UNIVERSAL STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

STATE OF NEW YORK, et al.,

Plaintiffs,

v.

UNITED STATES DEPARTMENT
OF COMMERCE; et al.,

Defendants.

CIVIL ACTION NO. 1:18-cv-2921 (JMF)

DECLARATION OF JON
STAVNEY

Pursuant to 28 U.S.C. § 1746(2), I, Jon Stavney, hereby declare as follows:

1. The Northwest Colorado Council of Governments (NWCCOG), of which I am Executive Director, represents 27 municipalities and counties across Region 12 in Northwest Colorado. We played an active role in the 2010 Census, disseminating information between the US Department of Commerce (U.S. Census Bureau) to our member organizations, coordinating local informational meetings, and participating in Full Count activities. We are doing the same in preparation for the 2020 Census by reviewing 2020 Census Participant Statistical Areas Programs.

As Executive Director of NWCCOG, in addition to overseeing a staff of 38, I am involved in 12 distinct regional programs, including the Area Agency on Aging, Weatherization (Energy) programs, All-Hazards (Homeland Security) and HealthCare Coalition grants, 208 Water Quality oversight, Elevator Inspections, rural broadband deployment, as well as member services that include facilitations, trainings for elected officials, and information sharing across entities to enhance regional collaboration. Our members pay dues which help us to leverage nearly $5 million dollars of state and federal program funding for these and other services on an annual basis.

In preparation for this role representing municipalities and counties, I have work experience in the region, including 3 years as Manager of the Town of Eagle, 5 years as an Eagle County Commissioner and 10 years on the Town of Eagle Board of Trustees, including 4 years as Mayor. Through my various roles, I have become acutely aware of how important funding is for local projects and services, whether Highway Users Tax Fund (HUTF) or Health and Human Services program dollars, for the maintenance of local assets and adequate delivery of services.

2. As Commissioner, I knocked on more than 11,000 doors during two campaigns and am acutely aware of the caution and skepticism people have for those approaching their homes, and of anyone or anything that smacks of a government official wanting information from them. I also volunteered with Census 2010 representatives and walked portions of the
Edwards Census Tract with bi-lingual volunteers. Specifically, we walked the Edwards mobile home park which includes the most dense population of Hispanic and non-English speaking residents. I saw personally those who were home but would not answer the door, and how difficult it was for the very-friendly, bi-lingual 20-somethings I walked with to get information from residents.

Building trust with and gathering input from those most underrepresented groups, often separated through language who utilize County and Municipal services, is very difficult, and has only become more so under the current administration’s actions at the border. Distrust among these groups is at a heightened state right now, as I am told by those on the front lines of service delivery. As one recent example, the Eagle County Sheriff was in charge of evacuating 500 homes with many hundreds of residents in the El Jebel mobile home park, adjacent to the Lake Christine Fire this summer. He had to make a public statement during community briefings that those who were being evacuated and who requested use of public shelters during the emergency would be protected from Immigration and Customs Enforcement (ICE) during the incident.

3. In gearing up for complete count efforts on behalf of the membership, I have written to the membership and spoken at NWCCOG Council meetings about the high stakes for Colorado in the event of an incomplete count for the 2020 Census. Colorado has been identified as potentially adding an additional Congressional representative based on an accurate count. This may not occur if an undercount results from intimidation and non-participation of minority populations due to fears of retaliation or deportation of relatives. The addition of a citizenship question at this time only adds legitimacy to those fears, which always exist but have been legitimized by the rhetoric and actions of this administration.

I declare under penalty of perjury that, to the best of my knowledge, the foregoing is true and correct.

Executed on this 17th day of August, 2018

[Signature]

Jon Stavney, Executive Director
Northwest Colorado Council of Governments