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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 ARCHIE
 ARCHULETA**

Case No. 2:11-cv-00401-BCW
 Judge: Brooke C. Wells

Declaration of Robert Archuleta

I, Robert Archuleta, hereby declare:

1. I make this declaration based on my own personal knowledge and if called to testify I could and would do so competently as follows.
2. I have been the President of Utah Coalition of La Raza (“UCLR”) for over six years. UCLR is an affiliate of the National Council of La Raza, the largest national Hispanic civil rights and advocacy organization in the United States.
3. UCLR is a civil rights organization established in 1992 to improve conditions and opportunities for Latinos living in Utah. UCLR exists to provide a unified voice and to define and champion issues that promote the quality of life of the Latino community of Utah. UCLR is primarily a civil rights advocacy organization that provides education and advocacy on issues such as economic development, immigration, and leadership development. The primary geographic area of activity for UCLR covers Wasatch Front, which includes the four counties of Salt Lake, Davis, Utah, and Weber. UCLR holds an annual conference to promote unified action and educate the broader community about Latino issues and concerns.
4. UCLR has a 15-member Board. We have a mailing list of around 60 people in the state who are regularly active in UCLR activities. In addition, many more people participate in our events -- about 400 people attended our Cesar Chavez dinner in March of this year. The Board knows most of the people who participate in our activities, and through conversations with them,

we found that a large percentage of them are undocumented immigrants.

5. UCLR has worked extensively on the achievement gap and civil rights in schools. We are concerned about the high dropout rate of Latino students. We have defended individuals and families from racial and ethnic prejudice and overt and covert racism. These civil rights issues comprised our main task before the immigration issue took over our time.
6. UCLR has also focused on police brutality issues. We have conducted sensitivity trainings for Salt Lake City police officers, but we haven't done it in a while. It's another area we'd like to focus on, but haven't had the time. We work with youth who are in gangs or who are labeled as gang members due to their ethnic appearance.
7. Through UCLR, we have done a significant amount of work on HB 497 including: engaging in legislative advocacy, speaking on panels, and going to demonstrations against HB 497 and the other state immigration bills. UCLR's position is that immigration is a federal issue and anything else would play into the hands of the people promoting unwarranted states' rights.
8. UCLR's work has shifted because of Utah's immigration bills. We're still keeping our attention on the issues of police brutality, gangs and education. Recently, there have been a number of killings by police, due to police violence, but we haven't been able to spend much time addressing those issues, because of the amount of time we are spending focusing on Utah's immigration bills. Because of the urgency of the issue and the

widespread concern about HB 497 expressed by the people who participate in our events, we plan to continue working on the immigration issue in the next few months.

9. UCLR is concerned that individual police officers may ask anyone who looks or sounds like an immigrant for their papers.
10. The people who participate in UCLR's events are very concerned about HB 497 because it gives more power to law enforcement to racially profile. HB 497 makes it easier for the police to bully and intimidate Latinos. Some officers may use the law as a license to ask people of color for their papers, regardless of immigration status.
11. Many of the people who participate in UCLR cosponsored activities have already expressed deep concerns on a personal level about HB 497. These individuals fear getting asked for their documents in any encounter with the police. Many people have asked UCLR when the law will take effect and when the police will start asking for their papers.
12. Other people we talk to are worried about HB 497 from a collegial perspective. They are worried because officials can't tell who is a citizen or not by looking at them. The discrimination that HB 497 creates spills over to everyone who looks like a minority. Law enforcement has recently stepped up activity against "gangs" and has been targeting minority youth, including Polynesians and Latinos. HB 497 is another extension of this attack on minorities. Our members think HB 497 is a racist put-down. Additionally, some citizens who participate in our activities have family members who are undocumented and are deeply concerned about the law's potential impact on their loved ones.

13. UCLR is also very concerned about an increase in racial profiling in Davis, Weber, and Southern counties if HB 497 is implemented. The City of Ogden has a history of racism. Ogden has always been tough on Latinos and Blacks, who are scrutinized more closely by the police. Most of the arrests in this area that UCLR hears about are of Latinos, so we think the police are profiling. Tooele County is a place where we received a number of complaints of discrimination in the schools, and there recently was a complaint of a false arrest of a person lawfully in the U.S. We've been unable to really explore this allegation because we had to focus our time on immigration. We're worried that police will engage in racial profiling after HB 497 is implemented.

14. UCLR has heard of incidents of people across the state getting stopped by local law enforcement based on racial profiling. These incidents take place across the state—in Salt Lake County, Southern Utah, and especially in the I-80 corridor. I know people and youth who were profiled because they were “driving while brown.” People I spoke to reported that they were stopped for a minor traffic offense such as not having their headlights on or supposedly driving erratically, then questioned about their immigration status. We've read news stories that confirm the racial profiling that happens across Utah, particularly in the I-80 corridor. We are concerned that these incidents will increase if HB 497 is implemented.

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED this 2ND day of May, 2011 in Salt Lake City, Utah.



Robert Archuleta