

MANATT, PHELPS & PHILLIPS, LLP  
JOHN F. LIBBY (Bar No. CA 128207)  
E-mail: jlibby@manatt.com  
JOHN W. MCGUINNESS (Bar No. CA 277322)  
E-mail: jmcguinness@manatt.com  
EMIL PETROSSIAN (Bar No. CA 264222)  
E-mail: epetrossian@manatt.com  
11355 West Olympic Boulevard  
Los Angeles, California 90064  
Telephone: (310) 312-4000  
Facsimile: (310) 312-4224

*Attorneys for Plaintiffs*  
CITY OF SAN JOSE and BLACK ALLIANCE  
FOR JUST IMMIGRATION

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

CITY OF SAN JOSE, a municipal corporation;  
and BLACK ALLIANCE FOR JUST  
IMMIGRATION, a California Non-Profit  
Corporation,

Plaintiffs,

v.

WILBUR L. ROSS, JR., in his official capacity  
as Secretary of the U.S. Department of  
Commerce; et al.,

Defendants.

Case No. 3:18-cv-02279

**TRIAL AFFIDAVIT OF RAYMOND  
RIORDAN**

Dept: 3  
Judge: The Honorable Richard G.  
Seeborg

Trial Date: January 7, 2019  
Complaint Filed: April 17, 2018

Pursuant to 28 U.S.C. § 1746(2), I, Raymond Riordan, declare as follows:

1. I am the Director of the Office of Emergency Management for the City of San Jose.

2. I have been in my current position for 1.5 years. Prior to my current position, I worked 30 years in Emergency Management for the CH2M Hill Engineering Company, City of San Ramon, East Bay Municipal Utility District, and Contra Costa County.

3. San Jose's Office of Emergency Management provides disaster preparedness at all times and works to serve San Jose's population in the event of an emergency, including through

1 evacuating populations at risk during emergencies and providing post-disaster services to those  
2 affected by emergencies.

3 4. I work with my federal counterparts at the Federal Emergency Management  
4 Agency ("FEMA"), which provides grants to local municipalities such as San Jose.

5 5. When disaster strikes, a municipality may apply for relief by proclaiming a Local  
6 Emergency, requesting the State of California Office of Emergency Services ("CalOES") to  
7 Declare an Emergency, who in turn requests FEMA provide information for the President to  
8 Declare a Disaster, which determines if, and when, Individual and Public Assistance is made  
9 available.

10 6. To apply for relief through CalOES and FEMA's Public and Individual Disaster  
11 Assistance Programs, San Jose completes an Initial Damage Estimate.

12 7. The Initial Damage Estimate includes information on how the disaster impacted  
13 San Jose, including the area affected, impact to infrastructure, and the number of people affected.

14 8. I am responsible for reviewing and submitting the Initial Damage Estimate  
15 provided to CalOES and FEMA by San Jose's Office of Emergency Management.

16 9. To determine the number of people affected by a disaster, the San Jose Office of  
17 Emergency Management uses census data on population.

18 10. FEMA determines whether to provide funding under the Individual Disaster  
19 Assistance Program based upon, among other concerns, the number of people affected by the  
20 disaster.

21 11. Because FEMA allocates funds through the Individual Disaster Assistance  
22 Program with information, including the total number of people affected, any net undercount of  
23 the population of the City of San Jose would negatively impact its ability to obtain funding in the  
24 event of a disaster.

25 12. Additionally, the San Jose Office of Emergency Management deploys resources  
26 and manages preparation for potential emergencies.

27 13. The San Jose Office of Emergency Management uses census data to make  
28 decisions regarding the deployment of assets prior to and during emergencies.

1           14. Understanding the locations of senior citizens, for example, is critical to  
2 emergency management work because the elderly can be less mobile and therefore require  
3 specialized resources to evacuate.

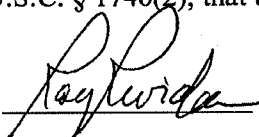
4           15. I personally rely on census data regarding the age, and other considerations, to  
5 identify potential vulnerable populations to make deployment decisions, including personnel and  
6 specialized equipment, such as wheelchair-accessible buses for evacuation.

7           16. If the age data in the census that I use to make these decisions is not accurate, the  
8 right type and quantity of resources will be deployed improperly, endangering the lives of San  
9 Jose residents during emergencies.

10          17. The challenges that senior citizens and others with mobility limitations face in  
11 evacuating during emergencies are severe and can result in death—for example, early post  
12 disaster information identified that over 85% of the people who died in the recent fire in Paradise,  
13 California were over 70 years old or mobility impaired.

14          18. I therefore rely on accurate census data to make decisions with life-or-death  
15 consequences for the residents of San Jose.

16           I declare, under penalty of perjury, pursuant to 28 U.S.C. § 1746(2), that the foregoing is  
17 true and correct.

18   
19 Raymond Riordan