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CITY AND COUNTY OF SAN FRANCISCO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CITY AND COUNTY OF SAN
FRANCISCO,

Plaintiff,

vs.

DONALD J. TRUMP, President of the United
States, UNITED STATES OF AMERICA,
JOHN F. KELLY, Secretary of United States
Department of Homeland Security,
JEFFERSON B. SESSIONS, Attorney General
of the United States, DOES 1-100,

Defendants.

Case No. 3:17-cv-00485-WHO

**DECLARATION OF TOMÁS ARAGÓN, MD,
DrPH IN SUPPORT OF CITY AND COUNTY
OF SAN FRANCISCO'S MOTION FOR
PRELIMINARY INJUNCTION**

Date: April 12, 2017
Time: 2:00 p.m.
Judge: Honorable William H. Orrick
Dept: Courtroom 2

Date Filed: January 31, 2017

Trial Date: Not set

1 I, Tomás Aragón, declare as follows:

2 1. I am a resident of the State of California. I have personal knowledge of the facts set
3 forth in this declaration and, if called as a witness, could and would testify competently to the matters
4 set forth below.

5 2. I am the Health Officer of the City and County of San Francisco ("San Francisco") and
6 the Director of the Population Health Division ("PHD") of San Francisco's Department of Public
7 Health ("SFDPH"). I have held both positions since 2010.

8 3. As the Health Officer, I exercise leadership and legal authority to protect and promote
9 health throughout San Francisco. In California, each county is required to appoint a county Health
10 Officer. Health Officers are charged with the duty to enforce and observe all orders, ordinances, and
11 statutes related to public health. In the event of an emergency, Health Officers may take preventative
12 measures as may be necessary to protect and preserve the public health from any public health hazard.
13 Health Officers are also authorized to control contagious, infectious, and communicable diseases and
14 take preventative measures as may be necessary to prevent and control the spread of disease.

15 4. As the Director of PHD, I direct public health services. I am responsible for the vision,
16 mission, strategy, leadership and administration of PHD, including the provision of core public health
17 functions and essential public health services. In San Francisco, core public health functions include
18 environmental health, communicable disease control, maternal, child, adolescent, and family health
19 care, immunization, emergency medical services, public information and promotion of community
20 health. Essential public health services include (1) conducting and disseminating assessments on
21 population health status; (2) investigating health problems and environmental health hazards in the
22 community; (3) informing and educating people about public health issues and functions; (4) engaging
23 the community to identify and address health problems; (5) developing public health policies and
24 plans; (6) enforcing public health laws that protect health and ensure safety; (7) promoting strategies to
25 improve access to health care services; (8) ensuring a competent workforce and professional growth;
26 (9) ensuring continuous quality and performance improvement; and (10) contributing to and applying
27 the evidence base of public health.

1 5. Prior to becoming the Health Officer and Director of PHD, I held various positions
2 within SFDPH from 1996-2010 including Director of Chronic Disease Epidemiology, Director of
3 Community Health Epidemiology and Disease Control, as well as Physician Provider at the
4 Tom Waddell Health Center.

5 6. I am familiar with San Francisco's Sanctuary City laws—San Francisco Administrative
6 Code Sections 12H and 12I—and SFDPH's policies stemming from those laws.

7 7. SFDPH serves tens of thousands of patients each year through Zuckerberg
8 San Francisco General Hospital Medical Center, Laguna Honda Hospital and Rehabilitation Center,
9 and over 15 primary care health centers ("SF Health Network"), priding itself on making healthcare
10 comprehensive and accessible. In fiscal year 2015-2016, there were more than 290,000 primary care
11 visits to the SF Health Network, approximately 160,000 specialty care visits, and more than 75,000
12 emergency encounters.

13 8. SFDPH's mission is to protect and promote the health of all San Franciscans by
14 assessing and researching the health of the community; developing and enforcing healthy policy;
15 preventing disease and injury; educating the public and training health care providers; providing
16 quality, comprehensive, culturally-proficient health services; and ensuring equal access to all.

17 9. In order for SFDPH to fulfill this mission and protect the health of all San Franciscans,
18 it is critical that SFDPH build and foster trust, eliminate barriers to treatment, and maintain the
19 confidentiality of patient information. Residents must feel comfortable accessing medical and mental
20 health care: seeking treatment when they are ill, reporting symptoms of communicable and infectious
21 diseases, and getting preventative care to maintain health.

22 10. SFDPH depends on patients to report symptoms and conditions so the Department can
23 act decisively. Whether it is to conduct a contact investigation to contain the spread of a
24 communicable disease, or implement a public information campaign to spread awareness of a
25 particular condition, patient communication and engagement is key to protecting the health of
26 San Francisco as a whole.

27 11. San Francisco's Sanctuary City Laws and related SFDPH policies are one way SFDPH
28 is able to build trust with the community. Prohibiting employees from sharing personal information

1 with members of the public, in addition to state and federal laws that protect patient information, give
2 patients comfort that their information is confidential and that there will be no consequences to their
3 seeking treatment.

4 I declare under penalty of perjury that the foregoing is true and correct and that this declaration
5 was executed on March 7, 2017 at San Francisco, California.

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9 TOMÁS ARAGÓN, MD, DrPH
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