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- * Applications for admission *pro hac vice* forthcoming
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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 KATIE GERKIN

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

DECLARATION OF KATIE GERKEN

I, Katie Gerken, 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 Manager of Worker's United Rocky Mountain Joint Board (RMJB), which is based out of Denver, Colorado. I have been working for RMJB for six years.
3. RMJB is a labor union and an affiliate of the Service Employees International Union (SEIU). We organize workers in Colorado and Utah. Rocky Mountain Joint Board represents 70 workers in the state of Utah. Our members work in two industrial laundries. One laundry is majority Latino and the other is almost 50-50 Caucasian and Latino. Family members of workers in Utah represented by RMJB include immigrants who lack immigration status or who fear they will be questioned about their immigration status.
4. The primary mission of RMJB is to organize, represent, and empower employees in Utah and Colorado. In addition, Rocky Mountain Joint Board works in partnership with SEIU and other groups to combat discrimination and mobilize for immigration reform at the national level.
5. RMJB's Utah members have many concerns and fears about immigration laws and immigration policy. There was an I-9 audit two years ago that resulted in employees getting terminated. Members and their families have also been concerned about law enforcement, particularly the close connection between local law enforcement and immigration enforcement.

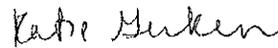
6. Our membership already feels like they have been walking on eggshells for a long time. HB 497 heightens their paranoia and fear of being out and possibly getting stopped and questioned, especially for people who don't speak English well or at all. Our members know people who have been stopped by the police and had their immigration status come up. This is scary for them. HB 497 will make their fears stronger.
7. RMJB is concerned about racial profiling by law enforcement. Our Latino members, including U.S. citizens and lawful immigrants, are likely to be unlawfully stopped, detained, arrested, and questioned by state and local police after HB 497 goes into effect. This will cause hardship for members of RMJB as they could face job loss and separation from their families if they are detained.
8. Throughout the state of Utah, people are concerned about speaking publicly or being part of larger events because they are afraid that their names will be out there. RMJB is concerned that our members and potential members will be fearful to attend rallies, demonstrations, and union meeting or to engage in leafleting or other traditional labor activities because of the possibility of being stopped by police under HB 497.
9. If HB 497 is allowed to go into effect, it will impose direct harm to RMJB's core mission and representational obligations by subjecting RMJB members to unlawful questioning, arrest and detention by state and local law enforcement officers; deterring RMJB-represented workers from attending and participating in RMJB activities and representation of employees, and reducing RMJB's ability to effectively represent and advocate on behalf of the employees it represents. In addition, RMJB will be forced to

expend additional resources in order to explain the provisions of HB 497 to represented workers and their family members.

10. HB 497 will significantly impact the ability of RMJB to protect its existing members and to organize new members in Utah. RMJB 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 on April 30, 2011 in New York City, New York.



Katie Gerken