

NEWS UPDATE

June 22, 2010

Subject: More Information on Arizona's Immigration Law

It has been more than a month since Arizona passed its draconian immigration law (S.B. 1070), which garnered national attention and thrust the issue of comprehensive immigration reform back on the political front burner. S.B. 1070 requires police to demand proof of immigration status from anyone who they have a "reasonable suspicion" of being in the country illegally. Despite widespread protests and numerous constitutional challenges to the Arizona law – slated to go into effect in late July – many other states are following suit. Eleven have introduced similar immigration enforcement proposals, which also seek to deter unlawful entry and presence of undocumented immigrants by empowering state and local police officers to investigate immigration status. The various proposals also cite the lack of a federal comprehensive immigration solution as justification for assuming broader powers to enforce immigration laws. (At the time of S.B. 1070's enactment, President Obama also had cited Congress's failure to fix the broken immigration system as the reason for enactment of a patchwork of inconsistent and often misguided state and local immigration enforcement actions.)

In the weeks following S.B. 1070's passage, a diverse coalition came together in opposition to the new law. Police chiefs of several major cities including Los Angeles, Houston, and Philadelphia said that the law would increase crime by driving a wedge between police and immigrant communities. The government of Mexico condemned the law and issued a warning to its citizens against traveling to the state. Numerous professional organizations that represent and count immigrants among their ranks are boycotting Arizona and cancelled conferences there. Finally, many well-known musicians cancelled shows and tour stops in the state.

Nevertheless, a recent poll shows that 58% of likely voters nationwide support an Arizona-style law in their state. If many other states pass these laws, the nation will have a hodgepodge of disparate and confusing immigration requirements and enforcement directives that will inevitably lead to violations of an individual's civil rights. The only rational solution to this problem is a federal comprehensive immigration package. This would eliminate states' justification for these laws as well as preempt future state action. The onus clearly is on Congress and the President to take swift and decisive action.

If you have any questions, email us at contactRS@rudnickspector.com.

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