

ALABAMA IMMIGRATION LAW SPURS WIDER FIGHT

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The Obama administration's challenge to Alabama's new law to combat illegal immigration is likely to lead to years of courtroom wrangling and help define the roles of federal and state governments in dealing with illegal immigrants.

Like the Arizona law that partly inspired it, the Alabama law, set to take effect Sept. 1, requires police to ask the immigration status of anyone they stop who they have a "reasonable suspicion" might be in the U.S. illegally. It also requires employers to check their employees' paperwork against a federal database called E-Verify.

And it requires public schools to determine the legal status of their students and to report their findings to the state, and makes many contracts involving an illegal immigrant unenforceable in state courts.

On Monday, the Department of Justice filed suit in federal court in Birmingham, saying in a statement that the Alabama law could lead to harassment and the detention of legal immigrants and overwhelm federal resources with arrests made at traffic stops.

Alabama Gov. Robert Bentley said he would "fight at every turn" to enforce the new law. "The federal government did not do what it was supposed to do to enforce laws against illegal immigration," said Mr. Bentley, a Republican, who signed the bill into law in June.

The Constitution is unclear on whether states can make their own rules on the enforcement of federal immigration laws, lawyers say. The Justice Department argues that the Alabama law clashes with federal law by deepening and widening where and how anti-immigration measures are taken, and undercuts national immigration objectives such as focusing on illegal immigrants with criminal backgrounds and employers who knowingly hire illegal labor.

There needs to be a clear demarcation of federal and state responsibilities for fighting illegal immigration, said Daniel Lemley, a Tuscaloosa lawyer who teaches immigration law at the University of Alabama's College of Law. He said he hoped the legal challenges to the law would bring some clarity.

The American Civil Liberties Union and other pro-immigrant groups have called the Alabama law unconstitutional, and filed a lawsuit last month seeking to block the law from taking effect. The courts will hear the case later this month.

The ACLU has won preliminary injunctions against similar laws passed in Arizona, Georgia, Indiana and Utah.

Religious leaders from the Roman Catholic, United Methodist and Episcopal churches in Alabama also filed a lawsuit on Monday, fearing they could be criminalized for the "administering of religious sacraments," according to the suit.

"Right now, you have a high level of fear and anxiety among the immigrant community," said Isabel Rubio, executive director of the Hispanic Interest Coalition of Alabama.

Alabama's undocumented population, which is mostly Latin American, numbered about 120,000 in 2010, compared with an estimated 25,000 a decade earlier, according to Pew Hispanic Center estimates.

Republican state Rep. Micky Hammon, the legislation's sponsor, said in a statement that the Obama administration "wants to protect those who break our laws with abandon and sue those who pass laws to stop it."