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 Employees International Union, and the
 Workers' United Rocky Mountain Joint
 Board

**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 ELISEO MEDINA

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

Declaration of Eliseo Medina

I, Eliseo Medina, 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 am the International Secretary/Treasurer for Service Employees International Union (“SEIU”). As International Secretary/Treasurer, I am familiar with SEIU and its affiliates’ governing documents, mission, and membership.
3. Plaintiff Service Employees International Union (“SEIU”) is one of the largest labor organizations in the world, representing 2.2 million working men and women employed primarily in the public sector and in the janitorial, health services, long-term care, and security industries. Many of SEIU’s members are recent immigrants to the United States and many of its members are racial minorities. SEIU has long called for and worked toward comprehensive reform of U.S. immigration laws. Another priority for SEIU is fighting discrimination against minorities, women, and other groups in the workplace and in society.
4. In Utah, SEIU has a local affiliate, Workers’ United Rocky Mountain Joint Board (“Rocky Mountain Joint Board”). This affiliate has approximately 70 members in the state. SEIU and its affiliates do not condition membership on citizenship or immigration status; under Federal law, all workers – regardless of immigration status – have protected rights to join a union. As SEIU and its affiliates have legal obligations to represent all workers, it is our policy to not check members’ immigration status. It has been reported to me that over 50% of Rocky Mountain Joint Board’s members are Latino. Some of

their members are immigrants to the United States and do not speak English fluently. It has also been reported to me that some citizen members of SEIU have noncitizen members in their family or household.

5. SEIU is concerned that its minority members in Utah, including U.S. citizens and lawful immigrants as well as undocumented immigrants, will be even more likely to be stopped, detained, arrested, and questioned by state and local police after HB 497 goes into effect. This will cause hardship for members of SEIU.
6. HB 497 may make noncitizen or minority members and those who have noncitizen or minority family members afraid to contact law enforcement if they are victims or witnesses to crime. Indeed, we would be hesitant to contact law enforcement if there was a problem at an SEIU rally or event, or arising from an organizing campaign, for fear that law enforcement would subject our members to racial profiling and disrupt or damage the event.
7. The International SEIU Constitution provides that the Union's purposes include engaging in legal action such as litigation to further the interests of our members. Rocky Mountain Joint Board's Constitution provides that the Union's purposes include organizing, representing, and empowering workers in the southwestern United States.
8. SEIU and Rocky Mountain Joint Board have joined this litigation to protect the rights and further the interests of our members.
9. Ensuring that members' constitutional rights are not violated by state or local law enforcement agencies and preventing racial profiling or discrimination against members

are integral to the missions of SEIU and Rocky Mountain Joint Board to represent and empower their members.

10. Another priority for SEIU and Workers' United Rocky Mountain Joint Board is combating discrimination against minorities, women and other groups in the workplace and advocating for immigration reform at the national level.
11. At SEIU's 2008 Convention, its members passed Resolution #102A, "Building Workers' Strength with Comprehensive Immigration Reform," which established that part of the Union's mission includes opposing "state and local laws that target immigrant workers and fuel fear, hate, and division in communities around the country." It notes that attempts by local governments to enforce immigration laws have "cost billions in taxpayer dollars." A true and correct copy of Resolution #102A is attached hereto as Exhibit A.
12. If HB 497 is not enjoined, SEIU and Rocky Mountain Joint Board will be forced to use union resources to address members' questions about the new immigration law, including educating them about their rights and obligations under the law and addressing concerns that they will be subject to racial profiling, stops, detentions, and arrests when they go out into the community. SEIU and Rocky Mountain Joint Board could instead use all of those resources to organize and represent their members.
13. In addition, SEIU is concerned that members and potential members, regardless of nationality and immigration status, will refrain from exercising their rights to attend rallies, demonstrations, and union meetings or to engage in leafleting or other traditional labor activities because of the possibility of being stopped by police under HB 497. This

will significantly impede the ability of SEIU to protect its current members and to organize new members in Utah. SEIU joins this lawsuit to preserve its ability to organize new members and to protect the rights and interests of its members and prospective members.

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

EXECUTED this Fourth day of May, 2011 in Washington, D.C.


Eliseo Medina