

**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.

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

Defendants.

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

DECLARATION OF RAUL REYES

1. I am currently the Mayor of El Cenizo, Texas. I was first elected to this position in November 2004 and was reelected for my sixth term in November 2014.
2. I have 13 years of governing experience, serving the people of El Cenizo by advocating for better city services and better city infrastructure. At the time of my election in 2004, I was 21 years old—the youngest mayor in Texas’s history. Prior to 2004, I was a full time student at Texas A&M International University (TAMIU) in Laredo, Texas, and I also worked as an administrative assistant for a construction company called BMW Creative Homes, Inc.
3. During my six terms as Mayor of El Cenizo, I have secured more than four million dollars in local, state, and federal funding for infrastructure and

community development projects including: the creation of an active Volunteer Fire Department, the creation of the Police Department, the creation of the Municipal Court, the paving of all of the city's dirt roads, the installation of more than 100 public lights, the construction of the city's first Fire Station, Municipal Park and Public Library, the installation of more than 1,500 linear feet of sidewalks, the installation of more than 5,000 linear feet of storm drainage pipe, and the construction of 9 new homes for the elderly and disabled through the HOME Grant.

4. I currently serve on the following boards and committees in Webb County: the local management advisory board of the Gateway Academy Charter Schools, board of directors of the Friends of the El Cenizo Public Library, and the board of directors of Sisters Ministry of Mercy. I also serve as President of the Public Administration Student Association of TAMIU. Additionally, I serve as the president of the LULAC Council #12 chapter of the League of United Latin American Citizens (LULAC) in Laredo, Texas. At the district level, I serve as Deputy Director for Young Adults for LULAC District #14.
5. I was born in Corpus Christi, Texas and moved to the City of El Cenizo at the age of nine. At the age of fifteen I started volunteering at the Boys and Girls Club of El Cenizo and since that time have dedicated my time to serving the people of El Cenizo.

6. I received a Bachelor's in Business Administration with a Concentration in Management from TAMIU. I am currently pursuing my Master's in public administration at TAMIU.
7. The City of El Cenizo is led by a Mayor and two City Commissioners elected at large under the Texas Local Government Code.
8. As of the 2010 census, El Cenizo had a population of 3,273. Approximately 99% of the population identifies as Hispanic or Latino. Approximately 68% of the population is below the poverty line with a median household income of \$25,302.
9. The City of El Cenizo was founded in 1980. Prior to incorporation in 1989, El Cenizo was one of approximately 2,000 *colonias* in South Texas.
10. The El Cenizo Police Department was created on July 14, 2005. The department is comprised of four reserve police officers, who are all volunteers and certified Texas peace officers licensed and commissioned by the Texas Commission on Law Enforcement (TCOLE). We currently have no full-time police officers.
11. For the past 11 years, the El Cenizo Police Department has worked diligently to create a safe community for all of its residents. Its mission statement is: "To protect lives and property, safeguard individual rights and liberties, reduce crime and increase safety by providing quality customer service and professional and responsibly aggressive law enforcement services in partnership with our community."

12. I have read Texas Senate Bill 4 (“SB4”), and based on my extensive experience in city governance, I have several concerns with the law.
13. I am concerned that SB4 will subject me to removal from office and will subject me and my employees to civil penalties for endorsing policies that prohibit or limit immigration enforcement.
14. I have made numerous public statements during my campaign for and during my tenure as Mayor regarding the participation of local law enforcement in immigration. I have made public comments critical of policies that would require local agencies, such as the El Cenizo Police Department, to participate or cooperate in the arrests of individuals for civil immigration violations. I have also publicly expressed my opposition to having the El Cenizo Police Department engage in immigration enforcement actions pursuant to SB4 based on our limited resources and lack of training. I have made several statements about the harm that SB4 will have on our state and communities.
15. I fear that SB4 will expose me, my employees, and the city to hefty fines because I do not know how I can comply with SB 4.
16. El Cenizo’s annual budget is \$250,000. Resources are very limited and the city cannot afford to hire additional police officers. As the mayor, I need to ensure that these limited resources are focused on local priorities such as crime reduction and infrastructure investments.
17. Federal immigration enforcement is a not the responsibility of the El Cenizo Police Department. My officers are not trained to enforce immigration law.

Communities like El Cenizo depend on the brave men and women in uniform, but they are here to protect our community and to help the people within the jurisdiction that they serve. To impose additional responsibilities onto law enforcement, in particular immigration enforcement responsibilities, without providing them the necessary skills and training would not be in the best interest of our community.

18. Although we have cooperated with U.S. Customs and Border patrol for select immigration enforcement operations in the past, we were able to make the individual determination that these operations were an efficient use of city resources and were aligned with the city's focus on public safety. SB4 would not permit the police department to make these individual determinations.
19. El Cenizo first passed a "safe haven ordinance" in 1999 and is currently Texas' smallest and oldest "sanctuary city." This policy is meant to increase the level of trust between administrators and the city's residents as it limits the situations in which my employees and other El Cenizo officials can engage in immigration enforcement or collect and disseminate such information. SB4 would prohibit the enforcement of our ordinance—one that was passed with community support by our elected officials.
20. Supporters of SB4 falsely claimed that sanctuary cities, such as El Cenizo, are communities that welcome criminal aliens or that harbor dangerous illegal. Any person who commits a crime or who poses a threat to the well-being of our

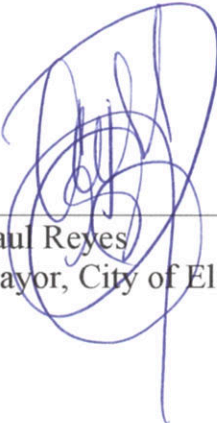
community, our state or our country, will be prosecuted to the full extent of the law.

21. As the leader of the City of El Cenizo for the past 13 years, I have developed a deep understanding of the needs of the community and of the best ways to ensure public safety. If the members of the community fear that my officers are acting as immigration agents, they will be more hesitant to report crimes and to serve as witnesses, and public safety will suffer as a result. I have observed a decrease in the reporting of domestic violence crimes.
22. Our vibrant and engaged community includes undocumented individuals and mixed status families. If the El Cenizo Police Department is forced to comply with SB4, the new law's requirements will create an environment of fear and members of our community will no longer feel comfortable seeking city services or participating in civic life. Due to the size of our community, the withdrawal of even some members from community events will have a detrimental impact on all residents of El Cenizo.
23. The language of SB4 is vague and the text does not provide clear guidance as to which actions by me or my employees are permitted and which are prohibited. For example, I am unsure what is meant by to "materially limit" or would comprises an informal policy or "pattern and practice" that would "materially limit" immigration enforcement. Additionally, I do not understand the limitations that SB4 imposes on "assisting or cooperating with a federal immigration officer as reasonable or necessary."

24. Given the vague requirements or prohibitions of SB4, I am concerned that I will be required to prioritize funding from our budget to assist in federal immigration enforcement requests at the expense of much-needed public safety and infrastructure investments. It is also not clear whether I can determine that it is not practicable for law enforcement to inquire into immigration status. Moreover, it is not clear whether I can limit the discretion of individual police officers to inquire into immigration status.
25. I also do not know whether I can limit non-law enforcement employees, such as employees responsible for city public services, from inquiring into a person's immigration status.
26. It is also not clear whether I now have to honor all requests from immigration officials to assist in enforcement actions, such as large-scale raids, which I believe are harmful and lead to widespread constitutional violations.
27. I must be able to determine whether and when to use our scarce resources on immigration enforcement. Yet, SB4 appears to take away that discretion.
28. Our city officials are also not trained in immigration law and are not capable of making determinations as to a person's immigration status or citizenship. I believe that SB4 will lead untrained officers to improperly extended detentions or even rely on an individual's appearance in determining whether to engage in such investigations.

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

Executed June 2, 2017 in El Cenizo, Texas.



Raul Reyes
Mayor, City of El Cenizo, Texas