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14 **UNITED STATES DISTRICT COURT**
 15 **NORTHERN DISTRICT OF CALIFORNIA**
 16 **SAN FRANCISCO DIVISION**

17 FIRST UNITARIAN CHURCH OF LOS
 18 ANGELES, *et al.*,
 19 Plaintiffs,
 20 v.
 21 NATIONAL SECURITY AGENCY, *et al.*,
 22 Defendants.

Case No: 3:13-cv-03287 JSW
**DECLARATION OF ANASTACIA
 COSNER FOR STUDENTS FOR
 SENSIBLE DRUG POLICY IN
 SUPPORT OF PLAINTIFFS’
 MOTION FOR PARTIAL SUMMARY
 JUDGMENT**
 Date: February 7, 2014
 Time: 9:00 A.M
 Hon. Jeffrey S. White
 Courtroom 11 - 19th Floor

1 I, ANASTACIA COSNER, hereby declare:

2 1. I am the Deputy Director of Students for Sensible Drug Policy. The facts contained in
3 the following affidavit are known to me of my own personal knowledge and if called upon to testify, I
4 could and would competently do so.

5 2. Our organization educates and trains young people about harms caused by the war on
6 drugs. We involve young people in the political process and discuss alternatives to the failed policies
7 of drug prohibition.

8 3. The collection of our phone records by the government has resulted in (1) harassment,
9 membership withdrawal, and/or discouragement of new members, and (2) other consequences which
10 objectively suggest an impact on, or 'chilling' of, the members' associational rights.

11 4. I say this because of the following facts:

12 The Associational Tracking Program activities have harmed us because we have
13 experienced a decrease in communications from members and constituents who had desired the fact
14 of their communication to Plaintiff to remain secret.

15 5. For example, we have experienced a decrease in calls to our hotline. For example,
16 prior to the revelations of government tracking, we received on average 6 calls per day, but since the
17 revelations became public, we have received on average only 3 calls per day.

18 6. This is not surprising because many people who we approach to become members of
19 our organization are worried about others discovering their support of a controversial issue.

20 7. We have also seen an increase in members and potential members expressing concern
21 about the confidentiality of the fact of their communications with us.

22 8. Since the disclosure of the Associational Tracking Program, we have lost the ability to
23 assure our members and constituents, as well as all others who seek to communicate with us, that the
24 fact of their communications to and with us will be kept confidential. The assurances of
25 confidentiality we made prior to the disclosure, were apparently incorrect.

26 9. Moreover, the pattern of distortion and lawless conduct by the NSA, exacerbated by
27 the intense secrecy of its activities, have left us unable to reassure our members and associates that
28 additional forms of surveillance, as yet unconfirmed or actively denied by the government are not

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also occurring, leaving us with no alternative forms of confidential communication.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on October __, 2013 at Washington, DC.

ANASTACIA COSNER

1 also occurring, leaving us with no alternative forms of confidential communication.

2 I declare under penalty of perjury under the laws of the United States of America that
3 the foregoing is true and correct. Executed on October 31, 2013 at Washington, DC.

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5 ANASTACIA COSNER

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