# Exhibit 5

**UNITED STATES DISTRICT COURT**
**SOUTHERN DISTRICT OF NEW YORK**

STATE OF NEW YORK, et al.,

Plaintiffs,

v. 20-CV-5770 (JMF)

TRUMP, et al.,

Defendants.

**DECLARATION OF ANITA BANERJI**

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

1. I am over the age of eighteen and have personal knowledge of all the facts stated herein.

2. My name is Anita Banerji, and I am the Director of the Democracy Initiative at Forefront. I've been leading the IL Count Me In 2020 program through Forefront's Democracy Initiative for three years now, which includes a coalition of grantees and foundations that is diverse and comprised of many historically hard-to-count populations. This initiative has educated and mobilized hundreds of nonprofit organizations throughout Chicago and rural Illinois to ensure that Illinoisans are counted during the 2020 Census, especially at-risk communities including immigrants, people of color, young children, rural, and low-income households. Prior to assuming this role in January 2018, I served as the Policy Director of Forefront, the nation's only statewide (Illinois) membership association for nonprofits, grant-makers, public agencies, and advisors which facilitates collective action and provides education, advocacy, and leadership around issues important to its members. I make this Declaration in connection with *State of New York, et al., v. Trump, et al.*

3. The Democracy Initiative strongly opposes excluding immigrant undocumented individuals or communities in the Congressional apportionment count that is to be reported to the President's Administration once the 2020 Decennial Census has been completed. It is the Democracy Initiative's position that everyone be reported equally, per the U.S. Constitution, otherwise, this could jeopardize the accuracy of the count in communities across the country.

4. Forefront has been working closely with the Regional Census Bureau in Chicago to encourage Census participation and awareness.

5. Forefront has encountered numerous individuals who have expressed fear around the President's Memorandum. For example, at a Census gathering in Chinatown recently, we had Census advocates lament the difficulty in encouraging communities to get counted, not knowing where and how their household information would be shared. And, many have asked for strategies on how to combat the fear. It is a troubling time of uncertainty---we have no clear cut answers to give. We will continue to provide awareness of the Census, and to reiterate our position that a fair and accurate count is crucial.

6. In order to combat the anticipated negative impacts of this recent Presidential Memorandum, the Democracy Initiative at Forefront is working hard through statewide advocacy and outreach in hard-to-count communities, ensuring we provide accurate, resourceful information for our grantees and partners to then share in their respective communities, as trusted messengers.

I declare under penalty of perjury that, to the best of my knowledge, the foregoing is true and correct.

Executed on this 4th day of August 2020

Anita Banerji

Anita Banerji
Director, Forefront's Democracy Initiative