

**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 32

Declaration of John Doe #2

DECLARATION OF [REDACTED]

I, [REDACTED], do hereby make this declaration based on my own personal knowledge and if called to testify I could and would do so competently as follows:

1. I was born in 1970 in México. I first entered the United States in 1995 and I have mostly lived in Alabama since that time. I do not currently have legal immigration status in the United States.
2. I am married with two children. My wife and my oldest son were born in México and they do not have immigration status in the United States. My wife's father is a United States citizen and has already petitioned for her, but there is long waiting period for her to become a lawful permanent resident. My youngest daughter, age 9, was born in Gadsden, Alabama and she is a United States citizen. My daughter has a birth certificate stating that she was born in the United States. My son does not have a United States birth certificate because he was born in México.
3. My youngest daughter goes to Crossville Public Elementary School and will start the 4th grade next year. My son is seventeen and will be a senior next year at Crossville Public High School. My wife and I

will go to the elementary and high schools in August to register our children for the upcoming school year.

4. If implemented, HB 56 will deny my children the opportunity to study and pursue their dreams. This law states that schools must verify whether a child was born in the United States or is the child of parents unlawfully residing in the United States at the time of enrollment.

This provision of HB 56 is set to take effect on September 1, after the enrollment period for the 2011-2012 school year, but its effect on my family will be immediate. I am already very worried about revealing my undocumented immigration status when enrolling one or both of my children in school.

5. Under HB 56, I will be forced to reveal my undocumented status to my children's school officials and I will be forced to reveal that my son was born outside of the United States and is undocumented. I understand that HB 56 would not bar my children from enrolling in school, but this law would require me to reveal my immigration status and my son's immigration status to the school authorities, and that is a risk that I cannot take. If I must reveal my status or my son's status to school officials, I fear the school officials will call the federal immigration authorities and cause me or my son to be deported. I

would not lie about my immigration status or my son's immigration status to the school officials because I would face criminal penalties under HB 56 for doing that.

6. HB 56, if enacted, places such a great risk on me that it would practically force my children out of school. I am afraid that revealing my undocumented immigration status to the public school system could lead to my arrest by federal immigration authorities. The right for my children to go to school is meaningless if I have to deny my children the chance to enroll in school in order to avoid revealing my undocumented immigration status to the school authorities.
7. I also worry that the effect of HB 56 will stigmatize my children at school because the school officials will know whether a child's parents are undocumented. I am worried that my children will be treated worse than the other children because I am undocumented and my wife does not now have legal immigration status. I would also be worried that my undocumented son could be at risk of deportation because his school will know that he does not have immigration status.
8. HB 56 will, in effect, deny my children the chance to go to school. My children have the right to study and the opportunity to go to

school should not be taken away from them. It is especially disturbing to think that my youngest daughter, who is a United States citizen, will be deterred from studying and attending school if HB 56 takes effect.

9. Both of my children love school and they are very good students. My youngest daughter does not like to be on summer vacation and is eagerly waiting for the school year to begin. She gets many certificates at school in recognition of her participation and good grades. My son takes many honors classes and has a bright future. He is about to graduate from high school and having to interrupt or terminate his schooling would have a devastating effect on him. It's very important for my children to be able to go to school because it will give them a much better future than the lives that my wife and I have experienced. We have to work very hard in jobs where we risk our health and well-being to be able to provide for our family. The education that my children are getting right now will allow them to succeed and become accomplished, self-supporting adults. An education is very important to my son, who has decided that he would like to become a dentist. My wife and I have started saving money to help him to pay for college.

10.If HB 56 becomes law, my family and I would leave Alabama and my children would probably go to school in México. This would be hard for them since my daughter has never been to México and my son left México as a young child. Both of them have spent their childhood here in America and they would leave behind a part of themselves if they had to go to México. My children would feel like strangers in México. It would be more challenging for them to study in México because I would make less money and might not be able to afford tuition for college for my son. My daughter would have to adjust to a completely different culture and school system.

11.The prospect of HB 56 has already affected me and my family in terrible ways. I am afraid to leave my house. I am afraid of the police who will soon have more ability to discriminate against Latino people. Even though the law has not taken effect yet, the local police have begun regularly setting up roadblocks to check for valid driver's licenses. Imposing fines for not having a valid driver's license or impounding my truck and charging me to recover it is depriving me of my ability to support my family because I drive to and from work. Imposing excessive fines and enforcement on immigrants is like taking food away from us and our families.

12. Since HB 56 passed, I am even more afraid to report crimes to the police because I am afraid they will inquire into my immigration status and detain me if they determine that I do not have legal immigration status. During the past year, I had tools and other property stolen from my home, but I did not call the police to report this out of fear of discriminatory treatment and/or arrest. Under HB 56, I fear any contact with local or state authorities.

13. I would like to make this declaration anonymously as a John Doe because I am afraid of what would happen if any Alabama or federal authorities find out that I am undocumented. I do not want to risk that I could be arrested and deported after revealing that I do not have legal immigration status.

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

EXECUTED this 12th day of July 2011 in Crossville, Alabama.

/s/ [REDACTED]
[REDACTED]