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**UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF UTAH
 CENTRAL DIVISION**

Utah Coalition of La Raza, *et al.*,
 Plaintiffs,

v.

Gary R. Herbert, *et al.*,
 Defendants.

**DECLARATION OF DARCY M.
 GODDARD IN SUPPORT OF DOE
 PLAINTIFFS' MOTION FOR LEAVE
 TO PROCEED UNDER PSEUDONYMS**

Case No. 2:11-cv-00401-BCW

Judge: Brooke C. Wells

I, Darcy M. Goddard, declare:

1. I am the Legal Director of the American Civil Liberties Union of Utah Foundation, Inc. I am a member of the Utah State Bar.

2. I submit this declaration to provide to the Court copies of publicly available documents that are cited in the Doe Plaintiffs' Motion For Leave To Proceed Under Pseudonyms. I have personal knowledge of the facts stated in this declaration. If sworn as a witness, I could and would testify competently to those facts.

3. Attached hereto as Exhibit A is a true and correct copy of the article *Utah Immigration Laws Go Too Far, FAIR Says*, published on cnsnews.com on March 18, 2011, available at <http://www.cnsnews.com/news/article/utah-immigration-laws-go-too-far-fair-sa>.

4. Attached hereto as Exhibit B is a true and correct copy of the article *COP Burbank Gets Racist Calls, E-mails About Immigration*, published by examiner.com on June 3, 2010, available on <http://www.examiner.com/political-buzz-in-salt-lake-city/cop-burbank-gets-racist-calls-e-mail-about-immigration>.

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

Executed this 4th day of May, 2011 in Salt Lake City, Utah.

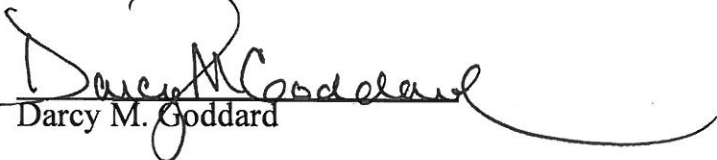
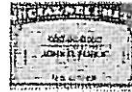

Darcy M. Goddard

EXHIBIT A



Berkeley: Car Insurance (EXPOSED)
CA Drivers: We investigated car insurance and what we found may shock you...



SHOCKING: \$9 Car Insurance in CA
Berkeley: Mom discovers \$9 car insurance trick. Auto Insurers are SCARED you will learn this secret.

LifestyleJournal.com

Utah Immigration Laws Go Too Far, FAIR Says

Friday, March 18, 2011

By Lambert Mbom



Utah Gov. Gary R. Herbert (Photo courtesy of the governor's office)

(CNSNews.com) – An immigration reform group says the Obama administration should take legal action to block four immigration bills that Utah's Republican governor signed into law this week.

The Federation for American Immigration Reform (FAIR) -- a group that seeks to improve border security and stop illegal immigration -- says Utah is usurping the role of the federal government.

The new laws in Utah include a guest-worker amnesty bill (H.B. 116); an Arizona-style immigration enforcement bill (H.B. 497); an agreement between Utah and the Mexican state of Nuevo Leon to provide Utah businesses with migrant workers (H.B. 466); and an amendment (H.B. 469) that allows Utah citizens to sponsor immigrants.

"What we'd like to see is the same sort of legal action that the Justice Department took against Arizona last year," Ira Mehlman, FAIR's media director, told CNSNews.com. "The federal government simply said that is an infringement on our prerogatives."

Unlike the Arizona law, which would allow Arizona police to check the immigration status of people stopped for potential crimes, Utah's bills may be unconstitutional, Mehlman said.

-- H.B. 116 authorizes a guest-worker program beginning in two years that will allow undocumented people to pay fines and stay.

-- H.B. 497 requires local police to check the legal status of those arrested on felony or serious misdemeanor charges.

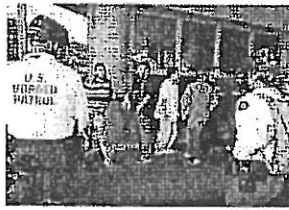
-- H.B. 466 establishes a partnership with the Mexican state of Nuevo Leon to allow workers to come to Utah using federal visas.

-- H.B. 469 allows Utah citizens to sponsor foreign nationals to live in Utah.

"Here you have a state that is saying we are just going to ignore -- and not only ignore federal immigration law; we are actually going to write our own immigration law. That demands some kind of response from the federal government to say that, no you can't do that," Mehlman added.

According to FAIR, key provisions of the bills signed into law are unconstitutional because they usurp federal authority over the establishment of immigration policy.

"Utah would grant two-year work permits to illegal aliens residing in Utah in spite of the fact that they are expressly prohibited by Congress from working in the United States," Mehlman told CNSNews.com.



A group of illegal immigrants waits to be deported to Mexico at the port of entry in Nogales, Ariz., on July 28, 2010. (AP File Photo/Jae C. Hong)

"The same Utah law would allow the state to circumvent the employer sanctions provision of the 1986 Immigration Reform and Control Act by requiring the governor to seek a waiver from the federal government. Yet the executive branch lacks the constitutional authority to change immigration laws written by Congress."

Mehlman said in addition to laws that are clearly unconstitutional, the governor also signed legislation that would seem to defy logic and common sense. Among the bills he signed is one that enters Utah — a state with a 7.6 percent unemployment rate — into a partnership with the Mexican state of Nuevo Leon to recruit guest workers.

Gov. Herbert, meanwhile, touts the bills — passed with Republican support — as "the Utah solution."

"Utah has taken a thoughtful, rational approach and found common ground," the governor said in a news release. "Thanks to the vision and determination of these local leaders, what we have begun today is a framework for a national conversation about immigration and a means to engage the federal government. Once again, Utah leads the nation in finding solutions and making tough choices," the release asserts further.

Mehlman, meanwhile, pointed to the fact that states do have the authority to enforce immigration laws, but said the fact is that the current administration does not want immigration laws enforced.

"Some states have exercised that authority and found that they have actually reversed the flow of illegal immigration. States like Arizona, Oklahoma and a few others have seen significant decline in the number of people living there illegally," Mehlman said. "If Utah wants to do something, they can assist in the enforcement of federal immigration laws and they can start putting pressure on the federal government to actually enforce it themselves."

Sen. Orrin Hatch (R-Utah), Utah's senior senator, in a letter to Americans for Legal Immigration, said he had not taken a position on HB 116, since he "has the greatest respect for state's rights and the right of the state of Utah to determine state laws."

"I do not support amnesty and in fact have voted against it," Hatch said.

According to Hatch, securing its borders should be the top priority of the federal government.

"(M)any of our nation's problems result from a residual effect of a porous border and a breakdown of our immigration enforcement system," he said.

The Utah laws would go into effect in 2013. The Utah Legislature has sent a letter to the Utah congressional delegation asking its members to support the bills at the federal level to receive a waiver from the federal government to actually implement parts of the legislation.

Herbert added: "There are those who will say these bills may not be perfect, but they are a step in the right direction and they are better than what we had."

Add New Comment

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DakotaHgeo 1 month ago

BradleyC wrote: "Your replies are quite lame and show you have no intelligence at all. Your little one liners that have nothing to do with what was said and are typical liberal responses with no real info just personal attacks. Either your too stupid to understand what was typed or your just too lazy to actually think, either way get on pushing on huh troll."

Heh heh heh... and your point is??? Try again, kindergarten dropout or flunkout!

Like Reply



FAIR for all 1 month ago

Set up a special tax for the pro-illegal supporters to cover the costs incurred, the tax can fluctuate as needed and divided among the supporters, this could easily be started on IRS tax returns, similar to the campaign donation question, to be paid or credited annually

Like Reply



Hologram5 1 month ago

Looks like FAIR has no idea what being fair to the US citizens means. Go ahead, go crying to the UN again Oblunder and just see how quick your approval drops AGAIN... He's a loser on a global scale... EPIC FAIL...

Like Reply



imkingdad 1 month ago

Imagine that FAIR a bunch of leftists & demomrats complaining that laws to slow down the Mexicanation of America go too far. What would you expect from these Anti-American SOB's.

Build the Big Tall Concrete border Fences along our Southern Border NOW!
Save America & American Jobs & Lives!

Like Reply



Nasknit 1 month ago

Anybody know who's behind this group? It took quite a while for it to come out that George Soros was behind "MoveOn.Org".

Like Reply



Glarryb 1 month ago

At campaign event Biden mentions rape in criticizing Republicans

<http://thehill.com/homenews/ad...>

The GOP has to be stopped, ..

Like Reply



Hunter 1 month ago

The states have to stand for themselves because Congress won't.
Screw the Federal Government.

Like Reply



AIG 1 month ago

Usurping the role of the federal government is pretty much everything, because they aren't doing anything. I guess when you want votes, Obama will do anything to get them in.

Like Reply

**Jogrover48** 1 month ago

Who the hell is running this country? Mexico? Americans need to get involved and put a STOP to all this shi...

Like Reply

**Jogrover48** 1 month ago

The only way to protect Americans is to "uphold" our immigration laws, period! Stop kissing ass, get your brown nose clean and uphold our laws. All governments, every state knows the law. Do your job...deport all illegals, they don't give anything...they take from the taxpayers and they don't even pay taxes themselves. Illegal aliens are "parasites" who live off the American people! Plain and simple...deport them all, along with their anchor babies who are NOT citizens, but illegals as their mother!!!

Like Reply

**postmen** 3 weeks ago in reply to Jogrover48

who's gonna pay for that? you, and all americans, do u wanna do shiddy work they do? well i'm not, better catch all felons and criminals we have than deport people who work their asses to survive, and keep their selves quiet. Spend all this \$\$ for better causes like army

Like Reply

**EdsonPele** 1 month ago in reply to Jogrover48

you are an idiot! how the hell did your family get here? unless your native american shut your mouth stupid! anchor babies? are you related?... "parasite" they do pay taxes every time they go out and buy something so shut the hell up you racist bastard!

Like Reply

**Dakotahtgeo** 1 month ago

More than likely, these Utah Immigration laws will be dealt the same hand as the Arizona laws, that is, overturned or put on hold by a higher Court. Wisconsin Republicans are learning the same lessons the hard way. Such a disappointment to the Republicans that they did not get away with barnstorming their anti-labour laws through. Don't the Republicans realize how much money is lost through litigation? Oh well... they will now!

Like Reply

**purpleplinto** 1 month ago in reply to Dakotahtgeo

Don't democrats realize that the unions are not actually about the individual workers, but about the unions and the union bosses continuing to steal dues dollars from the workers? Don't the democrats realize that 'the evil employer' in the case of the public employee isn't some profit based corporation, but you and I? The tax payer! Don't the democrats see a conflict of interest there? Don't the democrats want to stomp out the corruption of the union thugs and mob run organizations that have done little to nothing for these teachers???

Like Reply

**eddyjames** 1 month ago

California should pass a law that allows illegals to be bought and sold at public auction, there is a shortage of short Mexicans willing to do stoop labor such as picking strawberries and lettuce, this will help with the labor shortages in the central valley and make Mexican maids and gardeners available to those who aren't blessed to be a politician or Hollywood star.


Like Reply

**Sdsu73** 1 month ago

Here's immigration reform.. the feds actually enforcing the laws that already on the books that they are sworn to uphold.


Or, let's just adopt Mexico's immigration laws. That ought to bring howls of protest worldwide.

Like Reply

 dim 1 month ago


Read the 10th amendment FAIR, O- well a minute you must have been educated by the progressives at public school.

Like Reply

 DakotaHgeo 1 month ago in reply to dim


The word is BY, not be! Duh! And FAIR is not a person... it is an Immigration reform group! ...geeezzzz! FAIR = Federation for American Immigration Reform!!! An Immigration reform group...unnnngh!!!

Like Reply

 J 1 month ago in reply to dim


Try just about any law school, where Constitutional Law is not a requirement.

Like Reply

 Robert Osborn 1 month ago


The problem as I see it is that the Federal Government should never be suing a State period, and the Federal Government should be doing everything in it's power to assist the States in securing it's borders of which it hasn't been doing. The Federal Agency responsible for assisting the States in securing it's borders should be outright fired, and all of the money that used to go to the Federal Agency should be given to the border States to increase it's border security, then the Federal Government should just butt out of the States business.

Like Reply

 Char 1 month ago


Hurray for the governor of Utah and any other state that has the guts to make a law and then stick to it. Let the illegals yell all they want but this is our country not theirs (yet).

Like Reply

 DakotaHgeo 1 month ago in reply to Char


LOLOL... you really haven't been keeping up with life, have you? LOLOL.

Like Reply

 Eaglesglen 1 month ago


Some these bills looks like direct violation of United Nations Article 23 violating the employment rights of Americans.

Like Reply

 Robert Osborn 1 month ago in reply to Eaglesglen


Who cares about United Nations Articles, this is the united states a sovereign nation and our laws trump or at least should trump United Nations laws.

Like Reply

 captaingrumpy 1 month ago

Boy oh boy have you Americans got some problems. Mostly little brown ones and legislators that like them. Sounds like Democrats are idolizing their own lurds.

Like Reply

 flumefreddo 1 month ago

Never mind.

Like Reply



flumefreddo 1 month ago

Fuck Fair.....

Like Reply



Dakotahgeo 1 month ago in reply to flumefreddo

Read the story, Duffus!!! FAIR is on your side. Don't you yokel Patriots read the stories or it just that you don't comprehend what you're reading? My God, don't bash your friends, lolol. Oy veh!

Like Reply



Tess2468 1 month ago

What we need is for the US Federal Government to ENFORCE Current US Immigration Laws.
What we need is to Finish the Double-Layered Border Fence.
What we need is a court system that will Deport Illegal Immigrants that are arrested for any reason.
What we need is to have the US Federal Government Deport Pregnant Illegal Immigrants before they give birth to Anchor Babies. Deport 1 pregnant illegal immigrant and save thousands on medical, social and educational services.

Like Reply



eddyjames 1 month ago in reply to Tess2468

there is always mandatory abortion to consider.

Like Reply



Jono Smith 1 month ago in reply to eddyjames

i hope you feel proud of what you posted what a terrible person i bet your to macho to say it but i would love to see you do it i would love to see you on the other end of a mandatory abortion ***** bag your so called anchor babies don't forget you were one of those because this land belonged to the natives

Like Reply



Rasheed 1 month ago in reply to Tess2468

Way to go Tess.

Like Reply



Fryburg60 1 month ago

The Federal Government has been ignoring the Immigration laws for decades now. The states should have the right to deal with the issue if the federal government is too impotent to enforce the existing laws. All we hear from this administration is that we are Nation of laws. The only problem is that if the politicians are going to pick and choose what laws get enforced and which ones don't we are not a Nation of laws and we are going to end just like Mexico.

Like Reply



Willy 1 month ago

Let the dummies have all the illegals we'll send them ours.
It's cheaper than deporting them.

Like Reply



srd 1 month ago

We leabaggers are calling it the "Democrat Voter Breeding Bill". In 16 years, after each illegal drops an anchor baby in our state, there's another Democrat. Of course, in only 5 years, there's another kid for our overcrowded and underfunded school system, the lowest per-pupil funding in the nation. The greedy chamber-of-commerce, business-owning Mormon Republicans are so beholden to their campaign donors who want the cheapest labor at any cost, they can't see two years into the future. (Note to the oblivious legislature and governor - California will never, ever elect another Rep. US senator or governor; this is the future of red-state Utah.) I am, embarrassingly, a GOP precinct captain and delegate (and recovering Californian); I and like-minded patriots will do everything possible to see that these amnesty-loving legislators and eunuch governor are opposed and defeated at the 2012 party convention.

[Like](#) [Reply](#)



Rasheed 1 month ago in reply to srd

The first and last sentences say it all.

[Like](#) [Reply](#)



Tess2468 1 month ago in reply to srd

I love this title. "Democrat Voter Breeding Bill".

[Like](#) [Reply](#)



Willow Tree 1 month ago

"H.B. 116 authorizes a guest-worker program beginning in two years that will allow undocumented people to pay fines and stay."

No, No, No ... pay a fine and get kicked OUT!

"H.B. 466 establishes a partnership with the Mexican state of Nuevo Leon to allow workers to come to Utah using federal visas"

Can't they do that now? Do they have to have special Utah Visas too to go to Utah?

"H.B. 469 allows Utah citizens to sponsor foreign nationals to live in Utah"

What's federal law on this?

"H.B. 497 requires local police to check the legal status of those arrested on felony or serious misdemeanor charges."

Why just felony or serious misdemeanor? Why not everything?

[Like](#) [Reply](#)



Robert Osborn 1 month ago in reply to Willow Tree

Actually why does the united states need a "guest worker program" to begin with for foreign nationals when we currently have such high unemployment right here in the united states. Utilize our own workforce first and foremost, then if additional workers are needed hire from outside of our nation.

[Like](#) [Reply](#)



Jono Smith 1 month ago in reply to Robert Osborn

yeah if people from america would not act lazy and only want the white collar jobs there would be no need for illegal workers but do you want to work for mcdonalds i bet not some americans would rather stay in unemployment

[Like](#) [Reply](#)

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EXHIBIT B



Chief Burbank opposes Arizona's new immigration law.
Photo: AP Photo/Gregory Bull

COP Burbank gets racist calls, e-mail about immigration

By Alison Peck, Salt Lake City Political Buzz Examiner
June 3rd, 2010 7:10 pm MT

Salt Lake City Chief of Police Chris Burbank has been pretty popular since his trip to Washington, D.C. May 26th, and not in a good way. He met with US Attorney General Eric Holder along with nine other police chiefs who have been outspoken about the problems of immigration and the implications of Arizona's controversial new law.

Since his return to Salt Lake, Chief Burbank, friends and supporters have received rude phone calls and racist e-mail, some he considers the worst he has ever seen. According to the *Deseret News*, one e-mail in particular contained numerous racial slurs, calling people from Mexico "an inferior culture" with "filthy customs." This column has received similar comments.

"It's horrible," said Burbank. "It's so bigoted and biased. It ranks up there with any I've ever seen. It's racist and horrible." While many people say illegal immigrants are criminals, Chief Burbank says the calls and e-mail are "about race and hatred of race. To say it's anything but that is just not accurate. It's disheartening."

Currently the chief and his friends are receiving 15-20 phone calls a day, 99% of them are racist in nature and come from blocked phone numbers. E-mail is running about 2-1 opposing Burbank's position against the Arizona law. Police have determined most of the calls have come from within Utah, and while there is concern about the e-mail, Burbank doesn't feel threatened. He is being careful, but says he doesn't do his job to be popular. "I do my job to do what I think is right," said Chief Burbank.

Arizona legislation allows law enforcement, when questioning someone about a violation, to detain anyone they may "reasonably suspect" of being in the country illegally.

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Source: *Deseret News*, Associated Press

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From around the web

- Tax Software Versus a Real Live Accountant (GoBankingRates.com)
- Twelve Great Asian Vegetables (Organic Gardening)
- India Proposes Restrictions on Tapping Telephone Calls (PCWorld)

We recommend

[what's this]

- The Urantia Book and the Book of Mormon
- Ladies, allow yourself to taste the sugar....
- New favorite Utah comfort food: Chocolate Guinness Cake
- The Horse's Hitler - Training Pens are No Place for War