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THE UNITED STATES OF AMERICA, Plaintiff, v. THE STATE OF CALIFORNIA; EDMUND GERALD BROWN JR., Governor of California, in his official capacity; and XAVIER BECERRA, Attorney General of California, in his official capacity, Defendants.	Case No. 2:18-cv-00490-JAM-KJN **DECLARATION OF DIANA CARBAJAL IN SUPPORT OF DEFENDANTS' OPPOSITION TO PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION** Judge: Honorable John A. Mendez Action Filed: March 6, 2018

I, Diana Carbajal, declare as follows:

1. I am a resident of the State of California. I have personal knowledge of the facts set forth in this declaration. If called as a witness, I could and would testify competently to the matters set forth below.

2. I am familiar with Senate Bill 54 ("SB 54"), California Government Code section 7282 *et seq.*, which I understand is being challenged in this case. Moreover, I have reviewed the Amended Declaration of Thomas Homan filed in this matter on April 2, 2018 (ECF No. 46-2). I recognize his description of events in paragraph 78 of his Amended Declaration to refer to a request for extradition that was made by Los Angeles County. My declaration provides a true and accurate account of the events connected with that request.

3. I am currently employed as a Deputy District Attorney, Extradition Services Coordinator at the Los Angeles District Attorney's Office. I have served as a Deputy District Attorney in that section for over thirteen (13) years, and have served as Coordinator of that section for three (3). My responsibilities as Coordinator include making and supervising extradition requests to the Office of International Affairs ("OIA") within the United States Department of Justice for fugitives to be extradited to the United States to face prosecution for charges pending in Los Angeles County. Over the course of my career, I have made hundreds of requests for extradition to OIA.

4. Based on my experience, after a foreign country orders the extradition of a foreign national fugitive to the United States, OIA then requests parole entry for that individual from Homeland Security Investigations in Immigration and Customs Enforcement ("ICE/HSI") within the Department of Homeland Security.

5. On April 6, 2017, an attorney with Los Angeles County submitted an extradition request to OIA for a Guatemalan national ("Charged Individual") who my office charged with multiple counts of child abuse. On July 28, 2017, the Charged Individual was arrested in Guatemala pursuant to Los Angeles County's request for provisional arrest. The Los Angeles County District Attorney was notified immediately thereafter. On September 30, 2017, I began to personally handle this request for extradition.

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6. On August 15, 2017, Los Angeles County received confirmation that the Charged Individual consented to extradition. The Charged Individual's surrender to the United States was later scheduled for December 7, 2017.

7. On December 5, 2017, I was informed by a representative with OIA that ICE/HSI would not grant parole entry for the Charged Individual unless Los Angeles County provided written assurances that Los Angeles County would comply with an ICE detainer on the Charged Individual. This was the first time in my career that I was ever asked to provide any assurances in order for a request for extradition to be granted. ███████████████████

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8. ███████████████████████████████████████

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████ On December 11, 2017, I similarly signed a letter to ICE/HSI directly requesting parole entry for the Charged Individual, and offering to make all efforts to cooperate with ICE/HSI to return the person back to Guatemala upon release as permitted by law. I also communicated those assurances directly to Deputy Assistant Director for ICE/HSI during a telephone conference on or about December 8, 2017.

9. During the phone conference on December 8, 2017, the Deputy Assistant Director for ICE/HIS told me that notwithstanding those assurances, ICE/HSI would reject Los Angeles County's request for parole entry of the Charged Individual.

10. For the next two months, I continued to work with OIA in an attempt to facilitate Los Angeles County's extradition request. On February 9, 2018, Los Angeles County sent a second letter to ICE/HSI requesting extradition of the Charged Individual. In that letter, Los Angeles County agreed to make four assurances: █████████████████

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My understanding is that the assurances that Los Angeles County agreed to are consistent with SB 54.

11.   On or about February 20, 2018, OIA notified me that ICE/HSI granted parole entry for the Charged Individual based on the assurances Los Angeles County made in the February 9 letter. On February 27, 2018, the charged person entered the country and was placed in the custody of Los Angeles County Sheriff's Department.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and that this declaration was executed on April 25, 2018 in Los Angeles, California.

DIANA CARBAJAL