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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 JUAN MANUEL
 RUIZ**

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

Declaration of Juan Manuel Ruiz

I, Juan Manuel Ruiz, 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 and Chairman of the Board of the Latin American Chamber of Commerce (“LACC”) since January 2009. I have been involved with LACC since November 2007.
3. The Latin American Chamber of Commerce was founded in July of 2004 by Renetta Coppard to help both local and Latino immigrant businesses make the most of their business opportunities through education, networking and solid integration dynamics. Our founder felt that the needs of small business owners (especially those of Latino immigrant origin) were not being met through existing business associations in Utah. She knew that despite the language barriers, Latino immigrants are very industrious people determined to succeed and contribute wherever they go and to their new home communities. She felt Latino immigrant business owners just needed a little help to ease the transition to the Utah way of life, so she set out to create what is now known as the LACC.
4. The Latino/Hispanic community has become a vibrant part of Utah. In the recent past, the LACC has had over 650 members in the state. Currently we have 488 members. LACC’s members operate businesses in the retail, light manufacturing, and services industries.

5. LACC works with Latino business owners who are usually first generation immigrants. Most people we work with don't speak English well. We estimate that as many as half of our members are undocumented immigrants.
6. Since 2004, LACC has assisted people who are adjusting to the U.S. lifestyle through technical assistance, workshops, networking opportunities, business seminars, fairs, and all kinds of events. In a year, LACC typically hosts three large events that combined are attended by thousands of people from across Utah and 36 smaller events for 20 to 100 people. This year's activities include or will include: the Utah Hispanic Economic Summit, the Women's Fair, and The Excellence Awards, twelve networking luncheons, and various workshops to assist Latino/Hispanic entrepreneurs. The goal of the events is to provide members with networking and promotional opportunities. LACC is committed to empowering a strong Latino business base to strengthen the State of Utah economically and culturally.
7. Immigration bills such as HB 497 have dramatically affected the attendance at LACC events. In 2008, our women's conference had almost 5,000 people in attendance. In 2009, after Senate Bill 81 came into effect, a state immigration, attendance at that event went down to 2,000 people. Most of our events are held indoors and people are afraid to gather in an indoor facility. They prefer to be outdoors because that makes it easier for them to escape to a safer place in case of a police or immigration raid. Since the passage of SB 81 we have struggled with getting over 2,000 people at our events and the decrease in attendance is directly attributable to implementation of SB 81.

8. If HB 497 takes effect, attendance at our events will be even lower. For our women's conference this year, we conducted more promotion than ever before through television, radio, and newspapers. Attendance still did not reach 2,000 people even though the Latino population in Utah keeps growing as do the number of Latino-owned businesses. Our event has also grown in amenities and budget, but that was not enough to overcome the attendees' fears. Our members have told us directly that if HB 497 takes effect, they will be afraid to attend events where a large number of Latinos are gathering because they fear the police will raid the event and ask them for their documents.
9. In addition, LACC is worried about HB 497 being implemented because it will adversely impact many of the businesses we work with. Our members are afraid they will be pulled over by the police and asked for their documents if HB 497 takes effect. Based on these fears our members won't buy houses or invest in Utah. They think that if they spend money and invest, they could be arrested or deported anytime and will lose their belongings or their property. In this way, fears about HB 497's implementation is already having a direct economic impact on the LACC and on the state of Utah.
10. LACC has been forced to become more involved in immigration issues because a law like HB 497 will be extremely detrimental for the Latino population and Latino businesses in the state. Many Latinos have children that are U.S. citizens. If they are stopped by the police and turned over to Immigration, families will be separated and this will have a huge emotional and social impact.
11. In the past, we did not participate as much in state legislative activities. But things have changed a lot since January 2011, when HB 70, HB 497's precursor was introduced. As

a result, we have had to divert organizational resources away from other core areas of our mission to adequately deal with the results of immigration bills arising in the state legislature. Since the announcement of HB 497, the climate in Utah has changed and there is a growing anti-immigrant sentiment.

12. Many members have called our office asking what to do if HB 497 takes effect, if they can still keep their businesses. Some are concerned about losing money because massive numbers of people may leave the state if HB 497 takes effect. Some callers are legal permanent residents and U.S. citizens who are concerned about HB 497 and are thinking about leaving the state themselves because they look “foreign” and they know they could be targeted by the police for harassment, interrogation, and detention. In addition, small Latino business owners are suffering from the decrease of business because of a decrease in population.
13. We hear all the time that legal residents and U.S. citizens are afraid to get pulled over by local police after HB 497 takes effect. They are afraid the police will have more power over their lives, including the power to ask for their immigration documents, if HB 497 is implemented. LACC’s concern is that if the police can use “reasonable suspicion” to ask for immigration documents, they will use physical appearance, accent, and the possession of a Driving Privilege Card as the basis for reasonable suspicion.
14. LACC has heard of several cases of people who were abused by the police. Some are cases of excessive force, others where the police inquiring about immigration status. In one case, a young woman who is a U.S. citizen was stopped and the police asked if she

- was in the country legally and then asked her for her phone number. She thinks the police officer asked about her immigration status because she looks Latina.
15. In another case, a lady was on her way to deliver food to a family as part of her religious activities. When she pulled into the driveway of the house, the police officer who had been following her walked up to her vehicle before she got out and asked her to stay in the car. When she showed proof of insurance, he crumpled up the card and threw it on the ground, claiming it was invalid. He grabbed her by the arm, elbow and neck. She thinks the police acted this way because she is Latina. LACC is concerned that racial profiling and abuses of Latinos will increase if HB 497 is implemented.
16. We've also heard about law enforcement asking shoppers for identification at a local shopping center with predominantly Latino businesses. This started happening since HB 497 was signed into law. We fear these practices will worsen if HB 497 is allowed to take effect. The businesses in the shopping center have voiced their concerns to LACC. Many businesses have already closed. This has a direct impact in the community as a whole. The shopping centers attract all members of our community, not just Latinos, regardless of immigration status.
17. HB 497 is negatively impacting LACC's goals. We would rather concentrate on training business owners; but instead, we are spending a lot of our time on the phone or in meetings trying to inform the community about HB 497. This is a distraction from our central organizational goals. We believe that HB 497 will cause attendance at our events to decrease. In response to community fears, we are changing some of our strategies. For example, we may have to hold the women's conference in a park next year, which is

more expensive because we will have to rent tents for every booth. The logistics will also be more difficult because the event will take place in April, when there is rain and snow. This is a trade-off so that we can increase attendance for next year in light of HB 497.

18. In the past, we've had limited participation in activities that addressed immigration issues. But in the last year, our members have repeatedly asked what LACC is doing about HB 497 and what we are doing about the aggressive approach the state is taking against Latinos. So we've been more engaged in seminars, radio, and television programs to inform the community about HB 497. We will do more work in the next few months about HB 497 – we already have radio and television interviews, as well as community meetings scheduled. All this activity is diverting our energy and resources from our organizational priorities.
19. We're also considering starting a new workshop every month on civil rights and will probably partner with other organizations to have civil rights meetings and trainings for our members. LACC's seminars don't typically cover immigration or "know your rights" issues. But we feel HB 497 is a very serious issue that will affect many of our members and because of this we are planning a seminar on HB 497.
20. LACC had to start a website - www.noabuso.org – to provide "know your rights" information regarding law enforcement and to document abuses. We invested money in this website so that we could get our members to report abuses by law enforcement. We have to print literature and materials to publicize this website. LACC also has a dedicated toll-free line for people to call to report police abuses. We must pay for this

phone line every month. In addition, LACC made a 30-second Public Service Announcement (PSA) to inform people about their rights when stopped by law enforcement. The PSA cost us \$2,000 to make. If we cannot get free air time for the PSA, we will have to pay thousands more dollars to air the PSA. These are all expenses that will increase if HB 497 is allowed to take effect.

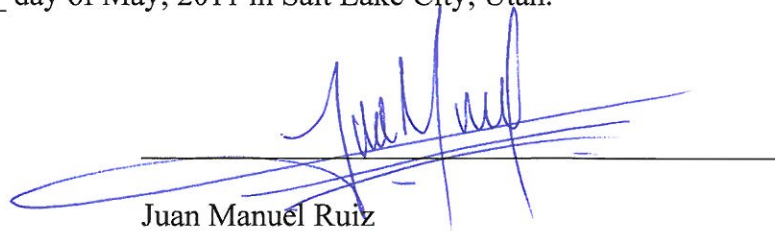
21. LACC's personnel have been spending a lot of time on HB 497 issues. We have always gotten a lot of phone calls from members and the Latino community with questions about business and other issues. Latinos have seen us intervene with the Legislature and the Governor and that's why they call us. We appear on the radio and television regularly, but not necessarily on immigration issues. When SB 81 was being discussed in 2007 and 2008, we got a lot of calls regarding immigration. The calls slowed down in 2009. Since the end of 2010, when HB 497 was being discussed, our phones have been ringing off the hook. Now we are getting so many questions on immigration issues that our personnel are spending most of their time on this. We have seen a 300% increase in calls related to HB 497. Our current six-person staff cannot handle this influx of calls - we will probably have to hire an additional staff person to complete the office work that HB 497 is generating.

22. I personally receive 20 to 30 calls on my cell phone every day from people who have questions about HB 497 and immigration issues. They ask me what to do if the police visit their businesses and ask about immigration status. Some calls are from people who want to shut down their businesses and leave the state because they are afraid of HB 497. We are concerned because this will cause our community to lose jobs and tax revenue.

For all these reasons, LACC is concerned about the negative impact of HB 497 on our work, the lives of our members, and the broader Latino community in Utah.

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.



Juan Manuel Ruiz