

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

CITY OF EL CENIZO, TEXAS, <i>et al.</i> ;	§	
Plaintiffs,	§	
	§	
CITY OF AUSTIN, <i>et al.</i> ,	§	
Plaintiff-Intervenors,	§	CIVIL ACTION NO. 5:17-cv-404-OLG
v.	§	
	§	
STATE OF TEXAS, <i>et al.</i> ,	§	
Defendants.	§	

DECLARATION OF GREGORIO CASAR

Pursuant to 28 U.S.C. § 1746, I, Gregorio Casar, declare the following:

1. My name is Gregorio “Greg” Casar and I am over eighteen years of age. I have personal knowledge of and could testify in Court concerning the following statements of fact.
2. I am a City Council Member for the City of Austin, representing District 4. I have served as the City Council Member for District 4 since January 2015. I am proud to represent every member of my district, regardless of race, creed, ethnicity, national origin, or immigration status.
3. Every resident of this City has the basic human right to live here without fear or mistrust of police authorities.

MY OPPOSITION TO SENATE BILL NO. 4

4. In regard to Senate Bill No. 4 (SB 4), my concern—beginning when the bill was first announced, and continuing through the present—is that this law will disproportionately impact my most vulnerable constituents. My district includes many residents who were born outside of the United States. Unfortunately, these constituents are among the least likely to speak out, even when confronted with serious threats to their liberty.

5. I believe in the United States ideal represented by the Statue of Liberty and the poem by Emma Lazarus that has come to exemplify our national story. Just as that sonnet, “New Colossus,” reads, “Give me your tired, your poor, your huddled masses yearning to breathe free . . . I lift my lamp beside the golden door!,” I believe the City of Austin should be a welcoming beacon to the people of the world, including and especially vulnerable immigrant communities.

6. SB 4, as signed into law, threatens the welcoming ideal of this nation and the City of Austin, and impacts my constituents and the broader Texas community. I have taken multiple opportunities to oppose SB 4 since it was first introduced, and have continued to do so since the Governor signed the bill and litigation began. I have made public comments, engaged in political organizing, and advocated for public participation in legislative and legal proceedings. I have worked directly with nongovernmental organizations that have coordinated public testimony in the SB 4 hearings and that have organized public protests at the Capitol. I have recruited elected officials and other stakeholders to join the opposition. In particular, I have spoken out as an elected official to elevate the voices of my constituents, and to alert others, across the City and state, to the threats posed by SB 4.

7. One of my goals is to provide encouragement to Texas residents. I am concerned about my constituents, and I do not want them to leave the state, miss school, or feel abandoned in an era of increasing repression.

8. I also want to fulfill my part in ensuring that the actions of the Texas Legislature and Governor are subject to the checks and balances essential for the functioning of a healthy democracy. In particular, as an Austin elected official, my responsibility is to ensure that the City challenges unconstitutional laws that injure the City or its residents.

9. On its face, SB 4 threatens the liberty and safety of my constituents. For fear of encountering arbitrary immigration status checks, some residents are already declining to access social services, complete daily errands, or participate in other essential social activities. Our community is less safe. And our police are faced with choosing between effective and constitutional policing, on the one hand, and compliance with state law, on the other. The State has most likely exceeded its authority, and I continue to urge the City and our allies to challenge the law in court.

SB 4 WILL INFLICT SUBSTANTIAL HARM ON MY CONSTITUENTS

10. As part of my duties as an elected City Council member, I regularly communicate with my constituents and gather information about their concerns. In my office, I supervise several staff members, including a chief of staff, an outreach director, a policy director, and a communications director. All of my staff are charged with communicating with constituents, documenting their concerns, and summarizing that information for me to consider and utilize as we work to establish City of Austin policies and priorities. We gather and maintain this information in the course of business, and it is the type of information I ordinarily rely upon in developing opinions about what my constituents are facing and how the City should assist them.

11. In regard to Senate Bill No. 4, as well as in regard to the Immigration and Customs Enforcement (ICE) raids that occurred in Austin in February 2017, my office has conducted numerous conversations with District 4 residents to learn what happened and how they have been affected. I have personally spoken with dozens, if not hundreds of District 4 and City of Austin residents over the last several months, and my staff has spoken with hundreds more. These conversations inform our policy-making work at the City.

12. I have learned about a number of negative social impacts due to the February 2017 ICE raids and the pending enforcement of SB 4. These include negative impacts to students, families, businesses, health care organizations, and other community groups.

13. I have spoken to several students about how SB 4 will affect them and their families. For example, Giovanni Mondragon is a District 4 resident and recent graduate of KIPP Austin Collegiate High School. Giovanni plans to attend Austin Community College in the fall. He works three jobs, including work as a mentor to Austin teens. He is also a member of a mixed status household. Giovanni has explained to me how the recent ICE raids impacted his work with youth; for example, usually 30 youth come for homework assistance and other teen activities at a recreation center where Giovanni works, while only two showed up while the ICE raids occurred. Giovanni depends upon the support of undocumented family members, but after the ICE raids his family members could not pick him up from school because of their fear of contact with immigration authorities. His family is also unable to contact City officials in the event of an emergency, for fear of exposure. Giovanni provided me with a sworn declaration, which I have attached here as Exhibit A.

14. I also spoke with Jassary Rico-Herrera, a seventeen year-old graduate of KIPP Austin Collegiate who is planning to attend Stanford University in the Fall. Jassary is also a member of a mixed status family. She explained to me how, after the ICE raids she could not rely on family members for transportation. Despite being an extremely successful young woman, Jassary's second semester of her senior year was tarnished by her constant concern for her family, and she reports that this fear for her family has harmed her mental health. Her family is even going to give up their household dogs, which they rely upon for companionship, for fear that loud barking

will trigger contact with police, and subsequently, immigration authorities. Jassary provided me with a sworn declaration, which I have attached here as Exhibit B.

15. I also spoke with Jordy Balderas, a seventeen year-old Austin resident who is a United States citizen and has undocumented family members. Jordy explained to me that he has a three year-old family member who has serious medical issues that require consistent medical attention. Unfortunately, after the ICE raids his family was forced to miss medical treatment, for fear of contacting immigration authorities on the way to or from the medical provider. Jordy also explained how his learning at school suffered in the aftermath of the raids, as he was constantly checking for information about additional raids, with the concern that his family would be torn apart by an immigration enforcement action. Jordy provided me with a sworn declaration, which I have attached here as Exhibit C.

16. Based upon my conversations with Jordy, Jassary, Giovanni, and many other Hispanic students who live in District 4, I believe that SB 4 will have enormous negative consequences for the students in my district and their ability to succeed academically and otherwise. The February ICE raids were essentially a sample of what life will be like under SB 4. My constituents will not know when they will be subject to investigation and detention for purposes of immigration enforcement. Students will not know if their family members will be taken from them while they are at school. The fear of deportation will affect student learning and health, and by extension will hurt our schools and their ability to facilitate a successful learning environment.

17. I have also spoken with leaders of health organizations that provide services to District 4 constituents, including the leaders of the SAFE Alliance and the People's Community Clinic. These organizations report devastating impacts of the February ICE raids.

18. Regina Rogoff is the Chief Executive Officer of People's Community Clinic, which has their main clinic located in District 4 and provides medical services to a largely Hispanic client community. Regina has informed me that after the ICE raids, a significant number of her clients missed appointments, which has a two-fold negative impact: first, the organization loses revenue because it is compensated based upon services provided; and second, and more importantly, because the clients are not receiving preventative care, they are more likely to suffer serious medical conditions later, which has related negative effects on emergency room services, public resources, and our local economy. I am particularly concerned about Regina's report that fear of deportation may lead to children not receiving immunizations and the spread of preventable contagious diseases. In other words, SB 4 may lead to a public health crisis. I have attached Regina's declaration on behalf of People's Community Health as Exhibit D.

19. Kelly White is the Chief Executive Officer of SAFE Alliance. SAFE Alliance is an essential community resource, providing services to survivors of sexual assault, domestic violence, and child abuse. The organization has over 300 employees, utilizes nearly 1,000 trained volunteers, and provides services across the City. A majority of SAFE Alliance clients identify as Hispanic or Latino. Unfortunately, Kelly reports that after the February ICE raids, her clients suffered numerous harms. These include: clients in abusive relationships declining to seek protective orders and other legal protection, due to fear of immigration consequences; students missing school; children worried about whether their parent would return from work; clients missing counseling appointments because they are afraid to leave their home; clients fearing deportation to home countries where they already suffered enormous trauma, and from which they fled and sought protection in this country; and youth and adults alike unable to report sexual assault, rape, and

domestic violence, due to concern about immigration consequences. I have attached Kelly's declaration on behalf of SAFE Alliance as Exhibit E.

20. Based upon the information I have gathered from SAFE Alliance, People's Community Clinic, and other similar groups, I believe that SB 4 will have enormous negative public health consequences for my district and the City as a whole. Already, based upon the February ICE raids, my constituents are not able to access necessary care for their physical and mental well-being. The negative health impacts are felt by children, youth, and adults, and by victims of sexual assault, abuse, and domestic violence. These negative impacts are not only felt by the victims and patients themselves, but by the entire community. When one of us suffers, we all suffer.

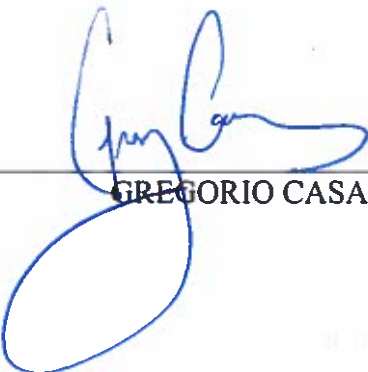
21. I have also spoken to business leaders in my district. For example, restaurateur Susana Vivanco serves Peruvian food at the Lima Criolla restaurant near the Highland Austin Community College campus. Her staff and customers have been substantially impacted by the ICE raids. Some staff are looking to move to safer states if SB 4 takes effect. Some of her customers have expressed similar thoughts. I have attached Susanna's declaration as Exhibit F.

22. Finally, I have also spoken with other advocacy organizations, including Building and Strengthening Tenant Action (BASTA), a local organization that advocates for low-income tenants. Shoshana Krieger of BASTA informs me that mixed status families already face retaliation and harassment from unscrupulous landlords who threaten to call ICE instead of addressing habitability issues. She also reports that tenants are less likely to contact the Austin Code Department to address unsafe conditions, for fear of immigration consequences. In other words, increased immigration enforcement under SB 4 will force many tenants to live in substandard housing without recourse. I have attached Shoshana's declaration as Exhibit G.

23. The February ICE raids provided a window into what life in Texas will be like under SB 4. Our students will suffer, because they will not have peace of mind; their preoccupation with the safety of their family members will prevent them from reaching their academic potential. Our children and families will suffer, because they are not able to access sufficient medical care, and because they cannot seek protection from harm. Our workers and our residents will suffer, because they cannot address quality of life issues without exposing themselves to potential deportation. In sum, the enforcement of SB 4 will create a terrible demarcation between those who society protects and those who society neglects. Ultimately, we are all less safe, less healthy, and less prosperous when a part of our community is repressed and harmed. As a representative of my district, as a native Texan, and as a human being, I cannot countenance such legalized discrimination. My sincere hope is that this litigation will send a message to Texas that SB 4 cannot stand, and that we must return to the table to develop real solutions for public health and safety.

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

Executed in Travis County, State of Texas, on the 16th day of June, 2017.



GREGORIO CASAR

EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

CITY OF EL CENIZO, TEXAS, <i>et al.</i> ;	§	
Plaintiffs,	§	
	§	
CITY OF AUSTIN, <i>et al.</i> ,	§	
Plaintiff-Intervenors,	§	CIVIL ACTION NO. 5:17-cv-404-OLG
v.	§	
	§	
STATE OF TEXAS, <i>et al.</i> ,	§	
Defendants.	§	

DECLARATION OF GIOVANNI MONDRAGON

Pursuant to 28 U.S.C. § 1746, I, Giovanni Mondragon, declare the following:

1. My name is Giovanni Mondragon and I am eighteen years of age. I have personal knowledge of and could testify in Court concerning the following statements of fact.
2. I live in Austin, Texas, in the City Council District 4. I recently graduated from KIPP Austin Collegiate and plan to attend Austin Community College in the fall. I am a natural-born United States citizen.
3. Three family members live in my house. We are a mixed status family.
4. I work three jobs. One of my jobs is at a local recreation center where I supervise and mentor young people.
5. I witnessed ICE enforcement in North Austin in February of this year, near where I work. I was not carrying my identification at the time and was scared that I could be detained or taken by ICE even though I am a US citizen.
6. During those raids, one of my mentees canceled his session at the recreation center. Usually about thirty kids come to the Teen Room where I help them with homework and literacy. When the ICE raids were ongoing, only two kids came to the Teen Room.

7. One of the two kids who came and told me that some of their friends are not coming because they were afraid.

8. I did not have my family come pick me up from work at that time, because of fear that ICE could separate my family. Instead, I rode the bus and walked home, even though it took extra time and was not convenient.

9. During the ICE raids, I was very scared that my family could be deported by ICE. My undocumented family members help pay rent and put food on the table.

10. In the past, I have called the police and fire department to report a possible fire or other dangerous situation. When I called the authorities, my family relied on me to speak with the officers, because I am a fluent English speaker and U.S. citizen.

11. Since the recent presidential election, the ICE raids, and the introduction of SB 4, my family has begun planning with me what I should do if anyone in the family is deported.

I declare under penalty of perjury pursuant to 28 U.S.C. §1746 that the foregoing is true and correct.

Executed in Travis County, Texas, on the 14 day of June, 2017.


GIOVANNI MONDRAGON

EXHIBIT B

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

CITY OF EL CENIZO, TEXAS, <i>et al.</i> ;	§	
Plaintiffs,	§	
	§	
CITY OF AUSTIN, <i>et al.</i> ,	§	
Plaintiff-Intervenors,	§	CIVIL ACTION NO. 5:17-cv-404-OLG
v.	§	
	§	
STATE OF TEXAS, <i>et al.</i> ,	§	
Defendants.	§	

DECLARATION OF JASSARY RICO-HERRERA

Pursuant to 28 U.S.C. § 1746, I, Jassary Rico-Herrera, declare the following:

1. My name is Jassary Rico-Herrera and I am seventeen years of age. I have personal knowledge of and could testify in Court concerning the following statements of fact.
2. I am a natural-born United States citizen. My household is eight family members here in Texas. My family is a mixed status family.
3. I recently graduated from KIPP Austin Collegiate, located in Austin City Council District 4. I will be attending Stanford University this fall.
4. In February of this year, during the ICE raids, I needed to ask my friend to drive me home from my bus stop. Ordinarily, I would have a family member do so. Because my family member is undocumented, however, we did not want to risk exposure to immigration authorities and possible deportation.
5. Even before laws such as Senate Bill No. 4 take effect, my family already feared interactions with law enforcement. This fear has only become heightened with the ongoing raids and with the possible implementation of SB 4.

6. For example, my family is planning to give away our pet dogs because they are loud. We fear that our loud dogs could be a reason that law enforcement gets called to our home, and that interactions with law enforcement could result in deportation. We love our pets. Unfortunately, we are forced to make this choice because of the anti-immigrant environment.

7. The ICE raids and Senate Bill 4 have had a profound effect on my mental health. I was worried throughout the second half of my senior year of high school because my family was out working and could face deportation. I considered whether or not I should go out-of-state to school at Stanford, given what could happen to my family while I am gone.

8. One of my family members slipped on stairs recently at a school. My family member suffered a badly bruised back. My family member did not report the incident to anyone, however, even though usually they are very outspoken. Because of the ICE raids and passage of SB 4, my family member has stopped wanting to put their name on legal paperwork that gets filed anywhere.

I declare under penalty of perjury pursuant to 28 U.S.C. §1746 that the foregoing is true and correct.

Executed in Travis County, Texas, on the 16 day of June, 2017.

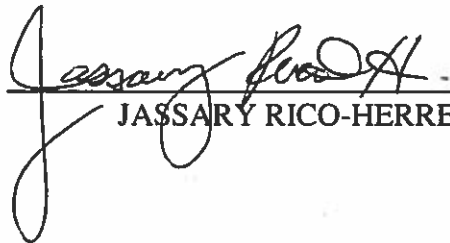

JASSARY RICO-HERRERA

EXHIBIT C

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

CITY OF EL CENIZO, TEXAS, *et al.*;
Plaintiffs,

v.

STATE OF TEXAS, *et al.*,
Defendants.

§
§
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§

CIVIL ACTION NO. 5:17-cv-404-OG

DECLARATION OF JORDY BALDERAS

Pursuant to 28 U.S.C. § 1746, I, Jordy Balderas, declare the following:

1. My name is Jordy Balderas and I am seventeen years of age. I have personal knowledge of and could testify in Court concerning the following statements of fact.

2. I live in the Rundberg area in the Northeast part of Austin, Texas. My home is in City Council District 4.

3. I was born in Wharton, Texas, and I am a citizen of the United States. After I was born, my family returned to live in Mexico for a period of time. We returned to Texas to escape violence associated with drugs and gangs.

4. My family is a "mixed status" family. I live with several family members, both children and adults. My three year-old and five year-old family members are natural born United States citizens. I live with other family members who are not citizens.

5. In February 2017, Immigration and Customs Enforcement (ICE) conducted several raids in Austin. These raids were terrifying. Every morning during these raids, to get my ride to school and back, I had to first check the area for police officers and ICE agents. I was fearful for what could happen to my family members who are not citizens of the United States. At any moment, one of them might have been picked up and taken from us.

6. During this time period, even when I was at school, I was constantly checking my phone and social media for information about ICE raids. I was worried that my family might be picked up by ICE. This distraction caused my academic performance to suffer. I received lower grades, and my teachers noticed the stress and distraction.

7. Also during the ICE raids, my family did not go to the grocery store or Wal-Mart. We heard rumors in the community that ICE might be at HEB or Wal-Mart, so it was not safe for us to travel there.

8. My family regularly goes out into the community, to the movies, the flea market, or to see family. During the raids we always stayed home and refrained from these typical activities.

9. My 3 year-old US citizen family member is sick and regularly needs health appointments. In at least one case we had to reschedule or cancel a health appointment for fear that ICE may be near the health clinic.

10. In the past, my family has called Austin police for assistance; for example, we called APD when there was a break-in at their home. Austin police did not ask about immigration status when they responded to this call. They only focused on the crime that we called about.

11. I would not feel comfortable calling Austin police if my family needed help while ICE raids are ongoing in the community. I would be scared that innocent people in my family could be detained or deported. I would not feel comfortable reporting any crime during when immigration enforcement is going on.

12. My family would not be able to report crime after SB4 goes into effect, because of these concerns about being deported by immigration.

13. Even in regard to this lawsuit, my family cannot participate, because of concerns that they would be targeted by immigration authorities.

14. I am also afraid of social and mental health repercussions of laws like SB4 for my young family members. We will suffer negative consequences if our non-citizen family members are detained or deported, and my younger family members could lose their caregivers.

15. Even though I am a United States citizen, because I am a darker-skinned Latino man, I am likely to be racially profiled.

I declare under penalty of perjury pursuant to 28 U.S.C. §1746 that the foregoing is true and correct.

Executed in Travis County, Texas, on the 15 day of June, 2017.


JORDY BALDERAS

EXHIBIT D

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

CITY OF EL CENIZO, TEXAS, <i>et al.</i> ;	§	
Plaintiffs,	§	
	§	
v.	§	CIVIL ACTION NO. 5:17-cv-404-OG
	§	
STATE OF TEXAS, <i>et al.</i> ,	§	
Defendants.	§	

DECLARATION OF REGINA ROGOFF

Pursuant to 28 U.S.C. § 1746, I, Regina Rogoff, declare the following:

1. My name is Regina Rogoff and I am over eighteen years of age. I have personal knowledge of and could testify in Court concerning the following statements of fact.
2. I am the Chief Executive Officer of People's Community Clinic, a not-for-profit Federally Qualified Health Center headquartered in Austin Texas with clinics located at 1101 Camino La Costa (78752) in northeast Austin, at 2909 N IH 35 (78722) in central Austin and at Manor Independent School District (78653) in eastern Travis County.
3. People's Community Clinic ("People's") was founded in a church basement in 1970. Today, People's is a full service family practice serving over 13,000 patients annually and providing over 50,000 medical encounters. Over 80% of People's patients identify as Hispanic.
4. Historically, People's has had a failure to show or "no show" rate that fluctuated between 12% and 15% on any given day. Since December 2016 this rate has increased to an average of around 18% and during times of increased media coverage regarding issues related to immigration (e.g., SB4, ICE raids) the clinic's no show rate spiked as high as 28%. For each 1% increase, the clinic loses approximately \$8000 per month in revenue.

5. In addition to the increased no show rate, since December the clinic has experienced lower utilization rates. Where typically, clinic-wide utilization of available appointments runs between 94% and 97%, there has been a drop in patients making appointments for care, such that utilization is currently averaging between 89% and 93%. For every 1% drop in anticipated utilization, the clinic loses approximately \$8000 per month in revenue. Combined with the losses from the increased no show rate, the clinic's budget will be significantly affected over time.

6. People's leadership is equally, if not more, concerned about both the immediate and long term consequences to the health of our patients and to our community when patients are afraid to seek care or opt to delay care. Not only does their own health suffer, but ultimately our community suffers. If, out of fear of deportation, parents avoid bringing children, including American citizen children, into the clinic for regular pediatric care including recommended immunizations, the likelihood of spreading preventable contagious diseases increases and the public's health is put in jeopardy. Adults with chronic conditions who opt to avoid or delay care out of fear of being stopped by ICE officers risk serious medical consequences and potentially costly hospitalizations. Prenatal patients who fail to get timely prenatal care risk premature delivery, low-weight births and other medical complications putting at risk the health of both mother and child and increasing the likelihood of requiring costly neonatal intensive care.

7. People's Community Clinic's care teams have also reported increases in self destructive behaviors from adolescents, increases in other symptoms of anxiety from all patients, greater reluctance or capacity to engage in the behavioral changes needed to control chronic conditions, and strong reluctance to seek necessary specialty care outside of the clinic's walls. Our patients report that they are not afraid to be at the clinic, but are afraid to travel to and from their

appointments, and are afraid to participate in programs other services for which they may be eligible (e.g. specialty care, Medicaid, WIC).

8. Based on our experiences following the introduction of SB 4 in January 2017 and the February 2017 ICE raids, People's is very concerned that if SB 4 goes into effect our clients and our organization will suffer serious and irreparable harm. In particular, if our clients are not able to access necessary preventative health care services, this will negatively impact public health and will place a substantial burden on emergency care services and other local medical providers.

I declare under penalty of perjury pursuant to 28 U.S.C. §1746 that the foregoing is true and correct.

Executed in Travis County, Texas, on the 13th day of June, 2017.


REGINA ROGOFF

EXHIBIT E

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

CITY OF EL CENIZO, TEXAS, <i>et al.</i> ;	§	
Plaintiffs,	§	
	§	
CITY OF AUSTIN, <i>et al.</i> ,	§	
Plaintiff-Intervenors,	§	CIVIL ACTION NO. 5:17-cv-404-OLG
v.	§	
	§	
STATE OF TEXAS, <i>et al.</i> ,	§	
Defendants.	§	

DECLARATION OF KELLY WHITE

Pursuant to 28 U.S.C. § 1746, I, Kelly White, declare the following:

1. My name is Kelly White and I am over eighteen years of age. I have personal knowledge of and could testify in Court concerning the following statements of fact.

2. I am the Chief Executive Officer of the SAFE Alliance. The SAFE Alliance, an Austin-based 501(c) nonprofit, is a merger of Austin Children's Shelter and SafePlace. Our organization offers a multitude of residential and non-residential services to survivors of sexual assault, domestic violence, and child abuse.

3. Our priority is simple – Stop Abuse For Everyone. The safety of our clients is our first and foremost concern, and we strive to offer services and resources to enhance their safety. Our services do not operate in a silo, however; we rely on collaboration with partner agencies and support from the Texas legislature to advocate for the safety of our community members.

4. The introduction and passing of Senate Bill 4 (SB4) has definitively increased fear in the clients we serve and our community as a whole. SB4 arrives upon the heels of recent ICE raids that occurred in Travis County in February 2017. Since then, SAFE staff report a dramatic and noticeable increase in clients expressing fear to report abuse and violence of any

kind, seek medical and therapeutic assistance, send their children to school, or participate in legal proceedings. Clients collectively report a fear of deportation either for themselves, their abuser, their family, or their friends.

5. As a result, SAFE staff work even harder to let our clients know that our number one concern is safety. We do not ask about immigration status or require that anyone report to law enforcement, outside of mandatory reporting obligations. We do not keep data on non-reports or clients' lack of action. However, SAFE staff from across multiple programs shared numerous anecdotes from direct conversations with their clients and their fear stemming from recent Travis County ICE raids and SB4.

6. It feels like open season on undocumented immigrants. The SAFE Alliance will continue to advocate for victims of crime, violence, and abuse. Our goal is not to just stop abuse for citizens, but to Stop Abuse For Everyone.

SAFE History, Operations, and Programs

7. SAFE was created to better address the intersections between child, domestic and sexual violence. Historically, victim services have been segregated by the type of violence perpetrated or the survivor's age, creating less-effective, artificial silos. Research (and our decades of experience) show that survivors experience multiple forms of violence. Addressing these issues and their related traumas as interrelated, multifaceted problems would yield dramatic gains in preventing violence and building healthier families and communities. SAFE is a more coordinated and integrated model that will provide effective, meaningful and long-term solutions.

8. As described below, SAFE provides an array of direct services to adult and youth abuse survivors, plus prevention programming to people at risk, professionals and other

community members. We advocate for improved child welfare, education, healthcare and other systems, to be more responsive to survivors. SAFE is committed to social change that ultimately will make our services unnecessary. Our direct service area is Central Texas (Travis County and surrounding counties), and we provide trainings and varied curricula domestically and internationally.

9. SAFE employs almost 340 people and has a trained volunteer workforce of nearly 1,000. Our staff are diverse, highly trained and often recognized as both local and national experts. Our 2017-18 budget is \$20,550,063.

10. SAFE operates primarily from three large campuses in Austin, TX: the SafePlace campus, ACS campus, and SAFE Headquarters. SAFE also has staff co-located and/or providing services at various sites, including the Travis County and District Attorney's Offices, hospitals in Travis and continuous counties, Austin Independent School District, Manor Independent School District, in homes, and in several related courts.

11. SAFE's services use best practices, including evidence-based or evidence-informed approaches. Our services are effective also because they are influenced by our clients. We continually request, listen and act on feedback from survivors. This includes surveys about experiences with us, interviews and focus groups to guide strategic planning and development of programs and facilities. Our programs fall into three broad bands of service.

12. Prevention and Community Services. These programs include: Strong Start, our in-home and community-based child abuse prevention program; Expect Respect, our school-based prevention program promoting safe and healthy relationships; Care Academy, a licensed child development center; Forensic Nursing and Advocacy programs, providing sexual assault forensic exams, advocacy, and accompaniment at area hospitals, The University of Texas, and

the Eloise House clinic on the SafePlace campus; PlanetSafe, providing supervised visitation and safe exchange for families with a history of domestic violence; Legal Services, providing representation and court accompaniment for survivors in the legal system; SAFE Futures, providing support and assistance for families who have experienced domestic violence and have involvement with Child Protective Services; Direct Service Volunteer training and supervision; Disability Services, providing awareness and abuse prevention for individuals with disabilities; and Community Education about our issues.

13. Housing, Healing, and Support on the Austin Children's Shelter (ACS) Campus.

These programs include: Emergency Shelter for children in the child protection system; Transitional and Supervised Independent Living for young adults aging out of the foster care system; Teen Parent and Early Childhood Program, a residential program for pregnant and parenting teens in the foster care system with their children; Foster and Adoption services; and Therapeutic and Medical Services for youth and young adults living at the ACS campus.

14. Housing, Healing, and Support on the SafePlace Campus. These programs include: 24/7 SAFELINE, a hotline and chat service, providing immediate assistance, support, and information about the issues of sexual assault and exploitation, child abuse, and domestic violence; Emergency Shelter for families escaping domestic or sexual abuse; Supportive Housing for families leaving shelter and in need of longer-term housing and support; Children's Services across all SafePlace campus-based programs; Counseling for residential and community survivors of violence and abuse; K-12 Kozmetsky Charter School for youth living at our campuses (elementary and middle school grades are on the SafePlace campus, and high school grades are on the ACS campus); Deaf SHARE, providing outreach and services for abuse survivors who are Deaf; Survivor Advocacy, linking survivors from residential programs and the

community to resources; Permanent Housing at Grove Place apartments; and Family Tree Child Development Center, serving children living on the SafePlace campus.

The Majority of SAFE Clients Identify as Hispanic or Latino

15. In 2016, 57% (3,550 individuals) of the people served by SAFE identified as Hispanic/Latino.

16. From 01/01/2017 – 05/31/2017, 58.9% (2,264 individuals) of the people served by SAFE served identified as Hispanic or Latino.

17. In 2016, our SAFeline received 1,152 hotline calls and chats from people who preferred to speak in Spanish, representing 8.8% of total SAFeline contacts (total 13,165).

18. From 01/01/2017 – 05/31/2017, SAFeline received 435 calls and chats from people who preferred to speak in Spanish, representing 8.3% of total SAFeline contacts (total 5,266).

Increased Immigration Enforcement Has Increased Concerns Among SAFE Legal Clients

19. SAFE legal staff report that a common request from parents is if our organization can take care of their documented children, if the undocumented parent(s) are deported. Though SAFE operates a fantastic and large child abuse prevention program and work with hundreds of families at risk for abuse, we cannot take custody of these children.

20. SAFE attorneys report an increase in clients' questions specific to "safe locations" and if they are risk of being questioned or picked up by local or federal officials. Clients question their safety at court proceeding (such as applying for Protective Orders, particularly after a victim was picked up by ICE officials in El Paso, TX when applying for a Protective Order), submitting fingerprints for background checks for existing immigration applications, or reporting their victimization.

21. Legal services offers a monthly Know Your Rights legal presentation conducted in Spanish. Prior to February, attendance generally consisted of less than 5 individuals and the presentation focused on various options for immigration relief and referrals to legal aid organizations. Since the ICE raids, attendance has been as high as 15 individuals per presentation. The focus of the presentation has shifted, and discussion centers on SB4 updates, knowing rights if questioned by local or federal officials in their homes or on the street, and what documents are safe to hold or present.

SAFE Counseling Clients Report Negative Impacts of Recent ICE Actions

22. SAFE staff and clients report numerous and diverse negative impacts from enhanced immigration activities. We have gathered the following reported stories to show the type of information that is being reported to SAFE by our clients.

23. A client shared that an attorney has told her that if one files for divorce or custody, it is a public record. As such, the attorney couldn't guarantee to the client that this wouldn't have immigration consequences for her. Due to this, our client for the moment is deciding to not divorce and stay with abusive husband.

24. A client, a victim of physical and sexual abuse from her husband, said when she heard the talks of SB4/ICE raids she decided that even if she needed help when her husband was abusive, she would not report it.

25. One staff member reports a drastic increase in fear of deportation in our clients, including children in family sessions. For example, when doing non-directive play therapy with kids and their mom, now ICE presents itself in the play house. This did not happen as frequently before the ICE raids earlier this year.

26. When the ICE raids were happening, and there were rumors of more ICE raids, a client mentioned that she was not going to send the kids to school for the days there were rumors of ICE raids.

27. A client left a group because she thought a staff member would report her just for filling out paperwork at a support group.

28. A client did not want to directly request from the police an incident report needed for her immigration application for fear of what will happen if she were to go to APD in person.

29. A client was concerned that her abuser will report her even though she has residency and believed her abuser's threat that they could take away their child because of her resident status. The client is refusing to go to a shelter.

30. A client was worried to go to work and not knowing what will happen to her children if she were deported.

31. A professional and United States citizen disclosed her fear of personal retaliation in her role of advocating for undocumented immigrants. As a result, the professional has to carry a copy of her passport when conducting home visits for undocumented immigrants.

32. A client's children don't want to go to school because they are afraid that their parents won't be at home. The children report seeing their parent not leave the home out of fear that something might happen.

33. A staff member reports that, in a support group facilitated right after SB4 passed, group members were feeling much more fearful about law enforcement contact and talked about ways that they could avoid having law enforcement contact (i.e. driving really carefully, avoiding jaywalking, etc). They expressed fear about being separated from their children. One person was afraid that her abuser would be able to get full custody of their child if she were to be

deported. Another person shared an incident of racism directed towards her, and there was a consensus that this is more prevalent now.

34. At SAFE, our counseling program has seen a drop in people attending counseling appointments and groups immediately following the immigration raids and the passage of SB 4. At those times some people have felt afraid to leave their house, even to get counseling.

35. The impact of SB4 has been pervasive with our counseling clients. In most sessions (individual, groups or families) staff hear clients afraid of SB4. Since the ICE raids, and now with SB4, Latino and undocumented clients in general have increased fear of the police and are more cautious now about calling the police in Travis County than they were a few months back.

36. Our Life Skills program offers a hot meal to participants before each workshop topic, who all eat together and share life happenings. During Life Skills Spanish Track, some participants shared their fears of leaving home, going places, trusting people, during the ICE raids. Their main fear was of deportation from the USA to a country where they or their relatives could be killed. One participant's daughter was raped, impregnated, and had her life threatened by Honduras gangs. This Life Skills participant was very afraid for her daughter and herself if they were deported back to Honduras.

SAFELINE Clients Report Terrible Negative Impacts

37. A client had suspicions that her pre-teen daughter was sexually assaulted. We explained our role as mandatory reporters and gave her the opportunity to report it herself, and we helped her follow through. She was terrified but she knew she needed to report. She let us know that she genuinely felt that making this report would put her at great risk and there was a very good chance she would be deported. Her mother also shared with us that there have been a

few other incidents that have happened to the family that were unrelated to domestic violence or sexual assault but may be considered crimes that were never reported due to fear of calling the police.

38. A caller was sexually assaulted a few months back by her landlord. The client had been struggling and the landlord offered her a job. He drugged her and raped her. She has since moved and stayed with different friends, but he has found her multiple times. From the moment she was assaulted by him, she has been in fear of calling the police because of her undocumented status.

39. A survivor of domestic violence reached out via chat because her partner “went on a rampage” the night before. She didn’t want to report to police until she spoke to an attorney because she was worried that CPS would take her daughter because they are both undocumented. Unfortunately, our staff member could not assure it would be safe to report. We could only say that in the past, Austin police have tended to avoid the topic of immigration status, however, it completely depends on the police offer answering the call. We directed her to legal services and online information about being prepared to report to the police, but because of SB4, we were unable to support this person as fully as we would have liked.

40. One staff member reports that, with almost every call taken in recent weeks involving Spanish speakers, there has been a fear of calling the police and fear that their status would being questioned prior to investigating the incident for which police were called. These callers do not feel that calling the police is an option when experiencing domestic violence or sexual assault.

41. One caller said her partner was continuously coming to her property, however for no reason would report it because she was scared and did not want to be deported.

42. A victim of sexual assault wanted to make sure that law enforcement would not ask her legal status if she reported the crime.

SAFE Clients Report Negative Educational Impacts

43. Our Children's Program provides psycho-educational groups for children and youth whose parent attends evening support group on Monday and Thursday. On the evening of February 9, 2017, attendance for these groups was lower than usual. Staff questioned if the low attendance could be due in part to client fears of being pulled over on their way to our campus. There had been reports that ICE officials had been near SAFE campus intersections that day pulling vehicles over and, in some cases, making arrests.

44. A client of the Supportive Housing Program has children that attend school off campus. The children's advocate, had a brief conversation with three of the children in this family (all under 12 years old) when she noticed they had stayed home from school one day. The children disclosed they were afraid immigration officials would go to their school to question them about their mother's residency status. They wanted to know if officials could question them at school, and if they were required to answer.

45. On February 16, 2017, a children's advocate reported a client approached staff and asked if public schools were considered sanctuary or safe schools. They worried about sending their children to school because they were afraid immigration officials could pull their children out of school and take them. They asked if schools were required to allow agents on campus if they came. They also feared that they themselves would be arrested when picking their children up from school. The client asked if staff thought it would be safer to withdraw her children from their current school and enroll them at the school located on SAFE campus.

PLANETSAFE Clients Report Negative Impacts on Child Visitation

46. One family was court ordered to PlanetSafe for supervised visitation, due to safety concerns with Dad against Mom, and possibly children. Mom has an expired Protective Order and was in the process of returning to family court to possibly modify their custody arrangement. Due to fear of deportation, Mom consulted with her attorney and they dropped their upcoming hearing for now so she would not have to go to court.

47. Mom stated she has been overwhelmed with fear about the new laws and possible ICE detentions and deportations. She said she shakes and feels her trauma is coming back as she hears more about the laws changing and her lack of papers. She said detention and being asked questions even if she wasn't deported would be terrifying.

48. She said she is in the process of waiting on her UVISA and could not risk coming to the downtown area anymore as PlanetSafe is located next to the courthouse. She wanted to end services with us. She was also worried about the Dad, who is also undocumented, and her undocumented teenage son.

49. Mom felt that meeting the Dad in an unsupervised setting, or violating the court order and not allowing visitation at all, was safer than continuing exchanges at PlanetSafe, due to its proximity to the Courthouse, ICE raids, and SB4.

50. These are some of the stories SAFE has collected concerning the continuing and ongoing impact of increased immigration enforcement activities in Central Texas.

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

Executed in Travis County, Texas, on the 15th day of June, 2017.


KELLY WHITE

EXHIBIT F

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

CITY OF EL CENIZO, TEXAS, *et al.*;
Plaintiffs,

v.

STATE OF TEXAS, *et al.*,
Defendants.

§
§
§
§
§
§
§

CIVIL ACTION NO. 5:17-cv-404-OG

DECLARATION OF SUSANNA VIVANCO

Pursuant to 28 U.S.C. § 1746, I, Susanna Vivanco, declare the following:

1. My name is Susanna Vivanco and I am over eighteen years of age. I have personal knowledge of and could testify in Court concerning the following statements of fact.

2. I have lived in Texas since 2006. I am originally from Lima, Peru. I am a legal permanent resident of the United States. I live here with my family, including my three children.

3. I own and operate a small business, the Lima Criolla restaurant, here in Austin, Texas. We have been serving delicious Peruvian food to the Central Texas community since 2010 (previously, our name was La Chaparrita). I currently have 17 employees.

4. In addition to serving food, our restaurant serves as a place for the community to gather. We have soccer viewing parties and sometimes live music, with bands playing a range of Latin American music ranging from cumbia and salsa to Brazilian jazz and Afro-Peruvian rhythms. We try to foster a welcoming community spirit where everyone is welcome.

5. Many of my employees are United States citizens with undocumented family members. After Senate Bill No. 4 was introduced this year, several of my employees informed me that they were considering moving out of Texas, and instead going to a more welcoming environment such as states like New Mexico and Nevada. My employees tell me that Austin and

Texas are becoming places that are not safe to be an immigrant family because of the increased chance of deportation.

6. During the ICE enforcement operations in February, many of my employees reported to me that their families were scared of doing simple errands like going to the grocery store because of the chance of being deported.

7. In addition, several of my regular customers, who are Hispanic, have told me that they are considering leaving Texas before September, when Senate Bill No. 4 is scheduled to go into effect.

8. Of course, losing my employees or my patrons would be detrimental to my business. Perhaps more importantly, it would cause great harm to our community, both at the La Criolla restaurant and in the City of Austin as a whole. I hope we can avoid doing any more damage to the great, diverse group of people we have here.

I declare under penalty of perjury pursuant to 28 U.S.C. §1746 that the foregoing is true and correct.

Executed in Travis County, Texas, on the 16 day of June, 2017.



SUSANA VIVANCO

EXHIBIT G

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

CITY OF EL CENIZO, TEXAS, <i>et al.</i> ;	§	
Plaintiffs,	§	
	§	
CITY OF AUSTIN, <i>et al.</i> ,	§	
Plaintiff-Intervenors,	§	CIVIL ACTION NO. 5:17-cv-404-OLG
v.	§	
	§	
STATE OF TEXAS, <i>et al.</i> ,	§	
Defendants.	§	

DECLARATION OF SHOSHANA J. KRIEGER

Pursuant to 28 U.S.C. § 1746, I, Shoshana J. Krieger, declare the following:

1. My name is Shoshana J. Krieger and I am over eighteen years of age. I have personal knowledge of and could testify in Court concerning the following statements of fact.
2. I am the Project Director of Building and Strengthening Tenant Action (BASTA), a program of Texas RioGrande Legal Aid., Inc., a nonprofit organization that provides legal services to low-income Texans in 68 Texas counties.
3. The BASTA project focuses on educating tenants about their rights, including the right to live in safe and decent housing. The BASTA team includes four outreach workers who conduct outreach at substandard properties throughout the City of Austin. The properties BASTA visits are primarily comprised of low-income households, a large number of which are also Hispanic households.

4. As part of our regular course of business, BASTA outreach workers are in the field daily, visiting substandard properties and talking with tenants about the problems they are encountering and the options they have to enforce their rights. BASTA outreach staff also help tenant associations strategize on the best way to resolve the issues at a property, such as obtaining needed repairs, improving security, ending abusive management practices, alleviating displacement fears, and minimizing retaliation. To date, BASTA staff have conducted outreach to more than 1,500 households at over a dozen properties since it began in early 2016.

5. Even though tenants at these properties may have many landlord-tenant problems, they have often been reluctant to enforce their rights for fear of retaliation by their landlords. The Austin housing market is increasingly unaffordable and many tenants are fearful that doing anything to rock the boat will jeopardize their housing.

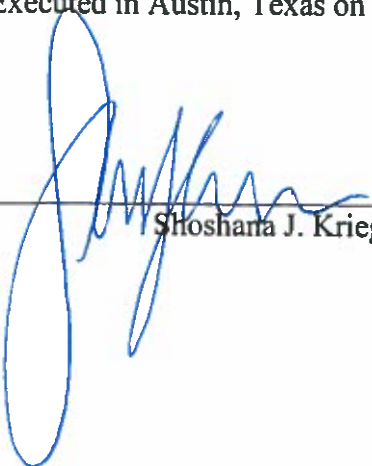
6. BASTA outreach workers frequently encourage tenants to contact the Austin Code Department when there is an apparent code violation, such as no hot water, a leaky ceiling, unstable balcony, broken outdoor lighting, or pest infestation. However, tenants have been at times reluctant to call the Code Department for fear that their landlord may retaliate against them.

7. Since February 2017, when a series of immigration raids occurred in Austin and when Senate Bill 4 was introduced, BASTA outreach workers have noticed that tenants are even more suspicious of outreach efforts, there has been a drop off in participation, and tenants are even more reluctant to call Austin Code, expressing concerns over inviting individuals who they perceive as law enforcement officers into their buildings.

8. BASTA staff have also been informed by tenants that property managers and their agents have threatened to call Immigration and Customs Enforcement (ICE) on tenants. Additionally, at two properties where there have been significant security problems, individuals who say they have been the victims of assaults, muggings, and burglaries have not called the police to report these crimes. Security issues persist at those properties.

I declare under penalty of perjury pursuant to 28 U.S.C. §1746 that the foregoing is true and correct.

Executed in Austin, Texas on June 14, 2017



Shoshana J. Krieger