



**PRESS RELEASE  
FOR IMMEDIATE DISTRIBUTION  
June 25, 2012**

**CONTACT:**  
Rachanee Srisavasdi, Communications Director  
213-241-0227; rsrisavasdi@apalc.org

**SUPREME COURT ISSUES RULING ON ARIZONA ANTI-IMMIGRANT LAW**  
*Civil Rights Coalition's Case Against SB 1070 and Other Racial Profiling Laws Will Continue*

**WASHINGTON** – The U.S. Supreme Court today issued a decision regarding Arizona's racial profiling law, SB 1070. In *Arizona v. United States*, the Court determined that three of the four provisions currently blocked by the courts are preempted by federal law. The Court reinstated the law's "show me your papers" provision for the time being, but left open the possibility that the provision could still be found unconstitutional on preemption or other grounds in the future.

The decision will not immediately go into effect in Arizona. A separate case filed by a civil rights coalition, *Friendly House v. Whiting*, will continue. That case includes additional legal claims that were not addressed by the Supreme Court, including arguments that the law will result in unreasonable search and seizure in violation of the Fourth Amendment, and that it discriminates on the basis of race, ethnicity, and national origin in violation of the Fourteenth Amendment.

"The Supreme Court rightly affirmed that these anti-immigrant laws violate the constitution and our fundamental values. However, upholding the racial profiling provision is a grave error that will undoubtedly lead to civil rights violations, and places the Supreme Court on the wrong side of justice," said Marielena Hincapié, executive director of the National Immigration Law Center, co-lead counsel for the plaintiffs in *Friendly House v. Whiting*. "This decision should serve as a call to mobilize, organize, and advocate against divisive legislation like SB 1070 in Arizona and in any state."

"Today's decision should not have reinstated Arizona's 'show me your papers' requirement, which invites illegal detentions and racial profiling," said Omar Jadwat, a senior attorney with the ACLU Immigrants' Rights Project and co-lead counsel on the case. "But the Supreme Court properly rejected Arizona's claim to broad authority in the immigration area and made clear that the 'show me your papers' provision may still be enjoined on other grounds in the future. The tide has already turned against laws like Arizona's, because states recognize that the laws are incompatible with basic American values, are bad for the economy, and undermine and distract our police officers, and this decision will add to that momentum."

"Today's decision shreds the foundation of SB 1070 and its copycats around the country by affirming the federal authority in immigration regulation," stated Victor Viramontes, MALDEF national senior counsel. He added, "The majority identified serious ambiguities and potential constitutional flaws in the 'show me your papers' provision, which will result in further legal proceedings, but erred in not concluding that the law should be blocked immediately. As a result, we must prevent any racial profiling and unconstitutional arrests from Arizona's misguided law. "

“It will be impossible to enforce this law without engaging in racial profiling,” said ACLU of Arizona Executive Director Alessandra Soler. “Every police department in the state will now be forced to divert limited resources to stopping and questioning people about whether their papers are in order. This will not only threaten all Arizonans’ public safety, but it will inevitably leave communities highly exposed to lawsuits brought on by victims of these discriminatory practices.”

“We are pleased that the U.S. Supreme Court reaffirmed the longstanding view that the federal government has the ultimate authority on immigration,” said Jessica Chia, staff attorney at the Asian American Justice Center (AAJC) and counsel in the Friendly House litigation. “However, the Court’s decision to uphold racial profiling is deeply troubling, and we have grave concerns about how this provision will be implemented, what constitutes ‘reasonable suspicion’ and how officers will be able to enforce this provision without discriminating individuals based on appearance or speech.”

“Our client Jim Shee’s experiences show that Arizona’s law can harm citizens and non-citizens alike, and allows local law enforcement to unfairly target individuals from communities of color. It is now more important than ever that we stand in solidarity to fully dismantle this fundamentally discriminatory legislation,” said Laboni Hoq, litigation director at the Asian Pacific American Legal Center (APALC).

In 2011, five states — Alabama, Georgia, Indiana, South Carolina and Utah — enacted similar state immigration enforcement laws. Federal courts have blocked most of the key provisions of these laws, and those injunctions will not immediately be affected by today’s decision. No state passed a copycat law in 2012, and a growing number of states have realized these laws lead to civil rights abuses for immigrants and citizens, harm businesses, and conflict with fundamental American values of fairness and equality.

“Today’s unfortunate Supreme Court decision on the Department of Justice’s narrow challenge does not alter our view that SB 1070 violates cherished civil rights and should be struck down in its entirety. It is worth noting the sections targeting day laborers, not challenged by the Dept. of Justice, remain blocked by federal court order because they violate bedrock First Amendment rights,” said Chris Newman, general counsel for the National Day Laborer Organizing Network. “Arizona’s war of attrition against the immigrant community is a war of attrition against basic Constitutional values, and we remain confident the Constitution will ultimately prevail in court and in the court of public opinion.”

The civil rights coalition includes the ACLU, NILC, MALDEF, NDLON, and the ACLU of Arizona, as well as APALC and AAJC, both members of the Asian American Center for Advancing Justice.

###

*The Asian Pacific American Legal Center (APALC), a member of the Asian American Center for Advancing Justice, is the nation’s largest Asian American legal and civil rights organization and serves more than 15,000 individuals and organizations every year. Founded in 1983, APALC advocates for civil rights, provide legal services and education, and build coalitions to positively influence and impact Asian Americans, Native Hawaiians and Pacific Islanders and to create a more equitable and harmonious society. Through direct legal services, impact litigation, policy analysis and advocacy, leadership development and capacity building, APALC seeks to serve the most vulnerable members of Asian American, Native Hawaiian, and Pacific Islander (NHPI) communities while also building a strong Asian American and NHPI voice for civil rights and social justice.*