

Exhibit 7

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION

LEROY PERNELL et al.,

Plaintiffs,

v.

FLORIDA BOARD OF GOVERNORS OF
THE STATE UNIVERSITY SYSTEM et
al.,

Defendants.

Case No.: 4:22-cv-00304-MW

DECLARATION OF DR. MARVIN DUNN IN SUPPORT OF PLAINTIFFS'
MOTION FOR A PRELIMINARY INJUNCTION

I, Dr. Marvin Dunn, hereby declare and state as follows:

A. Background

1. My name is Dr. Marvin Dunn. I am over 18 years of age. I identify as a Black man.
2. I have personal knowledge of the following facts and if called to testify could and would competently do so.
3. I am a Professor Emeritus of Psychology at Florida International University ("FIU") in Miami, Florida, where I taught psychology for thirty-four (34) years and focused on racial/ethnic minority communities and the societal and economic inequities facing those communities. In 2000, I was appointed chair

of the Psychology Department and remained in the position until I retired in 2006.

4. I was born in DeLand, Florida during Jim Crow and was educated in the Florida public school system. I earned a Bachelor of Arts degree in psychology from Morehouse College in Atlanta, Georgia. I then began my career as a naval officer, serving from 1961 to 1967. While still on active duty I studied at Roosevelt University in Chicago, Illinois, and received a Master's degree in education administration and supervision in 1965. In 1972, I earned a Ph. D in psychology from the University of Tennessee at Knoxville.
5. After receiving my Ph.D., I became an assistant professor of psychology at FIU. In that position, I began the Cultural and Human Interaction Center, which addressed racially motivated violence in the Dade County schools of the early 1970s. In 1981, I founded the Academy for Community Education, to address the needs of youth at risk of becoming school dropouts. I served as the school's principal for fifteen years while continuing my duties at the university.
6. I have authored numerous books on race and ethnic relations including the *The History of Florida: Through Black Eyes*, published by CreateSpace Independent Publishing Platform in 2016, and *Black Miami in the Twentieth Century*, published by the University Press of Florida in 2017, which offers

firsthand accounts of Black life in Miami from the 1900s to the year 2000, including but not limited to, housing and school desegregation, voting rights, and the socioeconomic position of Black people following the repudiation of Jim Crow laws that significantly stymied Black's people socioeconomic development and advancement. In addition, I have co-authored books entitled *This Land is Our Land, Immigrants and Power in Miami* published by University of California Press in 2003 and *The Miami Riot of 1980: Crossing the Bounds* published by D.C. Health in 1984, chronicling the race riots that ensued following the murder of Arthur McDuffie, a Black man, at the hands of white police officers and the eventual acquittal of those officers by an all-white jury despite evidence showing that the officers had murdered Mr. McDuffie. The riots that ensued following the jury verdict is now commonly referred to as the 1980 McDuffie riots.

7. I have also written numerous articles concerning race and race relations, including but not limited to "Shackled to the Past: Slavery Still Haunts Us Today," published by The Miami Herald on April 13, 2018, and "Slavery in Florida: Make the Apology Meaningful," published by The Miami Herald in April 6, 2008.
8. I have also produced three documentaries centered on race including, "Rosewood Uncovered," documenting the Rosewood Massacre of 1923

where a white mob in rural Levy County murdered Black people in a racially motivated mass killing, “Murder on the Suwanee: The Willie James Howard Story,” about the lynching of a fifteen year old black child in Live Oak, Florida in 1944, “Black Seminoles in the Bahamas: The Red Bays Story”, which documents the flight of slaves from Florida escaping to the Bahama Islands in the 1800s, and “The Black Miami” based upon my book *Black Miami in the Twentieth Century*.

B. The Black Miami History Bus Tour and the Impact of HB 7

9. During my tenure at FIU, I started a half-day Black history bus tour after the 1980 McDuffie riots. I started the tour to take students who were predominately non-Black to areas of importance to Black Miami residents and to explain the anguish Black people felt following the acquittals of the responding officers.

10. Despite being retired from FIU, I continue to instruct FIU students and staff on the tour, with the eventual goal of FIU institutionalizing the tour once I am no longer able to participate. From my discussions with FIU, I understand that I will be acting as an employee of FIU in instructing the students and staff in and outside the classroom about this tour. And I understand that FIU is compensating me for this work with an honorarium.

11. Before students and faculty start the tour, I suggest that they read my book *Black Miami* to receive a background on some of the locations we visit on the tour. In *Black Miami*, I discuss incidents of racial violence, the Klu Klux Klan, limited access to justice—for example, up until the 1960s, Black people could not sit on juries, economic exploitation and the impact of discrimination on the Black community. A significant part of my instruction is on institutional racism and how it affected and continues to affect Miami-Dade County. In particular, I discuss the racist origins of the police department—for example, the Miami-Dade County police station had an electric chair in the basement of their station that they would use to interrogate Black suspects to obtain a confession—and how racial motivations continue in policing the Black community today.
12. On April 22, 2022, Governor Ron DeSantis signed H.B. 7 into law. As I understand it, H.B. 7 makes it illegal to teach about the history of systemic and/or institutionalized racism and the long-lasting effects it has had on Black people.
13. H.B. 7 impacts my ability to instruct on institutionalized racism and historical events, even those that I have experienced firsthand. For example, I grew up during segregation when Jim Crow laws were in effect in Florida. I lived through anti-Black violence, being bused to a segregated school, and the

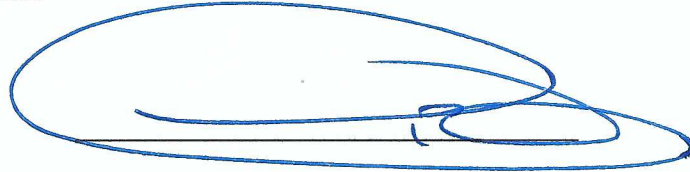
social and economic disadvantages of growing up during a time when Blacks and Whites were separate but “equal.” Indeed, despite being an officer in the United States Navy, I was still not welcome in designated “White” areas and intimidated when I appeared in such areas with my co-officers.

14. Telling my story has the potential to make a white person feel sad or "ashamed" of the conduct of other white people. My understanding of H.B. 7 is that it prohibits instruction that would cause students to feel guilt, anguish or other forms of psychological distress because of actions, in which the person played no part, committed in the past by other members of the same race, color, national origin or sex. H.B. 7, therefore, forces me to self-censor when discussing my own experiences that I am sharing to teach students and faculty to be empathetic to the Black experience; not to feel guilty or any form of anguish. What's more, I understand HB 7 to require instructors to be “objective” in their presentation of the facts. However, one cannot be “objective” when discussing one's own lived experience.

15. As a result, I am concerned that a student could file a complaint, or the state of Florida could punish FIU by withholding funding based on me sharing my experiences with participants and the discussions that are likely to arise during the tour.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and accurate.

Executed on August 23, 2022.

A handwritten signature in blue ink, consisting of several overlapping loops and a horizontal line, enclosed within a larger, roughly oval-shaped blue ink scribble.

Dr. Marvin Dunn