

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

Hispanic Interest Coalition of Alabama, et al.,

Plaintiffs,

v.

Governor Robert Bentley, et al.,

Defendants.

Case No. 5:11-cv-02484-SLB

**Exhibits in Support of
Plaintiffs' Motion For
Preliminary Injunction
And Memorandum In
Support**

Exhibit 11

**Declaration of Scott Douglas
*On behalf of Greater Birmingham Ministries***

DECLARATION OF SCOTT DOUGLAS

I, Scott Douglas, hereby make this declaration based on my personal knowledge and if called to testify I could and would do so competently as follows.

1. My name is Scott Douglas. I am the Executive Director of the Greater Birmingham Ministries (“GBM”), based in Birmingham, Alabama.

2. GBM is a 501(c)(3) organization and is a multi-faith, multi-racial, multi-member organization. GBM provides emergency assistance to low-income families in need while working on public policies that can better the quality of life for all. GBM counts Christian, Muslim, and Jewish faith communities among its members, including the Roman Catholic Diocese and the Conference of the United Methodist Church, and individual temples, churches, and mosques. GBM’s members also have congregations that comprise Latino, African, Middle Eastern and other immigrant families, including undocumented individuals and school-age children. GBM has three main program areas: Economic Justice, Direct Services, and Faith In Community. Its direct services project provides services in the form of food and financial assistance to immigrant and other communities based on their level of need.

3. There are eight full-time staff, three part-time staff and several hundred volunteers that work with me to operate GBM. Every year, we have 400

volunteers to assist with GBM's programs. Most of these volunteers come from GBM's member congregations.

4. Our membership consists of twenty different faith communities. To become a member of GBM, potential members must agree with GBM's mission, agree to provide volunteer services, and provide financial assistance. Members must support GBM through contributions of at least \$500 per year, and members can provide support upwards of \$20,000 per year.

5. The constituencies that we serve are low-income families from the Birmingham Metropolitan region, which consists of five counties. Our services reach approximately 4,000 families every year. Those families are composed of over 7,000 individuals including men, women, and children, including undocumented individuals.

6. GBM's Direct Services program provides a variety of services to low-income families. In the course of a week, GBM provides approximately fifty families, or about 150 people, nonperishable foods, fresh fruits and vegetables and other needed grocery items. GBM also provides families with assistance in the form of paying their rent and utility bills, and paying for their medicine prescriptions. Additionally, twice a week, GBM distributes free clothes to families.

7. In the course of its work, GBM members often provide transportation to immigrant members, including individuals who we believe to be undocumented. Many times these individuals will share with GBM volunteers where they are from, which are often foreign countries. We even have had to recruit a volunteer interpreter who speaks a native Guatemalan language to accommodate the need to communicate with some of these clients.

8. The population that GBM serves is diverse. Our constituency includes African American, White, and immigrant families. Our immigrant constituents are primarily Latino, African, and Middle Eastern, and our population of Latino Spanish-speaking constituents is increasing. In order to address this growing need we have recruited a student intern who is bilingual because of the increasing number of Spanish-speaking-only clients.

9. HB 56 would greatly burden GBM. The greatest harm would be to require our members to provide us with proof of citizenship for the constituents we assist. As of now, we only ask our members to provide us with proof of income and proof of residence. As an organization, we simply do not have the capacity or desire to document more than what we already require for our services.

10. If HB 56 is implemented, GBM fears that, because of its services to people it believes to be undocumented, its members and volunteers may be prosecuted for encouraging undocumented immigrants to stay in Alabama. GBM

also fears that it will be prosecuted under HB 56's harboring and transportation provision because our members and volunteers often do provide transportation to our constituents to Hispanic worship services, to vacation bible school for children, to medical and dental appointments, and some do even provide a regular route to medical clinics. Often, volunteers provide rides to families who come to GBM to pick up groceries. Further, along with the rides, many of our members provide bus tickets, and pay for rent and utilities for many of our clients whom they know or believe to be undocumented. These bus passes are intended for people to get to and from work.

11. GBM is also affected by HB 56's education provision because our member congregations serve a large number of school-age children and provide these children with brand new school clothes. Undocumented individuals from GBM congregations have expressed that because of HB 56 they are afraid to enroll their children in school. These members fear that their immigration status will be sent to the federal government and lead them to being detained and possibly deported under HB 56.

12. HB 56 is causing our member congregations to lose families and individuals as they leave the state out of fear that they will be detained. One of these members shared with us that they "don't want to be in a state where they hate us." Due to this sentiment, GBM will soon have to reallocate organizational and

financial resources, since GBM draws from its members for its volunteer base. If congregations have fewer members because of HB 56, GBM will have to decrease its services due to the decreasing volunteer base.

13. Under HB 56, GBM will have to redirect efforts towards documenting clients' immigration status in addition to what GBM already documents in terms of need. This would involve spending more staff time and money to guarantee that the assistance GBM provides to each of its clients comes within the purview of the law. This will substantially slow down GBM's work, and cause GBM to reprioritize all of its projects. Additionally, since under HB 56, GBM would have to withhold assistance to people who could not verify their immigration status, GBM would have to develop new procedures on how to handle this new group of people that GBM would no longer provide services to, which would also involve a reallocation of our limited resources.

14. GBM has decided to continue implementing the mission of the organization regardless of the implementation of HB 56, even if that stance affects us negatively. This includes to continue providing services to our clients regardless of immigration status, including transporting them as needed, providing food and clothing to them, and all other services that we currently provide.

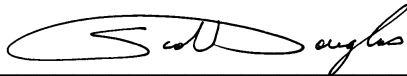
15. GBM receives approximately 20% of its income from congregations or religious bodies, and in the past, taking a controversial stance has led some

congregations to limit or cease their financial support of GBM. Since we are publicly opposed to HB 56, it is likely that member congregations that do not agree with GBM will limit or cease their support of GBM, which would cause a diversion and a significant loss of organizational and financial resources, including laying off staff and reducing programming.

16. HB 56 conflicts with GBM's mission, and GBM is not going to change its mission. Very simply put, HB 56 stands in stark contradiction to GBM's mission and everything we stand for. GBM will continue our work with respect to our mission, which is to serve people based on need alone. Our mission requires that GBM serve people, build community, and pursue justice. HB 56 is a disservice to people, breaks community, and is unjust.

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

EXECUTED this 21 day of July, 2011 in Birmingham, Alabama.



Scott Douglas