Exhibit 38

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

STATE OF NEW YORK, *et al.*, Plaintiffs, v. DONALD J. TRUMP, *in his official capacity as President of the United States, et al.*, Defendants.	20 Civ. 5770 (JMF) **DECLARATION OF SUSAN ROCHE, Esq.**

Pursuant to 28 U.S.C. § 1746(2), I, Susan Roche, Esq., hereby declare as follows:

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

2. I am Executive Director for the Immigrant Legal Advocacy Project (ILAP). I oversee the administration and operations of the organization. I have been employed by ILAP since 2000.

3. ILAP is a 501(c)(3) organization, and Maine's only statewide immigration legal aid organization. We provide direct immigration legal services to over 3,000 clients each year; conduct education and outreach events for over 1,500 immigrant community members and service providers; and participate in systemic advocacy on issues that impact immigrants in Maine.

4. ILAP staff have direct contact with immigrant communities throughout the state of Maine, and we work closely with dozens of immigrant-led organizations on statewide outreach and advocacy efforts.

5. Although ILAP does not work directly on census issues, we hear about concerns and experiences through our clients and community partners in Maine.

6. Our clients and community partners have shared with us general concerns and confusion regarding the census. Recent actions, including the previously proposed citizenship

question, have caused great confusion and anxiety in Maine's immigrant communities. Many clients, including those in legal status, expressed concerns that participation might impact their immigration status. Individuals applying for asylum told us they were reticent to participate in the census because they feared it would cause their cases to be denied and that they might be deported back to countries where they were persecuted.

7. The President's recent announcement that undocumented individuals will not be included in the census count has undoubtedly caused even greater fear and concern in Maine's immigrant communities and made it less likely that they will participate in the census.

8. Immigrant communities already face greater barriers to census participation due to COVID-19. They are more likely to respond to door to door outreach, which is more challenging during the pandemic.

9. If undocumented individuals are not included in Maine's census count then immigrants, including those with legal status, are less likely to participate. As a result, Maine's population count will be inaccurate, and the state as a whole will be harmed. Maine is an aging state with a decreasing workforce and already faces economic challenges. An improper count will leave the state with less congressional representation and fewer needed resources to help Maine and Mainers thrive in the decade to come.

10. Furthermore, this latest announcement is layered upon myriad other anti-immigrant actions and policies from this administration that have made Maine's immigrant communities fearful and anxious. As a state, we need and want immigrants to feel welcomed and valued so that they can fully integrate and engage in our economy and communities.

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

Executed on this 5th day of August, 2020

/s/ Susan Roche

Susan Roche, Esq.