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11 [SEE NEXT PAGE FOR ADDITIONAL COUNSEL]

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN JOSE DIVISION

15
16 COUNTY OF SANTA CLARA,

17 Plaintiffs,

18 v.

19 DONALD J. TRUMP, President of the United
20 States of America, JOHN F. KELLY, in his
official capacity as Secretary of the United States
21 Department of Homeland Security, JEFFERSON
22 B. SESSIONS, in his official capacity as
Attorney General of the United States, JOHN
23 MICHAEL “MICK” MULVANEY, in his
official capacity as Director of the Office of
24 Management and Budget, and DOES 1-50,

25 Defendants.

CASE NO.: 17-cv-00574

**DECLARATION OF ANN MARIE PATE
IN SUPPORT OF PLAINTIFF-
INTERVENOR YOUNG WOMEN’S
CHRISTIAN ASSOCIATION OF SILICON
VALLEY’S JOINDER IN SANTA
CLARA’S MOTION FOR A
PRELIMINARY INJUNCTION**

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*Pro Hac Vice Forthcoming

1 I, Ann Marie Pate, hereby declare as follows:

2 1. I make this declaration from my personal knowledge and, if called to testify to these
3 facts, could and would do so competently.

4 2. I am currently employed as the Chief Operating Officer and Chief Financial Officer of
5 Young Women’s Christian Association of Silicon Valley (“YWCA Silicon Valley”). I have been so
6 employed since January 7, 2014. I have a Bachelor of Science degree in Business Administration
7 from Washington University in St. Louis; Master of Business Administration degree from Pepperdine
8 University; and a Juris Doctor degree from Concord Law School. I have served in non-profit finance
9 and operations management for more than thirteen years.

10 3. YWCA Silicon Valley is a nonprofit corporation headquartered in San Jose, California.
11 Its mission is to eliminate racism, empower women, and promote peace, justice, freedom and dignity
12 for all. It pursues this mission by administering a broad variety of programs, many of which are
13 specifically designed to address the needs of the most vulnerable women in our county—victims of
14 sexual assault, domestic violence, and human trafficking.

15 4. YWCA Silicon Valley administers its programs through its paid staff of approximately
16 77 full-time and part-time employees, and approximately 34 stipended interns and trainees. YWCA
17 Silicon Valley offers programming on a continuum: education, crisis support and counseling. YWCA
18 Silicon Valley serves up to 18,000 domestic violence, sexual assault and human trafficking clients and
19 community members annually through three client service offices and multiple county-based service
20 locations, including schools, housing projects and a domestic violence emergency shelter. YWCA
21 Silicon Valley also services up to 550 students through its education and empowerment programs
22 including TechGyrls® and childcare centers and after-school locations, and by providing educational
23 opportunities to underserved populations.

24 5. For the fiscal year July 1, 2016 through June 30, 2017 (“FY 2017”), YWCA Silicon
25 Valley has budgeted revenue of approximately \$7.07 million, excluding in-kind contributions. This
26 amount is comprised of funds from a variety of sources, including government grants, foundation and
27 corporate grants, individual donations and program service fees.

1 6. In FY 2017, at least \$2.656 million of budgeted revenue, or about 37.5%, consists of
2 federal funds. These funds include approximately \$890,107.00 in funds that are federal grants direct
3 to YWCA Silicon Valley; approximately \$1,426,184.00 that are “flow-through” from federal funds to
4 the State of California; approximately \$243,287.00 that are “flow-through” from federal funds to the
5 City of San Jose; approximately \$61,797.00 that are “flow-through” from federal funds to other
6 municipalities and townships in Santa Clara County; and approximately \$35,041.00 that are “flow-
7 through” from federal funds to other educational organizations. YWCA Silicon Valley also receives
8 \$265,561.00 in funds from County of Santa Clara and I believe a portion of those funds are “flow-
9 through” from federal funds.

10 7. YWCA Silicon Valley’s government grants are executed through contracts with the
11 governmental agency. Once YWCA Silicon Valley expends funds in accordance with the term and
12 conditions of the service contract, YWCA Silicon Valley invoices the government agency for
13 reimbursement. Examples of government funded efforts include: advocates on the support line for
14 victims of domestic violence; advocates on the sexual assault response team; and counseling and
15 support for sexual assault and domestic violence victims.

16 8. YWCA Silicon Valley also receives two federal grants which are decided through a
17 county-wide prioritization to support rapid re-housing. The County of Santa Clara recommends to a
18 federal agency that YWCA Silicon Valley receive the federal grants and the federal agency then
19 directly contracts with YWCA Silicon Valley. These county-recommended federal funds have been
20 awarded to YWCA Silicon Valley for the past two years.

21 9. I am aware that President Trump issued an executive order entitled, “Enhancing Public
22 Safety in the Interior of the United States” (the “Executive Order”), and that Section 9 of the
23 Executive Order contains language that appears to threaten that any jurisdiction that the executive
24 branch designates as a “sanctuary jurisdiction” will “not [be] eligible to receive Federal grants....” I
25 am also aware that the State of California, the County of Santa Clara, and the City of San Jose have all
26 either announced, or enacted, or are considering, laws, policies, regulations or statements expressing
27 support for broad protection of undocumented persons. Even the threat that any of these jurisdictions
28 could be so designated causes real and immediate harm to YWCA Silicon Valley. This immediate

1 harm will manifest itself by reducing YWCA Silicon Valley's ability to deliver on its mission to the
2 victims and community members in our county.

3 10. In order to effectively administer its programs, YWCA Silicon Valley must be able to
4 count on contracted funding sources and receiving payments from those sources.

5 11. YWCA Silicon Valley is currently in the process of planning its budget for FY 2018,
6 which will run from July 1, 2017 through June 30, 2018. In order to plan for the services it intends to
7 provide during that fiscal year, YWCA Silicon Valley must be able to make decisions about planning,
8 staffing and resource allocations. By the end of April 2017, YWCA Silicon Valley must make budget
9 recommendations. YWCA Silicon Valley will have to complete a proposed draft budget by the end of
10 April 2017, in time to finalize and present to its Board of Directors on May 22, 2017 for adoption.
11 Because of the looming threat of losing federal funds under the Executive Order, YWCA Silicon
12 Valley plans to institute a hiring freeze on potentially affected programming in FY 2018.

13 12. The uncertainty created by the threat of federal funding being cut off to California, Santa
14 Clara, San Jose, or other municipalities is damaging to YWCA Silicon Valley because it prevents us
15 from planning appropriately and efficiently, and therefore reduces the scope of the services YWCA
16 Silicon Valley can provide. YWCA Silicon Valley cannot maintain or hire personnel or incur
17 obligations without knowing what funds it will receive necessary to fulfill those obligations.

18 13. In addition, if federal funding is cut off to California, Santa Clara, San Jose or other
19 municipalities, the effect on YWCA Silicon Valley and its clients will be catastrophic. Faced with the
20 loss of as much as 37.5% of its operating funds, YWCA Silicon Valley will have to severely curtail or
21 eliminate critical services because it could not generate funds sufficient to cover such an enormous
22 hole in its budget. We would likely have to eliminate or curtail programs including but not limited to:

- 23 • A 24-hour hotline in Santa Clara County serving victims of sexual assault, domestic violence
24 and human trafficking;
- 25 • The provision of advocates to victims of sexual assault during law enforcement interviews,
26 medical exams, and trial proceedings;
- 27 • A shelter facility in Santa Clara County specifically designated to serve the needs of victims
28 of domestic violence;

- 1 • Rapid rehousing services dedicated to victims of sexual assault, domestic violence and
- 2 human trafficking;
- 3 • A funded Family Violence Center advocate embedded within the San Jose Police Department
- 4 to provided emergency services for domestic violence victims;
- 5 • Federally funded court advocates through the San Jose Police Department to provide legal
- 6 advocacy to victims of domestic violence;
- 7 • Community Education and Outreach programming to raise awareness of gender-based
- 8 violence issues and services available; and
- 9 • Counseling services, including crisis counseling, support groups and therapy for those
- 10 victims of sexual assault, domestic violence and human trafficking.

11 14. YWCA Silicon Valley has no control over whether any of the jurisdictions through
12 which it receives federal funds will be designated a “sanctuary jurisdiction.” In order for us to be able
13 to plan appropriately and responsibly so that we can continue to provide critically needed services,
14 YWCA Silicon Valley respectfully requests the Court enter an order restraining members of the
15 executive branch from exercising any authority to either designate a governmental jurisdiction as a
16 “sanctuary jurisdiction” or denying federal funds to any jurisdiction on the basis of such a designation.

17
18 I declare under penalty of perjury that the foregoing is true and correct and that this Declaration was
19 executed on February 28, 2017 in Santa Clara County, California.

20
21 
22 Ann Marie Pate