

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

NATALIA USECHE, et al.,

Plaintiffs,

v.

DONALD J. TRUMP, et al.,

Defendants.

Case No. 20-cv-02225

Hon. Paula Xinis

**DECLARATION OF
CHRISTOPHER GILFILLAN**

Pursuant to 28 U.S.C. § 1746, I, Christopher Gilfillan, hereby declare and state as follows:

1. I am over the age of eighteen years. I have personal knowledge of the facts set forth herein or believe them to be true based on my experience or upon personal information provided to me by others, and I am competent to testify thereto.

2. I am the Development Director of the Arizona Center for Empowerment (“ACE”). In this capacity, in which I have served since January 2018, I serve on the Senior Staff of the organization.

3. ACE is a member-led social justice organization that develops and mobilizes undocumented working youth and adults, students, and LGBTQ individuals around issues of economic, social, and racial justice in the Phoenix area and throughout Arizona. ACE’s priorities include immigration, voting rights, living wages, and public education.

4. ACE has thousands of members who reside in Arizona. The majority of these residents reside in Maricopa and Pima Counties. ACE’s members are predominantly of Hispanic origin, immigrants, and/or live in mixed-status households.

5. ACE is a founding member of the ONE Arizona Coalition, which is comprised of 23 diverse, nonpartisan nonprofit organizations throughout Arizona focused on

improving the lives of Arizonans, especially people of color and young people. ONE Arizona focuses on immigrant rights; voting rights; education equity; racial, economic, and restorative justice; and climate justice.

6. In furtherance of its mission, ACE runs several programs including a youth leadership academy, immigration services, and civic engagement. For example, ACE's immigration-related services include assistance with DACA renewal, citizenship applications, and English classes. ACE also provides critical information to Arizona families regarding resources relating to child care, small business ownership, and housing. This year, ACE has provided resources and advocacy regarding COVID-19 safety, particularly surrounding issues of housing.

7. In addition to the above programs, ACE is running a Get Counted! campaign relating to the 2020 Census. The goal of ACE's campaign is to encourage participation in the 2020 Census, primarily among Hispanic, Latino, immigrant, undocumented, and mixed-status households within Arizona. For example, during the week of August 10, 2020, ACE participated in a "census awareness week" to increase awareness and encourage participation in the 2020 Census within the Hispanic, Latino, and immigrant communities. Specifically, ACE has built a community team around the Get Counted! campaign. The team consists of dozens of students and parents, all volunteers focused on ensuring that their neighborhoods are accurately counted, regardless of immigration status. Moreover, ACE partners with national and local census advocates to work toward a current count, and has partnered with the business community to bolster the effort.

8. Based on my experience at ACE, the organization's outreach and communications with Hispanic, Latino, and immigrant communities in Arizona, and

communications with ACE's members and partners, including partner organizations in the ONE Arizona Coalition, I believe President Trump's Memorandum to the Secretary of Commerce regarding "Excluding Illegal Aliens from the Apportionment Base Following the 2020 Census" ("Presidential Memorandum") will deter and suppress participation in the 2020 Census among Hispanic, Latino, immigrant, undocumented, and mixed-status households within Arizona.

9. The Presidential Memorandum has made it harder to convince members of the Hispanic, Latino, and immigrant communities to respond to the 2020 Census. Many members of these communities have expressed concerns to ACE and have stated that they do not want to respond to the 2020 Census.

10. The Presidential Memorandum has further increased the fear of immigration enforcement within Hispanic, Latino, and immigrant communities. That fear had somewhat, but not entirely, subsided after the court decision barring the inclusion of a citizenship question. However, the Presidential Memorandum has brought concerns regarding the census back to the forefront and has elevated fear in responding to the 2020 Census.

11. In addition, the Presidential Memorandum has caused households with undocumented residents to believe that there is no point in responding to the 2020 Census. The Presidential Memorandum has created the impression that undocumented residents do not need to fill out the 2020 Census because they won't be counted. It has also created confusion in the broader Hispanic, Latino, and immigrant communities regarding the use of census data and the importance of filling out the census.

12. The Presidential Memorandum has forced ACE to spend additional resources, including time and money, to encourage people to respond to the 2020 Census.

Because of the Presidential Memorandum, ACE has needed to devote additional resources to reassuring individuals about the confidentiality of filling out the 2020 Census.

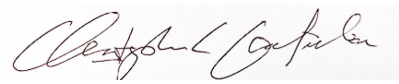
13. ACE has also had to devote resources to educate members of the community on the importance of filling out the Census regardless of someone's immigration status. ACE has engaged in significant efforts to explain to members of the community the numerous reasons obtaining a complete and accurate count will help the community.

14. The Presidential Memorandum has undermined ACE's messaging to the community regarding the Census. As part of its Get Counted! Campaign, ACE works to show individuals in Hispanic, Latino, immigrant, undocumented, and mixed-status households the importance of responding to the census to ensure that these communities in Arizona obtain appropriate political representation and federal funding. The Presidential Memorandum has undermined these efforts.

15. In addition, the Presidential Memorandum has undermined ACE's broader mission and goals relating to increasing the political and economic power of Hispanic, Latino, immigrant, and other communities in Arizona.

16. Particularly because of the shortening of the 2020 Census enumeration period from October 31, 2020 to September 30, 2020, ACE has needed to mobilize quickly to counteract the negative impacts of the Presidential Memorandum. In doing so, ACE has increased its resources and focus on its census engagement efforts. This has included an increase in staff time and resources dedicated to Get Counted! Census efforts. Moreover, there has been an increased focus on business and personal outreach during this expedited timeline.

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



Christopher Gilfillan

Dated August 13, 2020 in Phoenix, Arizona.