

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

STATE OF NEW YORK, et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT  
OF COMMERCE, et al.,

Defendants.

18-CV-2921 (JMF)

**NOTICE OF FILING OF TRIAL AFFIDAVITS**

Plaintiffs hereby file with the Court the following trial affidavits:

1. October 23, 2018 Affidavit of Evelyn Rodriguez (Ex. 1).
2. November 3, 2018 Supplemental Affidavit of Evelyn Rodriguez (Ex. 2).
3. October 23, 2018 Affidavit of Monica Sarmiento (Ex. 3).
4. November 3, 2018 Supplemental Affidavit of Monica Sarmiento (Ex. 4).

Respectfully submitted,

**BARBARA D. UNDERWOOD**

*Attorney General of the State of New York*

By: /s/ Matthew Colangelo

Matthew Colangelo, *Executive Deputy Attorney General*

Elena Goldstein, *Senior Trial Counsel*

Sania Khan, *Assistant Attorney General*

Office of the New York State Attorney General

28 Liberty Street

New York, NY 10005

Phone: (212) 416-6057

matthew.colangelo@ag.ny.gov

Attorneys for the *State of New York* Plaintiffs

ARNOLD & PORTER KAYE SCHOLER LLP  
AMERICAN CIVIL LIBERTIES UNION

By: /s/ John A. Freedman

Dale Ho  
American Civil Liberties Union Foundation  
125 Broad St.  
New York, NY 10004  
(212) 549-2693  
dho@aclu.org

Andrew Bauer  
Arnold & Porter Kaye Scholer LLP  
250 West 55th Street  
New York, NY 10019-9710  
(212) 836-7669  
Andrew.Bauer@arnoldporter.com

Sarah Brannon\*  
American Civil Liberties Union Foundation  
915 15th Street, NW  
Washington, DC 20005-2313  
202-675-2337  
sbrannon@aclu.org  
*\* Not admitted in the District of Columbia;  
practice limited pursuant to D.C. App. R.  
49(c)(3).*

John A. Freedman  
Arnold & Porter Kaye Scholer LLP  
601 Massachusetts Avenue, N.W.  
Washington, DC 20001-3743  
(202) 942-5000  
John.Freedman@arnoldporter.com

Perry M. Grossman  
New York Civil Liberties Union Foundation  
125 Broad St.  
New York, NY 10004  
(212) 607-3300 601  
pgrossman@nyclu.org

Attorneys for the NYIC Plaintiffs

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

STATE OF NEW YORK, et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT  
OF COMMERCE, et al.,

Defendants.

CIVIL ACTION NO. 1:18-cv-2921 (JMF)

**AFFIDAVIT OF EVELYN  
RODRIGUEZ**

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

1. My name is Evelyn Rodriguez. I work in the Office of the Mayor of the City of Chicago and I am an advisor for neighborhood development and community engagement within the city. I have worked in the Office of the Mayor of the City of Chicago since 2016. My role as an Advisor in the Office of Public Engagement is one that requires me to travel daily throughout the city advancing the Mayor's community initiatives and being responsive to a plethora of community-related issues and events, including issues relating to the Census. I make this affidavit in connection with *State of New York, et al., v. United States Department of Commerce, et al.* I have personal knowledge of the facts set forth herein.

2. I serve as a conduit to all communities within Chicago and manage partnerships with external stakeholders including those from civic, faith-based, cultural, and business communities. Additionally, I have been appointed by the Mayor of the City of Chicago to serve as Chicago's designee on the Illinois Complete Count Commission.

3. The City of Chicago has a long history of engaging city residents and community stakeholders to develop and implement a locally-based outreach and awareness campaign for the

U.S. Census. During the most recent 2010 Census, Chicago created a Complete Count Committee leveraging city and community partnerships that included a broad and diverse group of citywide stakeholders. Chicago's Complete Count Committee members received training and resources to promote the census and assist residents to fill out the form and achieve an accurate count. The Chicago Complete Count Committee met regularly to track participation and to identify hard-to-count communities. Locally, the Chicago Complete Count Committee coordinated efforts on public service announcements, local advertising campaigns, printed culturally and linguistically sensitive materials throughout Chicago's neighborhoods, and partnered with local faith-based institution to organize activities to promote participation.

4. The 2020 Census will present the City of Chicago with new challenges. Budget cuts at the U.S. Census Bureau mean fewer enumerators, which will affect outreach to hard-to-count and multilingual communities. For the first time, the primary method of self-response to the Census will be via the internet, which may disproportionately disadvantage the many hard-to-count communities in Illinois who are digitally disconnected. From my work in the Mayor's Office, I am aware that due to undercounting in Illinois during 2010, the state lost \$952 per person of federal funding; in 2015 alone, Illinois lost \$122 million for every 1% of the population not counted. Based on my office's experience working with affected communities, we anticipate that the addition of the citizenship question to the Census will result in an even greater undercount in 2020, thus magnifying the losses Illinois is already suffering due to the undercount of its population. Any resulting undercount will not only fatally undermine the accuracy of the 2020 Census, but will jeopardize critical federal funding needed by states and municipalities.

5. My office is very concerned that the inclusion of a citizenship question will deter participation in the Census, especially within immigrant communities. Immigrant communities

comprise over one-fifth of Chicago's population. This year, Mayor Rahm Emanuel and the Chicago City Council submitted letters to Secretary Ross opposing the citizenship question. Mayor Emanuel, along with a coalition of 18 states, Washington D.C., 9 cities, 4 countries, and the U.S. Conference of Mayors, submitted a formal comment against the Trump Administration's decision to add a citizenship question to the 2020 census. Mayor Emanuel spoke out against the added question, explaining that the Trump Administration is attempting to politicize the census and jeopardize funding for welcoming cities, like Chicago, that have been home to strong immigrant communities since this country's birth.

6. In 2016, Mayor Emanuel along with U.S. Senator Dick Durbin and Congressman Luis Gutierrez established a task force called "Chicago is With You" to provide resources and legal assistance to the City's immigrant and refugee communities during a time of fear and uncertainty as federal immigration policies are targeting vulnerable communities. The "Chicago is With You" task force ensures the delivery of comprehensive support to immigrant, refugees and other disenfranchised communities by collaborating on legal services, mental health, employer diversity training and education. The task force oversees the implementation of the city's Legal Protection Fund, a budgetary initiative established by Mayor Emanuel's Administration to assist immigrants seeking legal assistance and workshops to educate families on their legal rights in this country. The task force is led by honorary co-chairs First Lady Amy Rule, City Clerk Anna Valencia and Chicago Alderman Danny Solis in collaboration with Heartland Alliance's National Immigrant Justice Center, Illinois Business Immigration Coalition and the Resurrection Project. The coalition is comprised of over 30 partner organizations throughout the city representing the city's diverse ethnic communities. Through this coalition and their relationships with local Chicago residents, the City has become aware of immigrant families' growing concerns and their distrust of the federal

government, particularly as it relates to submitting information to the federal government for applications such as Legal Permanent Resident forms and Deferred Action for Childhood Arrivals (DACA) renewals. The Legal Protection Fund and the Chicago is With You Task Force are examples of the city's track record in mobilizing and responding to concerns surrounding immigration issues by deploying resources and directing funding to address pressing concerns surrounding the safety and protection of Chicago's immigrant population. A citizenship question would cause distress in Chicago's immigrant community and trigger the need for a concerted effort similar to the Chicago is With You Task Force and Legal Protection Fund. Based on my role with the City and my experience talking directly with these groups about the Census, I have observed that there is palpable anxiety among residents in Chicago's immigrant communities about filling out a census questionnaire that includes a question on citizenship. The Mayor's Office of New Americans and the Office of Public Engagement have been fielding questions about the security of the information shared with the Census Bureau and the growing concerns over potential ramifications for including family members who may be undocumented. Chicagoans who are members of mixed-immigration status families, meaning their families are comprised of U.S. citizens, legal permanent residents, and/or undocumented status, have expressed distress and nervousness as they consider submitting a form to the U.S. government identifying members of their family household. There is fear that this information will be used against their household and shared with the Department of Homeland Security to identify and deport undocumented members of their family.

7. The Office of the Mayor of the City of Chicago is forming a Complete Count Committee to prepare for the 2020 U.S. Census. A citizenship question would add additional burden to the already labor and coordination-intensive efforts to form a Complete Count Committee. If the

citizenship question remains on the Census, the City will need to identify additional resources to expand existing coalitions such as the “Chicago is With You” task force and key community stakeholders, faith-based institutions, private and public entities, and city departments and agencies to form the Complete Count Committee. In order to combat the anticipated negative effects of the citizenship question, this committee will receive training and support to reach hard-to-count populations, including members of Chicago’s immigrant neighborhoods. The Committee will also focus on public service announcements and a grassroots campaign to ensure communities are not adversely affected by a citizenship question.

8. Addressing the U.S. citizenship question has been a central point in the City’s efforts to ensure a complete count. The City’s efforts to challenge the U.S. citizenship question on the 2020 Census are directly linked to the grave concerns we have heard from key community and immigrant advocacy organizations. For example, the Little Village neighborhood in Chicago is home to one of the largest Mexican populations in the country. It is a vibrant community with a thriving economic corridor that generates the City’s second highest sales tax after Michigan Avenue. At a meeting I attended with the Mayor, Jaime di Paulo, Executive Director of the Little Village Chamber of Commerce, said immigrant business owners and entrepreneurs are fearful of exposing their immigration status to a federal administration that is hostile towards immigrants. These immigrant business owners have greatly contributed to our local economy and yet they fear the negative consequences of exposing their status to the federal government on a Census form.

9. The uncertainty of a U.S. citizenship question on the Census has caused confusion and distress among immigrant advocate organization that work closely with non U.S. citizens and mixed-immigration status families. Erie Neighborhood House, one of Chicago’s original settlement houses dating back nearly 150 years, has been a port of entry for immigrants of all

backgrounds. This social service organization is located in the West Town and Little Village neighborhood and for over a century has been a resourceful anchor for working families struggling to make ends meet. I spoke with Kirstin Chernawsky, the Executive Director of Erie Neighborhood House, who explained that the population they serve have been historically undercounted, which includes not only their immigrant participants, but also the 2-5 population they serve through their childcare program. These families represent a vulnerable population that benefits from the wraparound services offered by Erie Neighborhood House including childcare, workforce development and job opportunities, and English-language classes. These programs provide families the support they need and a chance to thrive in this country. While the organization is prepared to assist with complete count efforts, they are currently struggling to answer questions from program participants who want to know what the federal government will do with information regarding their immigration status.

10. Conversations with Mr. di Paulo and Mrs. Chernawsky, and similar conversations with other community members, have informed my office's view that we need to do more to encourage participation in the Census.

11. Leaders from community service agencies and institutions have asked the Mayor's Office for guidance on how to respond to concerns related to the U.S. citizenship question. Given the uncertainty of such a question, it has been challenging to launch the formation of a complete count committee while the City addresses the U.S. citizenship question in court. It is difficult to embark on a marketing campaign to prepare an already traditionally undercounted population to fill out a Census form when there is a copious amount of ambiguity and uncertainty on what the Census form will entail. While we encourage all Chicagoans to be counted, we do not have answers on how the possibility of a U.S. citizenship question will be used by the federal government and how this



question may impact immigrant households.

12. Due to this uncertainty, Chicago will need to pull an unprecedented amount of city resources and potentially funding to encourage all Chicagoans to fill out the Census form and ensure a complete count in 2020. On October 17, 2018, a resolution was introduced during the City Council meeting by Alderman Gilbert Villegas that would create an Emergency Fund of a minimum \$500,000 to be allocated in the city's budget for specialized outreach to immigrant communities in the effort to circumvent an undercount as a result of a U.S. citizenship question on the Census. The outreach coordination will be a massive undertaking given the size and scope of our city. In addition to pulling all City Departments and Sister Agencies on board to be a part of the City's Complete Count Committee, we will need to seek community leadership in all sectors and ethnic communities to participate in complete count efforts. While necessary and critical, this level of outreach and coalition-building is also incredibly time-consuming and resource-intensive.

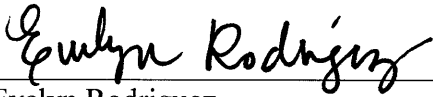
13. Currently in my role, I have allocated nearly 10 hours a month attending Census-related meetings, conversations, and preparation for the City's launch of a Complete Count Committee. During some of these coalition meetings, a substantive portion is spent on updates regarding a U.S. Citizenship question and updates on the City's efforts to address this question. The uptick on Census work has exponentially increased as coalitions have begun to form in the effort to have Complete Count Committees up and running by 2019. There are constant updates related to work being done at the city, county and state level to prepare for the Census. It is apparent, as the Mayor's Office plans the initial meeting of a complete count committee, that the amount of time to cultivate and guide the city's complete count committee, especially given the new online format and the potential addition of a U.S. Citizenship question, will be more than I am capable of handling on my own. The city's Complete Count Committee would require close attention to coordinating

messaging and outreach to complement county and statewide coalition efforts. As a result, if the citizenship question remains on the 2020 Census, I have alerted our policy staff that we will require an additional full-time staff member dedicated to handle citizenship question issues. In particular, an additional staff member would be necessary to coordinate all the logistics of coordinating with concerned communities and Complete Count Committee members on trying to mitigate the effects of a citizenship question as best as we are able.

14. Chicago is working collaboratively with the Illinois Complete Count Commission to align messaging, promote census participation and maximize exposure to stress the importance of being counted regardless of citizenship status.

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

Executed on this 23rd day of October, 2018

  
\_\_\_\_\_  
Evelyn Rodriguez  
Office of the Mayor of the City of Chicago

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

STATE OF NEW YORK, et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT  
OF COMMERCE; et al.,

Defendants.

CIVIL ACTION NO. 1:18-cv-2921  
(JMF)

**SUPPLEMENTAL AFFIDAVIT OF EVELYN RODRIGUEZ**

I, Evelyn Rodriguez, pursuant to the provisions of 28 U.S.C. § 1746, declare under penalty of perjury that the following is true and correct:

1. As explained in my October 23 Declaration, I work in the Office of the Mayor of the City of Chicago, in the Office of Public Engagement, and am an advisor for neighborhood development and community engagement within the City. As part of my job responsibilities, I have been assigned to various tasks relating to community outreach generally, and the census specifically. These include being the City's appointee to the Illinois Complete Count Commission and sitting at meetings for "Chicago is With You" task force. As part of my work with those groups, I regularly attend meetings and other events where the census is discussed and I regularly meet and speak with residents of Chicago about these issues as part of my normal job duties. Additionally, before working for the Office of the Mayor, I worked at Erie Neighborhood House in the Little Village neighborhood for approximately two years as an outreach coordinator for housing programs, with a specific focus on Spanish-speaking neighborhoods.



2. All of the statements made in my October 23 Affidavit and in this Affidavit are made based on my personal knowledge, acquired both during my time in the Mayor's Office, as well as during my tenure at the Erie Neighborhood House. Since joining the Office of the Mayor in 2016, I have familiarized myself the City of Chicago's work relating to the 2010 Census to provide background for my current and ongoing work on the 2020 Census on the Illinois Complete Count Commission and the "Chicago is With You" task force.

3. I have personal knowledge of the matters set forth in paragraph 4 of my October 23 Affidavit because of my work with the Illinois Complete Count Commission (the "Commission"). As part of my job duties, I attend meetings of the Commission. During some meetings that I have attended, representatives of the Census Bureau have attended. These representatives provided information that I described in my report, including information relating to the number of enumerators and the primary method of self-response.

4. I have personal knowledge of the "Chicago is With You" task force described in paragraph 6 of my October 23 Affidavit because I attend that task force as part of my job with the Office of the Mayor. I have personally attended over 10 meetings of the task force since its inception. I have personal knowledge of the City's Legal Protection Fund through my work with this task force. During task force meetings that I have personally attended, partner organizations discussed the concerns of their members, including the growing concern of immigrant families in Chicago relating to the federal administration and immigrants' mistrust of the federal government.

5. I have personal knowledge that adding a citizenship question to the census will cause distress in Chicago's immigrant community as set forth in paragraph 6 of my October 23 Affidavit. My job duties require me to accompany the Mayor to various community meetings



and events across the City of Chicago in many communities, such as luncheons with Chicago's Asian American and Pacific Islander community, and Ukrainian community, celebrating Polish heritage at a community breakfast, and walking the Mexican Independence Day Parade in Chicago's Little Village neighborhood. I attend community events at least twice per week, where I speak with business groups and owners, community organizations, and residents from every neighborhood in the City of Chicago. I have learned during the course of these conversations that there is palpable anxiety among residents in Chicago's immigrant communities about filling out a census questionnaire that includes a citizenship question. I have personally had conversations about such fears with members of the Latinx, Polish, South Asian, Ukrainian, and Asian American and Pacific Islander communities. Community members have asked me directly about the security of information shared with the Census Bureau and the potential ramifications for including family members that they may be undocumented.

6. Also during the course of my job duties in the Office of Public Engagement, I have personally had conversations with Chicagoans who are members of mixed-immigrant status families as described in paragraph 6 of my October 23 Affidavit. These Chicagoans have expressed distress and nervousness about submitting a form to the federal government identifying members of their household; Chicagoans have asked me if their information will be shared with the Department of Homeland Security and used to identify and deport undocumented residents or members of their family who may be legal permanent residents.

7. I have personal knowledge that the City's efforts to encourage participation on the census are linked to concerns from the immigrant community about the citizenship question as set forth in paragraph 8 of my October 23 Affidavit. As explained in this Supplemental Affidavit and in my October 23 Affidavit, because of my role as an advisor for the Office of the Mayor, I



serve on the Illinois Complete Count Commission and I have personally had conversations with immigrant communities about their concerns. In this capacity, I know that the Mayor's Office and the City are concerned with how fears in the immigrant communities will impact census participation.

8. As set forth in paragraph 8 of my October 23 Affidavit, I have personal knowledge that the Little Village neighborhood in Chicago is home to one of the largest Mexican populations in the country based on my work in the Mayor's office, which takes me to Little Village regularly. I am intimately familiar with Little Village because I was raised there, lived there as an adult for approximately 3 years, and still have family who live there. Additionally, when I worked for the Erie Neighborhood House, I worked at their Little Village office.

9. As set forth in paragraph 8 of my October 23 Affidavit, I have personal knowledge that immigrant business owners and entrepreneurs in Little Village are fearful of exposing their immigration status to the federal administration because I was personally present at meetings when those concerns were discussed and I personally engaged in conversations with community members about those concerns.

10. As set forth in paragraph 9 of my October 23 Affidavit, I have personal knowledge that uncertainty about the citizenship question has caused confusion among immigrant advocate organizations that work closely with non-citizens and mixed-immigration status families because I have personally had conversations with representatives of such organizations about those topics. For example, I have personally spoken with Kirstin Chernawsky, the Executive Director of Erie Neighborhood House, in connection with "Chicago is With You" task force meetings about these concerns.

11. As described in paragraph 9 of my October 23 Affidavit, I have personal knowledge of the history of the Erie Neighborhood House, the services it offers, and the families it serves because I worked as an outreach coordinator for Erie Neighborhood House from late 2011 to early 2014.

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

Executed: November 3, 2018

  
Evelyn Rodriguez

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

STATE OF NEW YORK, et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT  
OF COMMERCE, et al.,

Defendants.

CIVIL ACTION NO. 1:18-cv-2921 (JMF)

**AFFIDAVIT OF  
MONICA SARMIENTO**

Pursuant to 28 U.S.C. § 1746(2), I, Monica Sarmiento 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 employed as the Executive Director of Virginia Coalition for Immigrant Rights (VACIR). I have served in this capacity since March 15, 2017. Prior to this position, I have been an employee of VACIR since February 29, 2015. In my role as Executive Director, I work with immigrant communities in Virginia and our organizational partners who serve in these communities.

3. VACIR is a multi-racial and multi-ethnic coalition of organizations that exists to win dignity, power, and quality of life for all immigrant and refugee communities. VACIR is made up of twenty-eight member organizations in Virginia, many of which directly work with the immigrant community in a number of capacities. As the Executive Director of VACIR, I regularly meet with member organizations, attend their community events, and co-host community events.



Examples of community events include the following: Know Your Rights seminars, DACA legal clinics, naturalization clinics, community and round table discussions.

4. According to the Virginia Immigration Council, Virginia is home to over one million immigrants.<sup>1</sup> Virginia's immigrant communities are diverse, spread throughout the Commonwealth, and often have different immigration statuses within a family, i.e. a mixed-status family. It is common to find a family of Korean, Pakistani, Salvadorian, or Honduran descendant where only some family members have legal status. For example, I have come across family structures where all the children and one parent are U.S. citizens, but the other parent is undocumented. I have also seen circumstances where the parents are undocumented, but the two eldest children have legal status under the Deferred Action for Childhood Arrivals ("DACA") program, and the youngest child is a U.S. citizen.

5. As the Executive Director for VACIR I am required to attend a number of conferences and community events that are pertinent to both our member organizations, and the work we do regarding immigrant rights. Throughout 2017 and 2018, at conferences I have attended through work, and at events hosted by our member organizations, I have had many conversations with Virginians of all backgrounds about the 2020 Census and the citizenship question, including those with and without legal status.

6. At the 2018 Virginia Civic Engagement Table conference a panelist informed the audience that it was federal law that every single question of the census be answered. After this panel, I spoke with one young woman, who was a U.S. citizen with undocumented parents, who did not previously know the federal law requirement to fill out the Census. She told me specifically

---

<sup>1</sup> <https://www.americanimmigrationcouncil.org/research/immigrants-in-virginia>

about her fears of filling out the citizenship question – that by filling out that question it would prompt the Bureau and maybe even other governmental entities to check the status of any non-U.S. citizens living in the home. She also mentioned her fear that the government could easily create a list using the citizenship question to round people up, separate families, and deport undocumented Virginians. She told me that solely because of the citizenship question she was inclined to not fill out the census at all, because as she put it – she needs to protect her family.

7. Also, at a community event hosted by one of our member organizations on June 20, 2018 in Falls Church, Virginia, I spoke with an undocumented mother with U.S. citizen children. She told me that after reading an article in the Washington Post<sup>2</sup>, which told the story of how the Roosevelt Administration had used U.S. Census data to identify and round up Japanese Americans and place them in Japanese internment camps, she wondered what would stop the Trump Administration from using citizenship data from the decennial census in a similar manner. She feared that the Trump Administration would create a deportation list and separate families.

8. On July 18, 2018, at a work event I met a young undocumented Latino activist, who was visibly upset, frowning and crossing his arms, as we discussed the addition of the citizenship question to the decennial census. He told me that the addition of the citizenship question underscored his broader fear of the current anti-immigrant climate, and that his fear of disclosing citizenship information would prevent him from filling out the question on the census. He told me that he would likely not fill out the form to avoid the citizenship question.

---

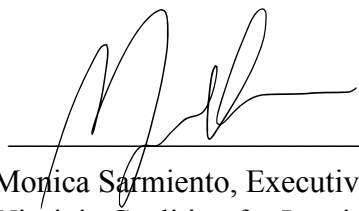
<sup>2</sup> [https://www.washingtonpost.com/news/retropolis/wp/2018/04/03/secret-use-of-census-info-helped-send-japanese-americans-to-internment-camps-in-wwii/?utm\\_term=.5b8e9bc5db5b](https://www.washingtonpost.com/news/retropolis/wp/2018/04/03/secret-use-of-census-info-helped-send-japanese-americans-to-internment-camps-in-wwii/?utm_term=.5b8e9bc5db5b)

9. Many in the community have pointed to the administration's lack of foresight on understanding the importance of family, and the instinctive need we all have to protect our family. Since the administration has separated families at the border, communities are concerned that the administration would also separate mixed status families, by using citizenship information taken from the census. Unfortunately, VACIR did not exist during the last census, but many of our member organizations did. Many hosted community BBQs and have spoken to local ethnic media about the importance of filling out the census.

10. Currently there is a great deal of confusion on how VACIR's member organizations will message the addition of the citizenship question. Some have said they will tell their community members to boycott the question, others have told me it is unethical to ever ask someone to break the law by not answering every question on the census. The fear of how the citizenship question could potentially harm the immigrant community has overwhelmed community leaders, and has left both VACIR and its member organizations with no clear answer as to how to proceed if the citizenship question is in fact included in the 2020 census. VACIR has not taken an official stance, and has received no clear guidance from the Census Bureau on how to address the serious concerns in the immigrant community about the addition of the citizenship question to the Decennial census.

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

Executed on this 23rd day of October, 2018

  
\_\_\_\_\_  
Monica Sarmiento, Executive Director  
Virginia Coalition for Immigrant Rights

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

STATE OF NEW YORK, et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT  
OF COMMERCE, et al.,

Defendants.

CIVIL ACTION NO. 1:18-cv-2921 (JMF)

**SUPPLEMENTAL AFFIDAVIT OF MONICA SARMIENTO**

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

1. As explained in my affidavit dated October 23, 2018, I am the Executive Director of the Virginia Coalition for Immigrant Rights (“VACIR”). I have been executive director since 2017 and employed by VACIR since 2015. For approximately the last five and a half years, my work has taken me all over Virginia, including to the immigrant communities at the East Shore and Spanish speaking communities throughout the State. In my current executive director role, I frequently interact with immigrants in Virginia and our organizational partners that serve them.

2. All of the statements made in my October 23 affidavit and in this affidavit are based on my personal knowledge acquired after several years of experience working with immigrant communities in Virginia and the organizations that serve them. During my time at VACIR, I have also familiarized myself with the practices, processes, and membership of VACIR’s partner organizations.

3. In paragraph 4 of my October 23 affidavit, my testimony regarding the diverse backgrounds, immigration statuses, and family structures of Virginia's immigrant families is based on my personal knowledge and observations through my direct interaction with immigrant families and immigrant communities. This includes my extensive personal perceptions and observations collected over hundreds of community engagement events, which I have attended in Virginia over a period of more than five years. These interactions have often taken the form of community events or roundtables where there have been anywhere from a few to hundreds of attendees. At these events, through my observations of and conversations with attendees, I have gained personal knowledge of the current issues concerning immigrant communities in Virginia.

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

Executed on this 3rd day of November, 2018



---

Monica Sarmiento  
Executive Director  
Virginia Coalition for Immigrant Rights