ease. When she worked with families  
10 including children and parents applying for U-Visas, I saw that she had a unique ability to provide the  
11 children with comfort throughout the application process. While working with victims of violent  
12 crimes, sexual assaults, domestic violence, harassment, and stalking, Ms. Ramirez showed incredible  
13 empathy towards these individuals. She learned to talk to clients about very sensitive issues, and to  
14 understand their needs and goals. She also picked up the process of completing the immigration forms  
15 quickly and easily. Ms. Ramirez was extremely passionate about the work that she did at Hermandad  
16 and she remained dedicated to the job throughout her entire time working there.

17 6. I also know Ms. Ramirez as a passionate student who graduated with outstanding grades  
18 from the University of Nevada Las Vegas. After several years of working at Hermandad, Ms. Ramirez  
19 followed her dreams to become a therapist by applying for a master’s degree in clinical psychology at  
20 the Fuller Graduate School of Psychology in California. She left Hermandad shortly after being  
21 admitted into the degree program.

22 7. Although Ms. Ramirez was just another DACA applicant when she first came to  
23 Hermandad, it was clear to me from when I first met her that she is a special individual. We have  
24 become very close over the years and we remain in touch to this day. We communicate often,  
25 particularly by text message, and I even attended her graduation in California from her master’s program  
26 at Fuller Graduate School of Psychology.

27 8. From my conversations with Ms. Ramirez, I know that DACA has truly changed her life.  
28 Her dream was to become a therapist helping other immigrants like herself face the trauma and

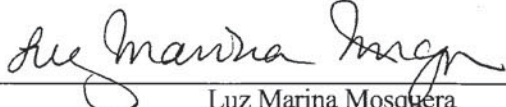
1 emotional struggles that they have gone through in their lives. Once Ms. Ramirez became a DACA  
2 recipient, this dream started to become a reality.

3 9. I also know from my more recent conversations with Ms. Ramirez that the recent  
4 termination of the DACA program has already filled her with fear and anxiety. I think this fear and  
5 anxiety is already impacting her on a daily basis and could have lasting impacts on her. She is only  
6 partially through her Ph.D. program in clinical psychology at Fuller Graduate School of Psychology and  
7 would not be able to finish the program without DACA, since she is required to have a work permit in  
8 order to complete the internships required of her degree. It would be devastating for Ms. Ramirez to  
9 lose her DACA status, as it would mean that she could not obtain her dream of becoming a therapist,  
10 and I know that this is a source of great concern and pain for her right now.

11 10. Ms. Ramirez serves as an inspiration to other DREAMers, particularly given the  
12 opportunities that she has been able to obtain as a result of the DACA program. She is an outstanding  
13 example of perseverance and of the significant benefits that DACA recipients provide to our country.  
14 Ms. Ramirez is a humanitarian with a deep desire to help her community and I am confident that she  
15 will use her career to help others in her role as a therapist if given the opportunity to do so. She is an  
16 example of why the DACA program must continue: so that individuals like Ms. Ramirez can continue  
17 to thrive and to make meaningful contributions to our society.

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

21 Executed on October 26, 2017, in Las Vegas, Nevada.

22  
23   
24 \_\_\_\_\_  
25 Luz Marina Mosquera  
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19 **UNITED STATES DISTRICT COURT**  
20 **NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

21 THE REGENTS OF THE UNIVERSITY OF  
CALIFORNIA and JANET NAPOLITANO, in  
22 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 JANET NAPOLITANO**

DECLARATION OF JANET NAPOLITANO  
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

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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, JANET NAPOLITANO, DECLARE:

2 1. I am President of the University of California (“UC”) and have served in that  
3 position since September 2013; before that, I served as the United States Secretary of Homeland  
4 Security under President Barack Obama from 2009-2013. Unless otherwise explicitly stated, I  
5 have personal knowledge of the matters set forth in this Declaration and could competently testify  
6 to them if called as a witness.

7 2. As Governor of Arizona, Secretary of the U.S. Department of Homeland Security  
8 (“DHS”), and now president of the largest public research university system in the world, I have  
9 seen the consequences of our broken immigration system at every level. Understanding these  
10 problems and recognizing that our nation’s immigration laws were not designed to be blindly  
11 enforced without consideration given to the individual circumstances of each case, on June 15,  
12 2012, I launched a new policy at DHS to establish a clear and efficient process for exercising  
13 prosecutorial discretion, on an individual basis, by deferring action against individuals who passed  
14 an extensive background check and met other exacting criteria. This policy was Deferred Action  
15 for Childhood Arrivals (DACA).

16 3. The policy put in place a rigorous application and security review  
17 process. Applicants for DACA were only approved if they were in or had graduated from high  
18 school or college, were in the military, or were an honorably discharged veteran. They cannot have  
19 been convicted of a felony or significant misdemeanor or otherwise posed a threat to national  
20 security or public safety to receive DACA. To date, DACA has protected from deportation nearly  
21 800,000 individuals (referred to as “Dreamers”) who qualify under the terms of the policy.

22 4. Protecting these Dreamers, who were brought as children to the United States and  
23 in many cases do not know the country where they were born or speak its language, has, in my  
24 view, proven to be a smart, effective policy. It directs the U.S. Government’s limited law  
25 enforcement resources to be spent on those who pose a risk to our communities, not on those who  
26 contribute to our state and national economies.

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1 **DACA Student and Staff Contributions to the University**

2 5. UC admits undergraduate and graduate students on the basis of their individual  
3 achievements and without regard to their immigration status. I understand that UC currently has  
4 approximately 4,000 undocumented students who have earned their place in the UC student body.  
5 Most of these students are the first in their families to attend college, and a substantial number of  
6 them are DACA recipients. I understand that UC also has employees who are DACA recipients  
7 who are not students.

8 6. As an institution whose core mission is serving the interests of the State of  
9 California, the University seeks “to achieve diversity among its student bodies and among its  
10 employees.” See Academic Senate of the Univ. of Cal., Regents Policy 4400: Policy of University  
11 of California Diversity Statement, UNIV. OF CAL.: BOARD OF REGENTS,  
12 <http://regents.universityofcalifornia.edu/governance/policies/4400.html>. The University recognizes  
13 the importance of diversity to its academic mission, as it allows “students and faculty [to] learn to  
14 interact effectively with each other, preparing them to participate in an increasingly complex and  
15 pluralistic society.” *Id.* The educational experience of all University students is fuller and more  
16 enriching when ideas are “born and nurtured in a diverse community.” *Id.*

17 7. DACA students at the University are an integral part of our community. Their  
18 talent, perspectives, and experiences are invaluable contributions to University life.

19 8. DACA recipients also make significant contributions to University life in their role  
20 as employees. They fill crucial roles at UC campuses and in UC medical centers as teaching  
21 assistants, research assistants, post-docs, and health care providers. DACA recipients often possess  
22 valuable foreign language skills.

23 9. By allowing DACA recipients to work lawfully, DACA moved recipients out of the  
24 informal economy, increasing the pool of talent from which UC could fill positions at the  
25 University.

26 10. DACA recipients who are enrolled as students rely on their earnings to support  
27 themselves and cover a portion of their tuition and total costs of attendance through their part-time

1 work. UC expects all of its students to contribute some funding to their studies in this way. For  
2 many of these students, DACA work authorization plays a significant role in their ability to attend  
3 UC and to continue each year with their chosen program of study.

4 11. The University has invested considerable resources in recruiting and retaining these  
5 individuals—as students and employees. It has made scarce enrollment space available to these  
6 students on the basis of their individual achievements. It also has invested substantial time,  
7 financial aid, research dollars, housing benefits, and other resources in them on the expectation  
8 that these students—like other students—will complete their course of study and become  
9 productive members of the communities in which the University operates, and other communities  
10 throughout the nation. The University has significant interests in retaining this wealth of talent and  
11 in continuing to enjoy the many benefits of their participation in University life.

12 12. Furthermore, by allowing recipients to receive deferred action and obtain work  
13 authorization, DACA opened myriad opportunities to them. As noted above, DACA recipients  
14 became eligible for federal work authorization, which significantly improved their opportunities  
15 for employment and higher paying jobs. Under the program, DACA recipients received social  
16 security numbers and therefore were able to open bank accounts. DACA also enabled recipients to  
17 obtain driver's licenses in a number of states where they otherwise could not. It also protected  
18 these individuals' right to travel freely by making them eligible to receive "advance parole,"  
19 which allowed them to travel abroad temporarily for humanitarian, educational, or employment  
20 purposes, and to return to the United States lawfully. *See* 8 C.F.R. § 212.5(f); USCIS FAQs.  
21 DACA students rely on their ability to travel freely (domestically and abroad) to take full  
22 advantage of the opportunities UC offers its students and to expand the contributions they make to  
23 the education, research and service mission of the University.

#### 24 Negative Impact of DACA's Rescission

25 13. Defendants' decision to rescind the program will have immense and devastating  
26 effects on the University and all of its students. As a result of the termination of the program, the  
27 University and its students will lose the vital contributions that DACA recipients have made as

1 students and employees. The civic life of the school will be diminished, the exchange of ideas will  
2 be reduced, teaching and research will be impaired, and diversity of viewpoints and experiences  
3 will be reduced. The University and its students benefit from cohesive family units, robust civic  
4 participation, and the strength of social and educational communities. The rescission damages  
5 each of these interests, in California and nationwide.

6 14. The University also will lose the resources it has spent educating students who  
7 ultimately are unable to graduate.

8 15. As a result of the rescission, DACA students will be unable to work to pay their  
9 tuition and other expenses. Students subject to these hardships may be forced to withdraw from  
10 UC altogether.

11 16. DACA recipients also will be at risk of removal. Indeed, in a set of “Talking  
12 Points” released the same day of the rescission, DHS “urge[d] DACA recipients to use the time  
13 remaining on their work authorizations to prepare for and arrange their departure from the United  
14 States.” See Talking Points—DACA Rescission. Removal will self-evidently result in the loss of  
15 employment, education, and relationships with others in the United States.

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

18 Executed on Oct. 23, 2017, at Oakland California.

19  
20   
21 JANET NAPOLITANO

# EXHIBIT 67

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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 MINH-CHAU N.  
NGUYEN**



1 STATE OF CALIFORNIA, STATE OF  
 2 MAINE, STATE OF MARYLAND, and  
 3 STATE OF MINNESOTA,  
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 5 Plaintiffs,  
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 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,  
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 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,  
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 22 Plaintiffs,  
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 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

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.

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1 I, Minh-Chau N. Nguyen, declare:

2 1. Since 2013, I have been a Staff Attorney at Santa Clara County Asian Law Alliance  
3 (“ALA”). ALA aims to provide equal access to the legal justice system for low-income and Asian  
4 Pacific Islander communities in Santa Clara County so they can develop self-sufficiency, self-reliance,  
5 and a better quality of life. ALA serves low-income residents through legal representation, community  
6 education and advocacy on issues including immigration, citizenship, public benefits, housing, domestic  
7 violence, and civil rights.

8 2. ALA has served the community for over 40 years. ALA currently has a staff of 15,  
9 including 11 attorneys. The immigration department consists of three staff who focus on immigration  
10 relief for victims of crimes and four attorneys who focus on citizenship, DACA, and other immigration  
11 cases. All the immigration staff do deportation defense. I am one of the four in the latter group.

12 3. ALA invests significant time and resources in recruiting and training volunteers, some of  
13 whom are DACA recipients. Volunteers are critical to advancing ALA’s mission because volunteers  
14 help us answer our phones, conduct initial client intake, fill out immigration forms at our Immigration  
15 Clinics, and provide translation services. We spend one and a half hours training them for intake and  
16 one and a half hours training them for clinic. Without volunteer assistance, we would not be able to  
17 answer every call that comes through, assist every low income resident who needs help, or provide  
18 services to Spanish-speaking clients. They are essential in helping us with the sheer volume of our calls.  
19 We currently have 18 volunteers in our office every week. These include volunteer attorneys, volunteers  
20 awaiting bar results, student volunteers, and retired community members. Currently, there are  
21 approximately two DACA volunteers. They assist ALA staff in a variety of areas, including with  
22 document translation, intake, and clinic. As DACA recipients, those volunteers can understand the  
23 unique circumstances of many of our undocumented clients and communicate with them in a language  
24 they understand.

25 4. About half of my work consists of assisting people with DACA applications. I help  
26 supervise our weekly Tuesday and Friday Immigration Clinics and our monthly Saturday Immigration  
27 Clinic for community members. In those clinics, we screen people and set them up with appointments  
28 to apply for DACA, citizenship, renewals of green cards, and other family-based immigration petitions.



1           5.       For the past few years, we have filed 200-250 DACA applications a year. Our fiscal year  
2 starts on July 1. Since July 1, 2017, we have filed over 150 applications, over 70 of which have been in  
3 the month of September. In one month, we have filed approximately one-third of the applications we  
4 typically file in a year.

5           6.       Since DACA was rescinded on September 5, 2017, ALA has had to divert its resources to  
6 assist individuals who have DACA-related inquiries. My colleagues and I have had to clear our  
7 schedules and ensure that we were available to address the needs of DACA recipients. Typically, our  
8 intake hours are 9-11:30 AM Monday-Friday and 1-3:30 PM on Monday, Wednesday, and Friday. With  
9 the DACA rescission, my colleague and I have been responding to calls from DACA clients at any time,  
10 even when our intake is closed. We had to prioritize our DACA clients to the detriment of our other  
11 clients, who include those applying for citizenship and those in deportation proceedings whose hearings  
12 are not for several months. Before the October 5 deadline, we had to keep our schedules clear so there is  
13 time for DACA clients making last minute appointments.

14           7.       ALA typically mails applications out using Priority Mail once a week. Because of the  
15 strict October 5 deadline, we had to go the post office two to three times a week before the deadline and  
16 use Priority Mail Express to submit the files. Some of our clients told us they save up the whole year in  
17 order to pay the USCIS filing fee. Staff coordinated financial assistance for clients with limited  
18 resources to help them come up with the filing fees. This put a strain on our financial resources and staff  
19 time.

20           8.       In addition to filling out DACA renewal applications in our Tuesday, Friday, and  
21 Saturday Immigration Clinics, ALA held two workshops to assist with individuals seeking to renew  
22 DACA before October 5. On Wednesday, September 20, we hosted an all day DACA renewal  
23 workshop in our office to help out 34 applicants. On Monday, September 25, we worked with other  
24 community-based organizations and San Jose State University to help out 44 applicants. We had to  
25 coordinate volunteers to come in on their days off to assist with the increased volume.

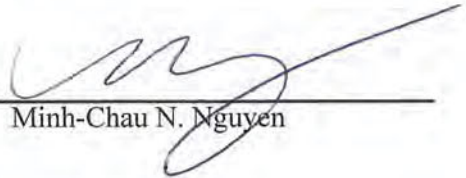
26           9.       Since the announcement, our phones have been flooded and our intake workers have been  
27 unable to respond to all calls. Callers were worried, confused, and scared about their status in the  
28 United States and unsure they would be able to meet the October 5 deadline. The week before the

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October 5 deadline, clients still came in unsure if they were qualified to renew. We had people call whose work permits expired in August 2017 or expire past the March 5, 2018 deadline. There was still much confusion in the community right before October 5, and we are unsure if we were able to reach all eligible applicants in time.

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

Executed on October 23, 2017, at San Jose, California.

  
\_\_\_\_\_  
Minh-Chau N. Nguyen



# EXHIBIT 68

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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 EMILY NISHI**

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

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I, Emily Nishi, declare and state as follows:

1. I am over the age of eighteen and competent to testify.
2. I am Chief People Officer at Lyft, Inc. (“Lyft”). I am responsible for managing the company’s human resources strategy. I have been employed at Lyft since 2017.
3. Lyft employs more than 1,000 employees in the State of California and more than 2,000 employees in the United States.
4. At least one Lyft employee is a grantee under the Deferred Action for Childhood Arrivals program (“DACA”), and we, like most large U.S. companies, believe that other employees may have chosen not to self-identify. This employee works as a software engineer and used to be located in California and is now located in Washington. If this employee loses his DACA status and is deported, Lyft will suffer great injury. He is one of our top engineers and is a key member of the team driving critical data projects. This employee’s work has contributed significantly to Lyft and losing his talents and institutional knowledge would create a gap that would be difficult to quantify.
5. Lyft connects millions of individuals of all backgrounds every day through the experience of sharing a ride. At a time when so many forces are driving division in our society, these shared moments of human connection can help bridge those gaps and bring people and communities together. At Lyft, we are working towards a community that is diverse, inclusive, and safe. These are fundamental values of our company and we will always stand with those fighting for them.

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 18, 2017, in San Francisco, California.


---

 EMILY NISHI



# EXHIBIT 69

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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 ELOY ORTIZ  
OAKLEY**

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, Eloy Ortiz Oakley, declare:

1. I am the current Chancellor of the California Community Colleges. I assumed my current office in December of 2016, and in this role I am the chief executive officer of the Board of Governors of the California Community Colleges (“Board of Governors”), and the head of the California Community Colleges Chancellor’s Office (“CCCCO”), a California state agency. I am ultimately responsible for developing and implementing statewide policy for the California Community College System, including policies related to ensuring broad access to post-secondary education. And as the head of the largest community college system in the nation, I am responsible for providing national policy leadership in this area.

2. Prior to holding my current position, I served as the Superintendent-President of the Long Beach Community College District (“LBCCD”) from 2007 – 2015. During this phase of my career, I was responsible for implementing educational policy at the college level, and ensuring and measuring successful outcomes for students. During my tenure at LBCCD, I helped form the “Long Beach College Promise,” a program that engages high school administrators and teachers to work with college faculty and staff to create structured pathways for students to follow as they progress from one educational institution to the next. Long Beach College Promise enhanced access to postsecondary education by extending the promise of a college education to every student in the community. Long Beach College Promise served as a model for “America’s College Promise,” a national initiative introduced by President Barack Obama in 2015.

3. The California Community College System is the largest post-secondary institution in the United States, with more than 2.1 million students attending one of our 114 colleges. With low tuition and a longstanding policy of full and open access, the California Community Colleges were established around the principle that higher education should be available to everyone. Our colleges are the state’s most common entry point into collegiate degree programs, the primary system for delivering career technical education and workforce training, a major provider of adult education, apprenticeship and English as a Second Language courses, and a source of lifelong learning opportunities for California’s diverse communities.



4. The California Equity in Higher Education Act establishes the policy of the State of California to afford all persons equal rights and opportunities in postsecondary educational institutions, including the California Community Colleges. Cal. Ed. Code, §§ 66251, 68130.5. The Board of Governors has declared that the California Community Colleges are committed to serving all students who can benefit from a post-secondary education, without regard to race, ethnicity, national origin, or immigration status, and fully supports the promotion of programs, initiatives and policies designed to implement these values of community and inclusion. See Resolution of the Board of Governors No. 2017-01 [January 17, 2017], a true and correct copy of which attached as Exh. A. The Board's commitment to diversity, inclusion, and open access to our colleges, is supported by peer-reviewed academic research that indicates students' college experiences and educational outcomes are enhanced by attending institutions with a diverse student body. See, e.g., "*Does Diversity Make a Difference?*" American Council on Education and American Association of University Professors (2000), a true and correct copy of which is attached as Exh. B.

5. The State of California is home to approximately 198,000 people who are participating in the federal Deferred Action for Childhood Arrivals ("DACA") program. These young people are now working, studying at college, or enlisting in the armed services. With access to work permits, they are making immediate contributions to our society and economy. Although the CCCCCO does not collect data on DACA status, it is likely that significant numbers of California community college students are participating in the DACA program and benefit from the associated legal protections and financial opportunities that provide the stability and security necessary to pursue a higher education. The California community college system is an attractive option for all eligible students in California, including DACA recipients, due to our low costs, open access policy and convenient locations throughout the state.

6. Many DACA students in the California Community College System qualify for, and presumably receive, financial aid from the State of California. Such aid would include California College Promise Grants, which cover community college enrollment fees for eligible students, and Cal Grants, which cover tuition and other education-related expenses for eligible students (see the CCCCCO's *I Can Afford College* campaign website at [www.icanaffordcollege.com](http://www.icanaffordcollege.com) for more information).

California has invested in our DACA students and the community college system benefits from their perspective, talents and enthusiasm. DACA has allowed our students to take full advantage of a community college education. It furthers our system's efforts to supply an educated and skilled workforce to the state, and is critical to meeting California's civic and economic needs. See CCCCO Report, Task Force on Workforce, Job Creation, and a Strong Economy (2015), a true and correct copy of which is attached as Exh. C.

7. The Board of Governors has adopted multiple resolutions supporting DACA students and urging the federal government to maintain the DACA program. *See* Resolution of the Board of Governors No. 2017-01 [January 17, 2017], attached as Exh. A, and Resolution No. 2017-04 [September 18, 2017], a true and correct copy of which is attached as Exh. D. Under my direction, the CCCCO has invested substantial time, energy, and resources to support our DACA students. We have alerted them to the federal government's rescission of the program, and ensured they are aware of available resources and of applicable renewal deadlines. These efforts have included the formation of a DACA Rapid Response Committee comprised of members of the Board of Governors, CCCCO staff, representatives from the Academic Senate for California Community Colleges, college presidents and students. The CCCCO has engaged in an extensive multi-lingual and multi-media campaign that has included the preparation of media statements and talking points for community college districts, media interviews and op-eds by the Chancellor, radio spots, posters and other media for every high school and community college in California, and social media content on Facebook, Twitter and Instagram. The CCCCO has also dedicated a section of its website to provide the latest resources and information for DACA students, faculty, and administrators within our system.

8. If the DACA program is eliminated, it will have a severe impact on the California Community College's DACA students, their families, and the resources of the 114 community colleges throughout the state. The elimination of work authorization would prevent hard-working students from earning wages to pay for education and daily living expenses, and deprive our colleges of talented faculty and staff who help our colleges serve the State of California and meet our educational mission. The threat of deportation would obviously have a negative impact on student retention and academic success. Eighty-two percent of the funding appropriated for community college districts statewide is

apportioned based upon the number of students enrolled in courses. Given that nearly 200,000 young people in California have DACA, the reduced enrollment attributable to the rescission of the DACA program would have a substantial negative fiscal impact on many California community college districts, reducing their ability to provide educational programs and supportive services for our students.

9. California's society would also be affected adversely. The state has already invested considerable resources in the education and training of DACA recipients, with the expectation that they will develop into contributing members of society, filling jobs, starting businesses, and paying taxes. DACA rescission would needlessly remove a talented, educated, and well-prepared cohort of needed individuals from the state's workforce. Worse, many of these individuals provide skilled labor in areas with existing workforce shortages; their removal will only exacerbate the shortage, and harm the California economy. See CCCCO White Paper, Task Force on Workforce, Job Creation, and a Strong Economy, a true and correct copy of which is attached as Exh. E.

10. The rescission of DACA would have a harmful impact on the California Community College System, its students, employees, and educational mission.

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 Sacramento, California.



---

Eloy Ortiz Oakley  
Chancellor  
The California Community Colleges

# EXHIBIT 70

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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 DEIRDRE O'BRIEN**



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

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I, Deirdre O’Brien, declare and state as follows:

1. I am the vice president of People at Apple Inc. (“Apple”) and have worked at the company for nearly 30 years. The vice president of People is responsible for leading all human resource functions, including talent development and analytics, recruiting, benefits, compensation, business support, and employee training. I have personal knowledge of the facts stated in this declaration and, if called upon to do so, I could and would testify to these facts.

2. Apple employs nearly 40,000 people in California and over 81,000 people across the United States. These figures do not include temporary employees or contractors.

3. Apple and its customers have benefited and continue to benefit in many ways from the Deferred Action for Childhood Arrivals (“DACA”) program. Apple currently employs over 250 DACA holders in 28 states. These talented and entrepreneurial people fill important and varied roles across the company, including in operations, research and development, administration, sales and marketing, and retail. Apple and its customers have benefitted greatly from their intelligence, ambition, creativity, resilience, and hard work. These employees are important contributors to Apple’s unique culture. That unique culture enables employees throughout Apple to do the best work of their lives and excel at creating the most innovative products and providing the very best customer service.

4. Many of Apple’s DACA holder employees also possess language skills, insight, and cultural knowledge that are essential to allowing Apple to serve its diverse customer base in the best way possible. For example, AppleCare provides support to more than 100 million customers each year in more than 30 languages. AppleCare’s U.S.-based employees support 11 languages with 160 skills related to Apple’s products and services. AppleCare employees, including DACA recipients, are critical to ensuring Apple’s customers get the most out of the products they have grown to love and depend upon. Aside from speaking to customers directly, AppleCare teams help to create and deliver training programs, pilot new and innovative approaches to customer support, provide important feedback on internal and customer-facing tools, and ensure that product feedback is provided to Apple’s engineering teams.

DECLARATION OF DEIRDRE O’BRIEN\_\_



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5. Apple currently employs 70 DACA recipients in California. These employees work in a wide variety of roles, including as Hardware Development Engineers, Software Engineers, Software Technicians, Retail Store Geniuses, Technical Specialists, Technical Customer Service and Support Specialists, Operations Specialists, Quality Assurance/Quality Control Engineers, and iAd Account Managers.

6. Apple has invested heavily in recruiting, training, and retaining employees with DACA status.

7. Apple will be harmed significantly if it can no longer benefit from the hard work, creativity, and intelligence of its employees with DACA status. From a practical standpoint, Apple will be forced to incur the cost, disruption, and delays associated with reallocating human resources; searching for, recruiting, interviewing, and hiring new employees; training new employees; and integrating new hires into Apple’s unique culture. Apple will also be deprived of the benefits of the considerable investments that it made in recruiting, hiring, and training these talented young people.

8. But if Apple could no longer employ its people with DACA status, Apple would be hurt in ways that go far beyond these practical harms. Inclusion and diversity are part of Apple’s core values and fundamental to its ability to innovate. By virtue of their personal experiences, employees with DACA status bring with them unique skills, knowledge, perspectives, and cultural understandings. By excluding DACA holders and other immigrants, Apple and our nation as a whole will be harmed—in ways big and small—and deprived of these important benefits.

9. Indeed, rescinding DACA attacks one of Apple’s core values as a business—the belief that equal opportunities should be available for all, regardless of background. As Apple’s CEO Tim Cook recently explained, “More than any country in the world, this country is strong because of our immigrant background and our capacity and ability . . . to welcome people from all kinds of backgrounds.” Apple believes that inclusivity and diversity are essential to recruiting and retaining a talented workforce, fostering innovation, and developing the highest-quality products for consumers around the world. Rescinding DACA makes the United States and companies based here, including Apple, less attractive to the talented and ambitious people who come here to find success and build successful careers. In the same way, rescinding DACA interferes with Apple’s ability to accomplish


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its important business goals and uphold its core values, harming both Apple and its hard-working and talented employees and partners.

10. Because rescinding DACA causes such significant harms to Apple’s values, its business, and its customers, Tim Cook joined hundreds of America’s leading executives on August 31, 2017, and sent a letter to President Trump emphasizing the benefits of DACA and urging him to preserve the program. That letter explains, among other things, that “Dreamers are vital to the future of our companies and our economy” and part of America’s “global competitive advantage.” A copy of this letter is attached to this declaration as “Exhibit A.”

11. The “Dreamers” who work at Apple embody the American Dream and the best aspects of our American values. They were brought to this country as young children, and most cannot remember a time when they did not call our nation home. We have been told by the Dreamers that they deeply love our country. They grew up in our cities and towns, and earned degrees from colleges and universities across the country. They work hard and they pay taxes. They contribute tremendously to Apple and its success, to our customers and communities, and to the American economy. Their determination, resilience, and hard work inspire me and countless other Apple employees who are privileged to call them coworkers and friends. It is essential that we not only allow the Dreamers to stay in this country, but that we welcome them and tell them that we want them to be here. Their lives and their stories embody what is best about our country.

I declare under penalty of perjury under the laws of the United States and the State of California that the foregoing is true and correct, and that this declaration was executed on September 21, 2017 in Cupertino, California.

  
Deirdre O'Brien



# EXHIBIT 71

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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 GILDA L. OCHOA**

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 PROFESSOR GILDA L. OCHOA**

I, Gilda L. Ochoa, declare as follows:

1. I am a Professor of Chicana/o-Latina/o Studies and Faculty Coordinator for the Draper Center for Community Partnerships, at Pomona College in Claremont, California and have taught at Pomona College for twenty years, since 1996. 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.

**Viridiana Chabolla**

2. I met Viridiana Chabolla in 2010 during her sophomore year at Pomona College and served as her academic advisor since the end of her sophomore year, meeting with her numerous times to discuss her courses and her future plans. That experience later developed into a longer-term relationship during which I helped mentor and guide Viridiana during her college years and thereafter.

3. Viridiana is a dedicated and committed community leader with strong writing, critical thinking, and public speaking skills. I believe that Viridiana's passion for learning and education are evident, that her character is generous and genuine and that her thirst for knowledge and answers is inspiring.

4. In my view, Viridiana is also selfless and a contributor. I believe that she does not simply seek personal advancement, but that she also actively looks for ways to support and give back to others and to her community and is not interested in personal gain so much as in helping and benefitting others.

**Viridiana's College Experience**

5. While she was a student at Pomona College majoring in sociology and Chicana/o-Latina/o Studies, I had the pleasure of having Viridiana in four classes: (1) Introduction to Sociology; (2) Chicanas/os-Latinas/os in Contemporary Society; (3) Chicanas/os-Latinas/os and Education; and (4) Sociology Senior Seminar.

6. In addition to these classes, over the course of her college career, Viridiana and I met numerous times to discuss her campus involvement and career goals.

7. Viridiana enrolled in my Introduction to Sociology class her sophomore year and quickly distinguished herself as one of the most engaged and insightful students in the class. I observed how she



connected ideas, offered astute commentaries on the readings, and helped push the class discussions to deeper levels. Knowing that she had thoughtful commentary to provide, I often found myself looking to Viridiana to share her perspectives with the class. Some of her most powerful contributions in this course related to topics such as gender, race, and migration. In both large class and small group discussions, I saw how she worked well with others, and her classmates seemed to appreciate her many contributions. And throughout the class, Viridiana submitted excellent papers that reflected her strong voice and critical engagement with the course materials. Already a good writer who possessed the dedication and unique ideas important for writing strong papers, Viridiana also demonstrated a commitment to strengthening her ideas and the quality of her work. Revealing her dedication to excellence, she took the initiative to meet with me about her papers to discuss additional ways for conveying her perspectives.

8. During her junior year of college, when Viridiana declared her double major, I again had the opportunity to work with her during two electives I taught relating to Chicanas/os-Latinas/os. In these classes, Viridiana continued to be an engaged and enthusiastic classroom contributor. She co-facilitated engaging discussions on reproductive rights and schooling, and she produced wonderful papers.

9. My understanding is that Viridiana's interest in this topic was piqued by her high school teachers as well as by her observation from society and daily life. It was evident to me that Viridiana had done substantial reading and research on these issues in high school and came to my classes with a level of critical analysis and understanding that is refreshing and rare.

10. As a college senior, Viridiana completed an excellent two-semester qualitative thesis on the schooling experiences of Latinas, which I reviewed and graded, as her advisor. Through focus group discussions and in-depth interviews, she researched the significance of generation and family expectations for first, 1.5, and second-generation college students. The 25-page critical literature review that she wrote as part of my Sociology Senior Seminar (which then became chapter one of her thesis) captured the depth and breadth of her knowledge of the literature, and her final thesis reflected her top performance while at Pomona College.

11. As her advisor, I spent significant time interacting with and observing Viridiana. In addition to excelling in her studies at Pomona College, I observed that Viridiana was also a campus leader with a strong presence and a dedicated student, successfully juggling her course work with her student involvement. I often discussed Viridiana with my colleagues and learned that she was well-known and held in high regard by all the Chicana/Latina faculty.

12. Viridiana demonstrated her commitment to helping others to also achieve their educational dreams through serving on student organizations and participating in programs housed under the Draper Center for Community Partnerships.

13. During my many conversations with Viridiana, I found out that she was an active member and leader of the Pomona College Latina/o student organization, “Empowered Latinas/os in Action,” a now-defunct student organization of approximately 25 students that promoted events to build community and cultural and political awareness. Viridiana frequently invited me and other faculty members to participate in the organization’s events.

14. Viridiana also worked with younger students and older adults to facilitate their paths of obtaining their educational goals. During her sophomore year, she was instrumental in contributing to a new program at Pomona College, where students worked with dining hall workers to assist them in their preparations for completing their GEDs. This program is housed under the Draper Center for Community Partnerships.

15. During my tenure at Pomona College, I have been involved with the high school program, PAYS, also housed under the Draper Center for Community Partnerships. PAYS is a signature program at Pomona College. The PAYS program brings approximately 90 local high school students to Pomona College over the summer. Most of these students are first generation Americans or students of color and they spend a month on campus taking college classes with professors, with college students serving as teaching assistants. They also design and teach their own elective course. Although faculty teach the classes, it is the college students are really the ones who do the bulk of the work, teaching their own classes and serving as mentors for the students. Viridiana served as a teaching assistant for PAYS while at Pomona College. Given her strong academic abilities, it is my understanding that Viridiana was a model assistant for this program and the students.

16. When she graduated from Pomona College in 2013, Viridiana received the Chicana/o-Latina/o Studies prize in recognition of her stellar work. This award is very prestigious as it is given to only one student in the major on those years that it is awarded (it is only awarded in years when the faculty determines that a specific student has earned it). I along with the Chicana/o-Latina/o Studies faculty decided Viridiana had earned this award through her thoughtfully written original two-semester thesis which showcased her extensive review of literature and discussion groups and had an insightful design. This award showed the high regard in which the Chicana/o – Latina/o faculty holds Viridiana. Other Pomona College faculty, including faculty of Scripps College, Pitzer College, and Claremont College Consortium, also supported the decision to present Viridiana with this award.

#### **Viridiana's Post-College Experience**

17. I have kept in contact with Viridiana since she graduated from college.

18. In November 2016 presidential election, we invited back Chicana/o–Latina/o alumni to come to present a panel to students to share their experiences since graduation, both socially and occupationally. I believed that Viridiana was a perfect candidate for this panel because of the work she was doing and because she was in the process of applying to law school. Viridiana participated in the panel and, with another alumnae, spoke to approximately 20 students. Her presentation was inspiring. She spoke for over an hour to these students about the effect of the election on her personally and about what she has done since graduation and was generous in giving out her contact information to students with questions about what to do post-graduation.

19. When I meet with current students, I often talk about Viridiana and hold her up as an example of our model alumnae. Viridiana is someone I am always happy to discuss and to connect with students and, for her part, she is always willing to talk with students and to share what she has learned.

20. I think so highly of Viridiana that when she applied to law school, I wrote a letter of recommendation for her to submit with her law school applications and have been happy to provide recommendations for Viridiana in other instances, such as for her job at Public Counsel.

### **DACA's Effect on Viridiana's College Experience**

21. I cannot recollect the date, but at some point during Viridiana's time at Pomona College, I learned that she was a DACA recipient.

22. Based on the twenty years I have spent at Pomona College, I can say that the study abroad program is one of the key experiences at our school. In fact, I would estimate that about 60-70 % of all students participate in the study abroad program. It is common and desired in Chicana/o – Latina/o study programs for students to study abroad. Ideally, we would like Pomona College students to have transnational experience on Chicano/Latino subjects, as opposed to focusing just on the United States. Studying abroad enhances students' perspectives and their historical understanding of Chicanos/Latinos here in the United States.

23. Undocumented students, however, are often unable to take advantage of international travel and study abroad opportunities, to their detriment. This inability to fully participate in their education creates a barriers to education and singles out undocumented students, again to their detriment. Accordingly, these undocumented students do not receive the full educational opportunity that Pomona College is aiming to provide.

24. Students with DACA, on the other hand, are able to request permission to travel abroad through advance parole. Pomona College has had several DACA students who studied abroad. The last DACA student I advised who studied abroad went to Europe. That unique opportunity opened her eyes and gave her a bigger and more rounded view of immigration and sociology.

25. In my experience as a professor at Pomona College I have seen many students receive their DACA permit. Through the many conversations I have had with many DACA students, I can say that once students received this permit, the shame of being an undocumented person starts to lift and it is my opinion that they felt it gave them an identity. It is seen as a category that is not stigmatized.

### **Rescinding Viridiana's DACA Status Would Be Detrimental to the Community**

26. I expect that Viridiana will continue to excel on her educational path at the University of California, Irvine School of Law, where she is currently in her first year.

27. If Viridiana's DACA status were to be rescinded, the Chicana-o/Latina-o community would lose a crucial leader. Viridiana is an advocate, a strong listener, and someone who has a powerful

1 voice and perspective that needs to be heard. Whether as an attorney or an activist, Viridiana's path has  
2 put her on a trajectory to advocate for a community whose voices are not always heard and to push for a  
3 more just and inclusive society in whatever career she chooses to follow.

4 28. Finally, Viridiana's physical presence in her community serves as a role model for girls  
5 and young women who look to Viridiana as a source of inspiration for what they can achieve.

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

9 Executed on October 27, 2017, in Claremont, California.

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12 GILDA L. OCHOA



# EXHIBIT 72

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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 SEUNG ELI OH**

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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  
  
JUL 13 2018  
  
U.S. DISTRICT COURT  
SANTA CLARA COUNTY  
SANTA CLARA, CALIFORNIA



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I, Seung Eli Oh, declare:

1. I currently live in San Jose, California and have resided in the United States for 19 years.

2. I was born in 1987 in Seoul, South Korea, and was brought to the United States when I was 11 years old.

3. I received an Associate of Science Degree in Nursing from De Anza College in Cupertino, California, in 2010 and a Bachelor of Science in Nursing from the University of Texas at Arlington in 2012.

4. I currently work as a Critical Care Response Nurse at Stanford University Medical Center in Stanford, California. As a critical care response nurse, I respond to various medical emergencies in the hospital and provide critical care expertise at the bedside.

5. I was approved for Deferred Action for Childhood Arrivals (“DACA”) and employment authorization in September 2012.

6. DACA has dramatically changed my life in the past five years. I was unemployed for two years after graduating from nursing school at De Anza College, and I was uncertain about my next step because I could not work legally. DACA gave me the chance to prove myself and work as a nurse. As a DACA recipient with employment authorization, I was able to gain valuable experience as a critical care nurse and eventually obtain my dream job at Stanford University Medical Center.

7. The ability to work legally has also allowed me to provide financial support for my parents. My family has always struggled financially since coming to the United States, and DACA has finally given me the opportunity to help support my parents in a real way.

8. I paid almost \$60,000 dollars in taxes during 2016.

9. Since my current DACA expires in October 2018, I am unable to renew under the current DACA termination policy.

10. When my current DACA grant expires, I will lose my job, my health insurance, and my livelihood because I will not be able to work legally, and my career will come to a standstill. I am working in a field where workers are in constant demand, and there is a nursing shortage in the United States, especially in the area of critical care nursing. I am a law-abiding, tax-paying, productive member of society with critical care nursing expertise, and I am helping to fill this nursing shortage. However,



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without DACA, I may have to seek employment in another country where they will use my critical care skills and help me immigrate legally.

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

Executed on 10-23-17, 2017, at San Jose, California.

  
\_\_\_\_\_  
Seung Eli Oh

# EXHIBIT 73

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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 NANCY E.  
O'MALLEY**

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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, Nancy E. O'Malley, declare and state as follows:

- 2 1. I am Nancy E. O'Malley, the elected District Attorney for the County of Alameda and have
- 3 served as District Attorney since 2009;
- 4 2. I have worked in the Alameda County District Attorney's Office since 1984, beginning as a
- 5 Deputy District Attorney. I served as the Chief Assistant District Attorney for the Office from
- 6 1999 until becoming the District Attorney of Alameda County. There are 410 employees,
- 7 including 158 attorneys, 75 sworn peace officers, 40 Victim Assistants;
- 8 3. While Chief Assistant, I founded the Alameda County Justice Center (ACFJC), a one-stop
- 9 center, with more than 30 onsite and over 50 offsite agencies providing comprehensive and
- 10 collaborative responses to victims of domestic violence and their children, to victims of sexual
- 11 assault and child sexual abuse, elder abuse and importantly, to victims of all forms of human
- 12 trafficking. The ACFJC is also a place of empowerment for survivors. Children (0-5 years
- 13 old) are learning to read and growing their vocabularies; their moms who have been victims of
- 14 domestic violence are learning job skills and career paths; teens who have lived in homes with
- 15 domestic violence are going to stay-away wilderness camp and receiving homework help;
- 16 commercially sexually exploited minors are participating in the Young Woman's Saturday
- 17 Program (YWSP) to begin their recovery from victimization to pathways for a safe, productive
- 18 and healthy future. Forty-five percent (45%) of the clients at the ACFJC are mono-lingual
- 19 Spanish and more than 100 languages are spoken. Many clients have quietly disclosed that
- 20 they are in this country without documentation ("undocumented"). More than 125 young
- 21 women have participated in the YWSP and several have disclosed that they are protected
- 22 under DACA. The ACFJC is one of seven (7) Trauma Recovery Centers (TRC) in California
- 23 providing psychological, behavioral health and health care services to clients;
- 24 4. I have worked closely with and supervised our Victim-Witness Assistance Division, which
- 25 provides a variety of services for victims, witnesses, and their families recovering from the
- 26 devastating impacts of crime. Annually, the staff works with nearly 10,000 victims and their
- 27 families, providing nearly 90,000 victim services. The ACFJC serves an additional 14,000
- 28 clients per year, including women, their children and approximately 1,000 men;



- 1 5. Alameda County is extremely diverse. More than 500,000 of the 1,647,700 million residents  
2 were born outside the United States. Almost 650,000 Alameda County residents speak a  
3 language other than English at home. The Hispanic community is 22.5% in Alameda County,  
4 which also hosts one of the largest Asian immigrant population (30.2%) including Indian,  
5 Pakistani, Vietnamese, and Chinese populations, as well as smaller clusters of a dozen other  
6 nationalities. More than 136 languages are spoken at home by children who attend Fremont  
7 schools alone. Particularly for the Latino and Asian immigrants, there is a cultural distrust of  
8 government where, in many countries of origin, the government and particularly law  
9 enforcement, were corrupt and dangerous.
- 10 6. As a result of the large immigrant population, I have increased the diversity of the Victim-  
11 Witness Assistance staff as well the administrative, investigative and attorney staff to reflect  
12 the communities we serve. I have created a "Diversity and Shared Community Committee"  
13 led by Nahid Aria who is an immigrant from war torn Afghanistan with several Office  
14 members who themselves are immigrants. One primary purpose of our Diversity Plan is to  
15 work with immigrant communities to build trust and faith that the Office serves them with  
16 dignity, respect and honesty. We publish materials for crime victims in several languages,  
17 including Spanish, Chinese, and Farsi. Many of our employees are bilingual, and are available  
18 to speak with immigrants in their native languages. Through our efforts, I and my staff have  
19 also worked closely with young individuals who are immigrants to America and are protected  
20 by DACA.
- 21 7. My experience in dealing with immigrants and especially with immigrants in this country  
22 without documentation is extensive. I have worked with those accused of crimes, with victims  
23 of crime, and with organizations that provide services to or advocate for immigrants and  
24 particularly those without documentation. It is undeniable that immigrant communities live in  
25 fear of being attacked or targeted by those motivated by hate and prejudice. It is undeniable  
26 that many immigrant communities have a fear and distrust of government and law enforcement  
27 agencies, including my Office based on their experiences or the culture of countries of origin.  
28 With current climates across our country, I and we are seeing more immigrants, especially



1 those without documentation, refusing to seek services or to participate in programs. Those  
 2 programs include children attending school, seeking medical care as a result of a crime, or  
 3 going to work. More particularly for undocumented immigrants, we are aware that large  
 4 numbers of victims of crimes such as human trafficking, domestic violence and sexual assault,  
 5 robberies and hate crimes are not reporting or are refusing to cooperate with law enforcement  
 6 or the Office. Many are afraid to come forward and testify in court for fear of being detained  
 7 by ICE and/or deported. I have been a co-signor of a letter to the United States Attorney  
 8 General requesting that Courthouses be treated as "safe havens" for victims of crime. The  
 9 response was not encouraging for those victims who fear ICE and/or deportation, which  
 10 plainly stated, is keeping them away from my Office or the Courts:

- 11 8. I am aware that for many victims of crime, they fear their own deportation, or deportation of  
 12 their DACA protected children. Many are reaching out to organizations that serve immigrant  
 13 populations to seek the establishment of legal structures that will protect and care for their  
 14 American born children if they are deported.
- 15 9. The District Attorney's Office cannot proceed with a prosecution without a witness or victim  
 16 to testify in Court. Through our Hate Hotline, we receive calls reporting hate crimes, but more  
 17 often than not, the victim of the alleged hate crime will not come forward. Under some  
 18 circumstances, we would say "the victim is not cooperative" but with immigrant populations,  
 19 particularly those without documentation, their fear is overwhelming and driving them further  
 20 underground. The current political climate leaves the victims defenseless and leaves the  
 21 District Attorney's Office powerless to hold offenders accountable;
- 22 10. It is impossible to list every incident where a crime witness or victim was reluctant to  
 23 cooperate with this Office, but the following serve as examples:
- 24 a. The Office's Environmental Protection Division was called upon to investigate the  
 25 death of workers in an electroplating shop in East Oakland. While investigating the  
 26 homicide, the Office learned that the owner of the shop deliberately hired  
 27 undocumented immigrants from Latin American Companies. These workers were  
 28 underpaid, and worked under deplorable conditions without adequate safety equipment.



1 The Office learned that there had been several previous incidents in which  
2 undocumented workers became seriously ill as a result of exposure to toxic chemicals.  
3 Some of the surviving workers, who cooperated with the homicide investigation,  
4 explained that they never reported the low wages, the substandard equipment, the  
5 dangerous conditions, or the prior injuries because they feared they would be deported.  
6 Had these witnesses come forward, the Office would have prosecuted the crimes under  
7 existing environmental and worker protection regulations. Such a prosecution would  
8 in all likelihood prevented the deaths of these exploited workers;

9 b. Through an investigation of a human trafficking case in cooperation with other law  
10 enforcement agencies, the Office uncovered a ring of brothels operating in and around  
11 Alameda County. The Office learned that the woman working in these brothels were  
12 undocumented Asian women, coerced into working by brothel owners. Their passports  
13 were confiscated. The women were confined to a building or a residence where they  
14 were obliged to engage in the sex trade. Investigative surveillance of these residences  
15 revealed that the women would be moved from one brothel to another every ten days.  
16 While confined to the brothel, the women did not leave the building for the entirety of  
17 their stay. Investigators were able to close the brothels and to arrest the local managers  
18 of the brothels. The women who worked in the brothels, were not arrested.  
19 Investigators were able to obtain sufficient information to successfully prosecute the  
20 local operators; however, the women who had been trafficked were reluctant to make  
21 statements. Consequently, the investigation was unable to uncover the higher level  
22 operators of this human trafficking operation;

23 c. A girl of fourteen or fifteen years old was found murdered behind a dumpster at the  
24 back of a restaurant in Castro Valley. Her identity was unknown and investigators  
25 were unable even to identify her. As it was discovered, the young woman was in  
26 America without documentation. As a result, no missing person report had been filed.  
27 Without knowing who the victim was, investigators were left with very few leads.  
28 Investigators found no witnesses to the crime itself, but through a series of interviews



1 with witnesses, many of whom were themselves undocumented, they were eventually  
 2 able to learn her name, and to contact her family in Mexico. With this information,  
 3 they were able to establish that she had come to live with a family friend in the United  
 4 States. With this information, the investigators were able to learn additional facts that  
 5 led this Office to charge the family friend with the young girl's murder. Because of the  
 6 girl's undocumented status, however, it took so long to identify her that the defendant  
 7 was able to flee to Mexico before the police even became aware of his identity. Efforts  
 8 to locate and extradite the defendant for trial have been hampered in part by the fact  
 9 that some of the undocumented witnesses have moved on or otherwise no longer  
 10 willing or available to testify. To this day, the defendant has not faced justice for this  
 11 horrible murder of this innocent girl;

12 11. As stated above, the Office has implemented strategic initiatives to reach out to the immigrant  
 13 community to foster a spirit of trust, engagement and cooperation. Throughout my tenure as  
 14 District Attorney, I have emphasized the value of diversity and inclusiveness in the conduct of  
 15 the Office. I have made sure that my Office reaches out to all members of the Alameda  
 16 County community, including the many immigrants who call Alameda County their home.  
 17 We have maintained a presence in immigrant communities through speaking engagements or  
 18 by maintaining information booths during fairs or festivals celebrated by these communities  
 19 within our county. We have assisted victims in seeking "U" or "T" visas." We provide contact  
 20 information and identify resources that will enable every victim of crime to seek the protection  
 21 of the criminal justice system, regardless of country of origin or of immigration status. We  
 22 seek to stress that it is the voice, and not the language of our residents that matters. However,  
 23 we are seeing a decline in engagement of victims of crime from immigrant communities;

24 12. Despite the Office's best efforts, establishing trust with the immigrant community remains  
 25 difficult. While the Office can assure our victims that we will not ask them for their legal  
 26 status, and that we will not take steps to reveal their identities to immigration authorities, we  
 27 can make no promises as to what federal immigration authorities will do. In the current  
 28 climate, it is very difficult to convince undocumented victims or witnesses to reveal



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themselves to the criminal justice system because they believe that in so doing they expose themselves to arrest, detention or deportation.

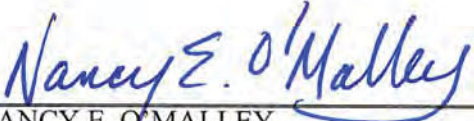
13. If the Alameda County District Attorney’s Office is to continue our mission to protect all of our residents, we need to assure all victims, especially those without documentation, that they will not be penalized for stepping forward to tell the truth. Our ability to convince them to step forward therefore depends on our ability to truthfully inform and convince them that they have no reason to fear law enforcement or government agencies.

14. The Deferred Action for Childhood Arrivals (DACA) program is one important tool available to the Office in protecting residents without documentation. For those who participate, DACA provides the federal government’s assurance that they will not be penalized for cooperating with the Office. DACA participants know they are able to call the police when they have been victimized without fear that they will be arrested instead of the criminals who have attacked them. DACA also benefits others in our community because DACA participants feel free not only to speak up in their own defense, but also to testify as witnesses for victims of crime who are here without documentation, who might otherwise be rendered voiceless by their fear of governmental agencies. However, those victims and other individuals in the community, in our colleges and in the workplaces, who are currently protected by DACA, are living in dire fear of losing their residency status in America. Many have shared with me that they have no memory of nor do they know anyone in their country of origin. There is no question that the uncertainty of their future is causing tremendous trauma to them and yet, their fear is also keeping them away from services;

15. Based on the foregoing, I conclude that the rescission of DACA will be detrimental to my Office’s ability to provide, ensure or uphold public safety and enforcement of the law for all who live, work or travel into Alameda County.

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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 the 24<sup>th</sup> day of October, 2017.

  
\_\_\_\_\_  
NANCY E. O'MALLEY  
District Attorney of Alameda County

### **CERTIFICATE OF SERVICE**

I hereby certify that on March 13, 2018, I electronically filed the foregoing Supplemental Excerpts of Record (Vol. IV 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