

Exhibit L

1 **UNITED STATES DISTRICT COURT**
2 **DISTRICT OF ARIZONA**

3 State of Arizona; State of Montana; and
4 Mark Brnovich, in his official capacity
as Attorney General of Arizona,
5 Plaintiffs,

6 v.

7 United States Department of Homeland
8 Security; United States of America;
9 Alejandro Mayorkas, in his official
10 capacity as Secretary of Homeland
Security; Troy Miller, in his official
11 capacity as Acting Commissioner of
United States Customs and Border
12 Protection; Tae Johnson, in his official
capacity as Acting Director of United
13 States Immigration and Customs
Enforcement; and Tracy Renaud, in her
14 official capacity as Acting Director of U.S
15 Citizenship and Immigration Services,
16 Defendants.

Case No: 2:21-cv-00186-SRB

DECLARATION OF MARK D. NAPIER

17 I, Mark D. Napier, declare as follows:

18 1. I am competent to testify as to the matters contained herein and make this
19 declaration based on my own personal and professional knowledge, law enforcement
20 expertise, and the information available to me in my positions in public service.

21 2. I currently serve as the Chief of Staff for the Cochise County Sheriff's
22 Office in Cochise County, Arizona. I previously served as the Sheriff of Pima County,
23 Arizona, from January 2017 to December 2020. I began my enforcement career in 1981.

24 3. I am also the current Chair of the Executive Committee of the Arizona
25 High Intensity Drug Trafficking Area (AZ HIDTA), a program established in 1990 to
26 facilitate, support, and enhance collaborative drug control efforts among federal and local
27 law enforcement agencies and community-based organizations with the goal of
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1 significantly reducing the impact of illegal trafficking and use of drugs throughout
2 Arizona.

3 4. Cochise County operates a sophisticated camera system that views remote
4 areas of the border region across a large section of southern Arizona. For the period from
5 July 2020 to January 2021, this system viewed 13,528 suspected undocumented persons
6 crossing the border. Only 3,740 were known to be apprehended by Border Patrol. This
7 represents a probable capture rate of only 27.6%.

8 5. From January through September 2020 there were 181 sets of human
9 remains recovered in the border region of Arizona's desert. Each of these recoveries
10 results in the tremendous expenditure of law enforcement resources. Generally, each
11 must be treated as a potential homicide, requiring the commitment of personnel and
12 financial resources to investigate and otherwise attempt to resolve the matter.
13 Additionally, each requires the expenditure of resources at the Office of the Medical
14 Examiner. Moreover, many of the remains will never be identified. This leaves some
15 family in some part of the world left to only wonder what befell a loved one. As a person
16 who has dedicated his life to the service of others and is a staunch humanitarian, I am
17 troubled by the undeniable fact that these crossings are also potentially deadly to these
18 migrants.

19 6. Migrants abandoned by transnational criminal organizations trafficking in
20 humans on the north side of the border frequently call local law enforcement in distress.
21 The harsh environment and significant distances to be traveled lead to urgent requests for
22 assistance. When I was Pima County Sheriff approximately 80% of the time my
23 department contacted Border Patrol it was due to a call for assistance by a migrant in
24 serious distress lost in the remote areas of the county. These often led to significant
25 expenditures of county and Border Patrol resources to affect rescue in the hope of
26 preventing additional migrant deaths.

27 7. Undocumented migration will likely require the migrant(s) to engage
28 transnational criminal organizations who control the ingress points into the United States.

1 All indications are that this leads to financial, criminal, and even sexual victimization of
2 migrants. No matter how well-intended or seemingly compassionate the posture toward
3 undocumented immigration on the north side of the border we cannot ameliorate the
4 perils and victimization faced by migrants on the south side of the border.

5 8. In my professional opinion, a pause or significant decrease in ICE removals
6 will incentivize undocumented immigration. This will most certainly encourage an
7 increase in the number of migrants who attempt to illegally cross the border into Arizona.
8 We are seeing this presently with record numbers of crossers. This will likely increase
9 the number of those who perish in the desert, as they seek to enter undetected through
10 less traditional means. Further, it is reasonable to assume that this current posture may
11 allow transnational criminal organizations to engage in increased profiteering from the
12 trafficking of humans to the border and increase the victimization of migrants. The
13 recovery of human remains will continue to place additional strains on law enforcement
14 and leave more families in Mexico and Central America grieving. As a life-long public
15 servant, humanitarian, father and grandfather it pains me to see that the current policies
16 toward undocumented immigration will likely lead to increased, although perhaps
17 unintended, humanitarian suffering and exploitation of those persons arguably only
18 coming here for a better life.

19 I declare under penalty of perjury that the foregoing is true and correct to the best
20 of my knowledge, and that this declaration was issued on March 8, 2021, in Benson,
21 Arizona.

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24 _____
25 Mark D. Napier
26 Chief of Staff
27 Cochise County Sheriff's Office
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Exhibit M

**UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA**

STATE OF ARIZONA et al.,
Plaintiffs,

v.

UNITED STATES DEPARTMENT OF HOMELAND SECURITY et al.,
Defendants.

Case No.2:21-cv-00186-SRB

DECLARATION OF BRYAN LOCKERBY

I, Bryan Lockerby, make this Declaration consistent with 28 U.S.C. § 1746 and under penalty of perjury and declare that all statements herein are true and accurate to the best of my knowledge. I am of sound mind, capable of making this Declaration, and have personal knowledge and expertise of the matters stated herein.

1. I currently serve as Administrator of the Division of Criminal Investigation (DCI) at the Montana Department of Justice.

2. I have served in this position since January 20, 2013. Prior to that, I served for over 31 years in law enforcement at the Great Falls Police Department, Montana. My career included service as a patrol officer, general case detective, drug task force officer with the U.S. Drug Enforcement Administration, special response team member and commander, patrol sergeant, patrol lieutenant, captain of patrol, and captain of investigations. I have a combined law enforcement experience of 39 years.

3. The DCI Administrator has a number of responsibilities, including oversight of the Narcotics Bureau, a statewide drug enforcement agency that initiates and conducts all types of dangerous-drug investigations throughout the state. The Narcotics Bureau leads some local task forces provides investigative assistance at the request of city, county, state and federal law enforcement agencies within Montana and in neighboring states. Narcotics Bureau agents also investigate organized criminal activity and assist other DCI bureaus in their investigations.

4. The DCI Administrator oversees the state fusion center for law enforcement, referred to as the Montana Analysis and Technical Information Center (MATIC). Fusion centers provide a mechanism for information and intelligence sharing between law enforcement agencies, to include all types of crime, narcotics smuggling, homeland security threats and terrorism.

5. As DCI Administrator, I am a member of the Rocky Mountain High Intensity Drug Trafficking Area (RMHIDTA) Executive Board and have served in the role since my appointment. I have served as Montana Chairman, Budget Chairman for both Montana and the Rocky Mountain region, and recently completed a term as Chairman of RMHIDTA in 2020. I am currently a member of the RMHIDTA Intelligence Committee.

6. I am Chairman of the Rocky Mountain Information Network (RMIN). RMIN serves Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, Utah, and Wyoming, as well as parts of Canada. RMIN facilitates information sharing within the law enforcement community and assists member agencies in combating multi-jurisdictional criminal activities and conspiracies that pose a threat to public safety.

7. I am an Executive Board member of the Association of State Criminal Investigative Agencies (ASCIA), a professional association consisting of senior executives of the statewide criminal investigative agencies in the United States. ASCIA represents the concerns and issues of its members but also works with the major law enforcement associations on national issues of mutual concern.

8. Massive quantities of illegal drugs are illicitly transported into the United States across the country's southern border. These drugs end up in many states, including the State of Montana ("State").

9. Nearly all the methamphetamine available in Montana originates in Mexico from drug cartels. The supply of methamphetamine in Montana has become so abundant and widely available that that prices have steadily dropped over the last few years.

10. Moreover, law enforcement has encountered an actual Mexican drug cartel presence in the State. Arrests made over the past few years have confirmed

that cartel members were smuggling methamphetamine into the State or managed distribution points out of major cities.

11. The majority of heroin that is brought into Montana also originates in Mexico.

12. The influx of illicit drugs, as well as the gangs and cartels that traffic it across the southern border, have led to a sharp increase in drug use and drug-related crime in Montana. Drug trafficking and drug activity are a threat to public safety and negatively affect communities across the State. There is a strong correlation between drug activity and violent crime.

13. Violent crimes across the state of Montana have increased 48% from 2013 to 2019, according to the FBI.

14. In the last several years, the State has continued to suffer a significant increase in drug related crimes especially related to methamphetamine. These crimes significantly impact all communities in Montana—especially low-income areas—and disproportionately affect young people.

15. Methamphetamine activity is especially dangerous. It is the drug that most contributes to violent and property crime. In my experience, when officers make an arrest or encounter a violent crime, quite often methamphetamine is either involved in the crime or has been ingested by the perpetrator.

16. In the State's largest city, Billings, violent crime, frequently meth-driven, has increased by 88% percent from 2013 to 2019, according to the FBI.


17. The methamphetamine originating in Mexico from the cartels is also more dangerous for users than the methamphetamine produced locally because the purity level is so high.

18. The increased availability of heroin has resulted in an increase in overdose deaths in the State. From 2015 to 2019, the number of heroin overdose death cases handled by the Montana State Crime Lab more than doubled.

19. Increased drug activity results in a greater amount of property crimes as those suffering from drug addiction steal to support their addictions. Property crimes also negatively affect public safety. They have direct economic costs in the

form of property loss and/or damage, but also indirect and intangible costs for communities such as reduction in property values, fear, pain and suffering, and reduction of quality of life.

20. Some aliens illegally crossing the southern border and illegally present in the country facilitate the trafficking of dangerous drugs like methamphetamine and heroin. By pausing their removal for any amount of time, the federal government will likely increase the infusion of drugs into Montana, increase drug-related violent and property crimes, and harm the State's efforts to promote public safety and health. Additionally, the federal government's enforcement pause will encourage other aliens who transport and traffic illegal drugs to enter the country illegally and remain indefinitely, which will likely contribute to the increase the drug-related public safety problems in Montana as described above.


Bryan Lockerby
Administrator
Division of Criminal Investigation
Montana Department of Justice

Subscribed this 5th day of March, 2021.

Exhibit N

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**UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA**

State of Arizona; State of Montana; and
Mark Brnovich, in his official capacity
as Attorney General of Arizona,

Plaintiffs,

v.

United States Department of Homeland
Security; United States of America;
Alejandro Mayorkas, in his official
capacity as Secretary of Homeland
Security; Troy Miller, in his official
capacity as Acting Commissioner of
United States Customs and Border
Protection; Tae Johnson, in his official
capacity as Acting Director of United
States Immigration and Customs
Enforcement; and Tracy Renaud, in her
official capacity as Acting Director of
U.S. Citizenship and Immigration
Services,

Defendants.

Case No: 2:21-cv-00186-SRB

DECLARATION OF MARK LAMB

I, Mark Lamb, declare as follows:

1. I am competent to testify as to the matters contained herein and make this declaration based on my own personal and professional knowledge, law enforcement expertise, and the information available to me in my positions in public service.
2. I currently serve as Sheriff of Pinal County, Arizona, and have been a law enforcement officer for over 14 years.
3. Pinal County, Arizona, includes a large section of desert through which unauthorized aliens often attempt to travel. Pinal County Sheriff's Office

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2 routinely works with the U.S. Border Patrol and other federal authorities in the
3 pursuit and capture of such individuals.

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5 4. My office has recorded a surge in the number of pursuits of suspected
6 unauthorized aliens it has been involved in since the beginning of the year
7 compared to the same months in previous years. We have been involved in 24
8 such pursuits in January and February 2021. We only had 10 in 2019 and 14 in
9 2020.

10 5. The 24 pursuits this year required an estimated 377 man-hours at an
11 average personnel cost of \$30 per hour, totaling a cost of \$11,310 to my office, not
12 including other expenses such as vehicle and aviation wear and tear, vehicle and
13 aviation fuel costs, administrative costs, and investigative costs from specialty
14 units.

15 6. This represents a roughly 71% increase in costs over the estimated
16 \$6,597.50 in personnel costs experienced during the same time period last year.

17 7. Additionally, where these pursuits result in arrests, the Pinal County
18 Sheriff's Office incurs the cost of incarcerating the individual. Our records
19 indicate an average jail stay of 25-29 days at an average cost of \$70 per day. This
20 represents an additional cost of \$1,750 per booking on average.

21 8. In my professional opinion, the increase in incidents, and therefore increase
22 in costs, my office is experiencing is at least in part directly related to announced
23 changes in federal border enforcement and alien removal policies. A pause or
24 significant decrease in ICE removals will serve to incentivize individuals to
25 illegally cross the border into Arizona because, among other things, it removes one
26 of the chief consequences that deters such actions. This will, in turn, increase the
27 number of unauthorized crossings and further exacerbate the current increase in
28 law enforcement costs we are experiencing.

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I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, and that this declaration was issued on March 7th, 2021, in San Tan Valley, Arizona.



Mark Lamb
Sheriff
Pinal County Sheriff's Office

Exhibit O

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UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

State of Arizona; State of Montana; and
Mark Brnovich, in his official capacity
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v.

United States Department of Homeland
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Alejandro Mayorkas, in his official
capacity as Secretary of Homeland
Security; Troy Miller, in his official
capacity as Acting Commissioner of
United States Customs and Border
Protection; Tae Johnson, in his official
capacity as Acting Director of United
States Immigration and Customs
Enforcement; and Tracy Renaud, in her
official capacity as Acting Director of U.S.
Citizenship and Immigration Services,
Defendants.

Case No: 2:21-cv-00186-SRB

**DECLARATION OF ROBERT J.
TRENSCHEL, DO, MPH, FACHE**

I, Dr. Robert J. Trenchel, declare as follows:

1. I am competent to testify as to the matters contained herein and make this declaration based on my own personal and professional knowledge and the information available to me in the course of business.

2. I currently serve as the President and Chief Executive Officer of Yuma Regional Medical Center (YRMC).

3. YRMC is a 406-bed, not-for-profit hospital serving Yuma, Arizona, and the surrounding area.

4. YRMC regularly provides emergency medical services to undocumented migrants, including such migrants brought to YRMC under the custody of U.S. Immigrant and Customs Enforcement (ICE).


1 5. From January through June 2019, YRMC records show that an estimated
2 1,293 adult patients were brought to YRMC while in ICE custody. This number does not
3 include children brought to YRMC by ICE or non-custodial visits by undocumented
4 migrants who obtained care at YRMC.

5 6. The estimated cost of care in that six-month period for the 1,293
6 individuals mentioned above was \$810,433 according to our business records.

7 7. YRMC has only received \$264,383 in reimbursement for the care it
8 provided, leaving a \$546,050 unreimbursed gap for that six-month period alone.

9 8. These cost estimates also do not include the substantial care expenses for
10 the multiple mothers who delivered babies at YRMC while under ICE custody during
11 that timeframe.

12 I declare under penalty of perjury that the foregoing is true and correct to the best
13 of my knowledge, and that this declaration was issued on March 5, 2021, in Yuma,
14 Arizona.

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16 
Robert Trenchel (Mar 5, 2021 18:46 PST)

17 Robert J. Trenchel
18 President and Chief Executive Officer
19 Yuma Regional Medical Center
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