

**EXHIBIT "4"**

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

HISPANIC INTEREST COALITION )  
OF ALABAMA; et al., )

Plaintiffs, )

v. )

CASE NO. 5:11-CV-2484-SLB )

ROBERT BENTLEY, in his official )  
capacity as Governor of the State of )  
Alabama; et al., )

Defendants. )

RT. REV. HENRY N. PARSLEY, JR., in )  
his official capacity as Bishop of the )  
Episcopal Church in the Diocese of )  
Alabama, et al., )

Plaintiffs, )

v. )

Case Number: 5:11-CV-2736-CLS )

ROBERT BENTLEY, in his official )  
capacity as Governor of the State of )  
Alabama; et al., )

Defendants. )

UNITED STATES OF AMERICA, )

Plaintiff, )

v. )

Case Number: 2:11-CV-2746-LSC )

STATE OF ALABAMA; )  
GOVERNOR ROBERT J. BENTLEY, )

Defendants. )

## AFFIDAVIT OF ROBERT J. BAKER

My name is Robert J. Baker. I am over the age of 19 years and am competent to give this affidavit. I have personal knowledge of the matters stated herein. This affidavit is submitted in support of a motion for preliminary injunction filed by the Plaintiffs in Case No. 5:11-CV-2736-CLS, styled Rt. Rev. Henry N. Parsley, Jr., etc., et al., v. Robert Bentley, etc., et al.

I am the Catholic Bishop for the Diocese of Birmingham in Alabama. Under Canon Law I am head of the Church in this particular geographical location. I am responsible for the physical and spiritual health and well being of the clergy and religious in this diocese, as well as the faithful that reside in my diocese. The diocese is approximately the upper one-half of the state, which includes 75 parishes and missions, ministering to more than 78,000 Catholics. As a denomination, the Catholic Church is committed to helping people meet their most basic needs. Catholics are called by God, as evidenced in the scriptures, to witness the love of God through compassionate care of all God's children and to work prophetically, as Jesus did in his time, to build a more just and equitable society.

The Catechism of the Catholic Church well summarizes the doctrine of service, embraced by many Christian faiths:

He who has two coats, let him share with him who has none; and he who has food must do likewise. But give alms those things which are within; and behold, everything is clean for you. If a brother or sister is ill-clad and in lack of daily food, and one of you says to them, 'Go in peace, be warmed and filled,' without giving them the things needed for the body, what does it profit?

We are thus commanded by our faith to minister to those in need without consideration for their birth place. All are one in the eyes of God and thus in ours.

In fulfilling our calling and mission Catholics in this diocese participate in numerous ministries which extend to people of all races, colors, creeds, national origins and ethnicities. Among others things, the diocese operates 27 schools for children ranging in grades from pre-school to high-school. We support religious and fellowship opportunities to students through campus ministries throughout the Diocese. The Catholic Centers of Concern provides emergency assistance in the form of food, clothing, furniture, appliances, household articles, personal hygiene items, and financial assistance for medicine, utilities, rent and transportation. Catholic Family Services provides individual, family and marital counseling, foster care and adoption services. Our Disaster Relief program helps with temporary and long-term relief in the form of food, clothing, shelter and monetary gifts to victims of the April 2011 tornados. The Beacons of Hope promotes evangelization by providing tuition assistance to students who seek an opportunity to attend a Catholic school in the Diocese. A program known as "JustFaith" supports members of the parishes in the Diocese who participate in a variety of social ministries in the community to experience Christ's call to care for the poor and vulnerable. The Black Ministry program embraces the universality of the Church and works toward collaboration with a mutual respect of all cultures. The Society of St. Vincent de Paul offers tangible assistance to those in need on a person-to-person basis through financial assistance or in-kind services. And, lastly, our Hispanic Ministry provides opportunities for church members of Hispanic descent to

worship and gather for spiritual events. Many times this involves transporting ministry participants to and from Mass and other church related activities.

In addition to the foregoing, many of our missionary parishes serve Latino or primarily Spanish-speaking bi-lingual congregations. These include missions in Albertville, Russelville, Jasper, Clanton, Fort Payne and Oneonta.

Both supporters and opponents of the law agree that it is the broadest and strictest immigration law in the country, affecting every part of the life of undocumented immigrants. In doing so, however, the law makes illegal the exercise of our Christian religion which we, as citizens of Alabama, have a right to live. The law prohibits almost everything which would harbor or shield an undocumented immigrant or encourage an undocumented immigrant to live in Alabama. If "harboring" means to aid a person to stay in this State, then surely providing for their worldly needs of food, clothing and shelter, as well as their spiritual needs, through Mass and the sacraments, will subject my clergy, religious and the faithful to criminal punishment. If in practicing the core values of our religion we become criminals than surely it must be both illegal and immoral.

Further affiant sayeth not.

*+ Rmt J. Baker*

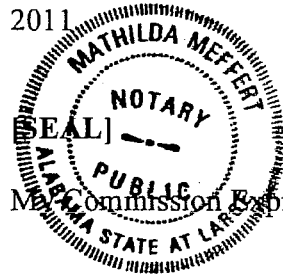
Bishop Robert J. Baker, S.T.D.

STATE OF ALABAMA )

COUNTY OF JEFFERSON )

Before me, the undersigned notary public in and for said county in said state, personally appeared Robert J. Baker, who is known to me and who, being by me first duly sworn, did depose and state that he has read the foregoing Affidavit and the statements contained therein are true and correct.

Given under my hand and official seal on this the 16<sup>th</sup> day of August, 2011.



*Mathilda R. Meffert*  
Notary Public

My Commission Expires: June 19, 2012.