

EXHIBIT U

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2
3 **UNITED STATES DISTRICT COURT**
4 **EASTERN DISTRICT OF CALIFORNIA**

5 UNITED STATES OF AMERICA,

6 Plaintiff,

7 v.

8 STATE OF CALIFORNIA; EDMUND GERALD
9 BROWN JR., *Governor of California, in his*
10 *Official Capacity*; and XAVIER BECERRA,
Attorney General of California, in his Official
Capacity,

11 Defendants.

Case No.: 2:18-cv-00490-JAM-KJN

**DECLARATION OF DONNY
YOUNGBLOOD**

12
13 I, Donny Youngblood, declare under penalty of perjury the following:

14 1. I am the duly-elected Sheriff-Coroner of the County of Kern. I have personal knowledge
15 of all facts set forth in this Declaration except for those facts specifically stated to be based on
16 information and belief. If called as a witness, I could and would testify competently to the information
17 set forth in this Declaration.

18 2. I have been the Sheriff for Kern County since January 8, 2007. As the Sheriff, I have both
19 constitutional and statutory authority over the general supervision, administration, and management of
20 the Kern County Sheriff's Office ("KCSO"), including its jails. My duties include upholding the United
21 States and California constitutions and enforcing the laws of the State of California and the United
22 States of America.

23 3. I was elected as Sheriff in 2006, and was sworn into office on January 8, 2007. I am
24 currently in my third consecutive term as Sheriff, and I have been elected to a fourth term in office
25 which will begin in January, 2019.

26 4. As Sheriff, I am familiar with the requirements of Senate Bill 54 ("SB 54") adopted by
27 the State Legislature and approved by the Governor on October 5, 2017. SB 54 restricts the KCSO's
28 ability to comply with federal law. It thus places the KCSO in the position of having to choose whether

1 to comply with California or federal law. Further, it creates public safety concerns because it restricts the
2 KCSO's ability to share information with Immigration and Customs Enforcement ("ICE") and requires
3 the KCSO to release aliens arrested for crimes from KCSO custody into the community without
4 notifying ICE, without being able to notify federal authorities, or to facilitate transfer of these potentially
5 dangerous individuals to federal authorities in a secure setting.

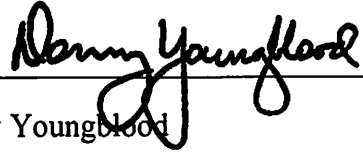
6 5. As Sheriff, I am also charged with balancing the needs of state law enforcement with
7 public safety concerns. KCSO does not inquire into the immigration status of individuals who report
8 crimes, witnesses, victims, or even suspects. KCSO relies on U Nonimmigrant Status (U-Visas) to
9 protect witnesses or victims of crime, even if those individuals are unlawfully present in the United
10 States. According to data reviewed by my staff, in 2016, KCSO received 103 requests for certifications,
11 and 91 were certified; in 2017, KCSO received 114 requests for certifications, and 99 were certified; and
12 thus far in 2018, KCSO received 46 requests for certifications, and 36 were certified. Thus, in my
13 experience, our policy of cooperation with ICE detainers prior to SB 54 did not prevent the reporting of
14 crimes by witnesses or victims.

15 6. One significant impact I have seen in our community is the fear SB54 created within our
16 immigrant population. For many of our immigrants fear of the police in their own countries is real, and
17 has contributed to their hesitancy to interact with law enforcement in our communities. Now, they
18 believe we work in concert with ICE in our communities, and not just in our jails. Exacerbating this fear
19 is the increase in ICE agents throughout our communities who are actively looking for the criminals we
20 used to hand over in our jail, which is a controlled environment. We also know that many of these
21 illegal immigrants who are released into our community re-offend and create more victims, many of
22 whom are other illegal immigrants. SB 54 also hampers and sometimes eliminates us from even
23 communicating with our federal partners, which of course makes us less efficient and less effective. The
24 notion that SB54 increases our safety is not true. It absolutely makes our communities and our nation
25 less safe.

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1 Pursuant to 28 U.S.C. § 1746, I declare that the foregoing is true and correct to the best of my
2 knowledge and belief, this 8th day of June, 2018.

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4  A handwritten signature in black ink, appearing to read "Donny Youngblood", is written over a horizontal line.

5 Donny Youngblood
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