

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

City of El Cenizo, Texas, Mayor Raul L. :
Reyes of City of El Cenizo, Maverick :
County, Maverick County Sheriff :
Tom Schmerber, Maverick County Constable :
Pct.3-1 Mario A. Hernandez, and League of :
United Latin American Citizens, :

Plaintiffs, :

v. :

Civil Action No. 5:17-cv-404-OLG

State of Texas, Governor Greg Abbott (In :
His Official Capacity), and Texas Attorney :
General Ken Paxton (In His Official :
Capacity) :

Defendants. :

DECLARATION OF LUPE TORRES

1. My name is Lupe Torres, and I serve as the State Director for Texas State LULAC, Inc. (“Texas LULAC”).

2. Texas LULAC is a Plaintiff in the case styled, *City of El Cenizo, Texas, et al. v. State of Texas, et al.*, in the United States District Court for the Western District of Texas, San Antonio Division, Civil Case No. 5:17-cv-404-OLG.

3. The mission of Texas LULAC is to advance the economic condition, educational attainment, political influence, housing, health and civil rights of the Latino population of Texas. Our mission is the same as the National LULAC’s mission, except

that it applies to Texas instead of the whole United States. LULAC was founded in part to provide opportunities for Latino veterans who faced discrimination after they returned home from war.

4. Texas LULAC's offices are located at 7500 Callaghan #103, San Antonio, Texas 78229, where I maintain my office.

5. Texas LULAC is a membership organization with over 1,000 members who reside in the San Antonio, Texas area. Our membership is comprised of volunteers from every profession, including teachers, doctors, social workers, business persons, government employees, retirees, veterans, and young adults, many of whom are members of the many councils located within the San Antonio area.

6. Our members actively participate in a variety of educational and community events to raise awareness about issues affecting the Latino community. For example, we host conferences throughout the state, which are organized by our deputy state directors focused on particular issues affecting women, the elderly, and young adults. The deputy state directors appoint chairpersons to coordinate workshops and panel discussions covering topics like veterans affairs, civil rights, and legislative advocacy, among other topics that affect Latinos in Texas.

7. The workshops on women's issues cover topics like domestic violence, sex trafficking, parenting, and equality. Our young adult conferences are focused on providing and advancing educational opportunities for Latino students to empower them to take control of their future, become productive members of society, and know how to defend their rights. Many of our young adult members are active in college campus

chapters where they engage in and educate themselves on legal and legislative matters. Our young members hold their own conventions in which they discuss issues affecting Dreamers and present “know your rights” information on interactions with police or immigration authorities. In fact, many of our young members are undocumented students who will be affected directly by laws like Senate Bill 4 (SB4).

8. Many of our members who attend our conferences, conventions and workshops, are residents of San Antonio. They attend both San Antonio-based and statewide events to which they travel as representatives of their respective San Antonio-area LULAC councils.

9. The National LULAC Convention will be held in San Antonio in July of 2017. Next year, in June of 2018, San Antonio will also be the host city for the Texas LULAC State Convention. Most of our members in San Antonio are expected to attend both of these conventions to learn more about SB4 and the rights of our communities in interactions with law enforcement officers because SB4 has already impacted our membership significantly.

10. Particularly in light of recent efforts by Texas to harm Latino voters through discriminatory redistricting plans and voter ID laws, I believe SB4 was passed with the intent to discriminate against Latinos and immigrants in Texas. This belief was reinforced by State Representative Matt Rinaldi’s racial profiling of Latino protesters at the State Capitol on May 29, 2017, when he threatened to call Immigration and Customs Enforcement (ICE) on them. At the national and state level, politicians have been targeting Latinos and immigrants with a false narrative, describing members of our

community as criminals, despite the many contributions that these groups have made to our nation. For example, Latinos and immigrants have proudly served in our armed forces.

11. SB4 has negatively impacted our organizational mission and the lives of our members. While not yet in effect, the introduction and passage of SB4 and the state's public messaging on immigration enforcement have given local officers the green light to engage in immigration enforcement. Many of our members and the community we serve have expressed anxiety, fear, and anger because of the dangerous environment SB4 will likely create. Our members, including many veterans, have a genuine concern that they will once again face discrimination in being racially profiled by local law enforcement officers under SB4. Due to our members' fear of being stopped and potentially arrested by local police based on SB4, attendance at our events will decrease, making it more difficult for us to serve the community and achieve our goals.

12. We have also recently received several reports from Latinos in San Antonio and throughout Texas who believe they have been victims of racial profiling as a result of local officer's attempts to enforce immigration laws. We have also received reports indicating that stops and arrests of Latinos by local law enforcement have disproportionately increased. We believe this is the result of SB4.

13. For example, a law enforcement officer in Kermit, Texas recently stopped a woman for an alleged traffic violation and asked for her social security number, instead of her driver's license and insurance card. We believe the basis for that stop was only to

investigate her immigration status. We expect that if SB4 goes into effect, more of these incidents will occur throughout the State.

14. Many of the members of Texas LULAC do not have lawful immigration status or have family members or friends who lack such status. These individuals are hardworking and productive members of our community. SB4, however, has caused many of these members to go into hiding. Some have expressed that they no longer feel comfortable going to the police for assistance for fear that they or their family members could be turned over to immigration authorities.

15. As a result of SB4, Texas LULAC has had to shift organizational and financial resources to address the law and its effects. In addition to using our time and resources to distribute more “know your rights” information and other educational materials, we have hosted town halls and are planning to host more town halls regarding SB4. This year’s State Convention in Corpus Christi, for example, will have workshops on SB4.

16. We have also expended significant resources advising and working with U.S. war veterans who have been deported because of their undocumented status. We anticipate these kinds of incidents will increase as local law enforcement officers become more involved in federal immigration enforcement efforts. As a result, we anticipate needing to expend more resources to protect veterans.

17. To address the serious concerns of our youth membership raised by the college campus police provisions of SB4, we are also preparing to have an increased number of meetings on university or college campuses, as well as additional resources for our college campus chapters.

18. The diversion of Texas LULAC resources to SB4 has required us to reduce the amount of resources and time we can spend on other organizational priorities, such as on economic justice and combating discrimination relating to voting, healthcare, and housing.

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

Executed June 3, 2017 in San Antonio, Texas.



Lupe Torres
Texas LULAC State Director