

U.S. Supreme Court Ready to Tackle Controversial Arizona Immigration Law

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A clash over immigration law will go before the U.S. Supreme Court on Wednesday (April 25), pitting the state of Arizona against U.S. President Barack Obama in a case with election-year political ramifications for him and Republican rival Mitt Romney.

In its second-biggest case this term, the court -- fresh from hearing the Obama healthcare overhaul case -- will consider whether a tough Arizona immigration crackdown strayed too far into the federal government's powers.

A pro-Arizona decision would be a legal and political setback for Obama, who has criticized the state's law and vowed to push for immigration legislation if re-elected on November 6.

A decision against Arizona would deal a blow to Romney, who has said the government should drop its challenge of the law.

"The balance of power between the federal government and the state government is a big issue currently in American politics, and it will probably be a featured issue in the presidential campaigns," said Ben Winograd, a staff attorney at the American Immigration Council, an organization favoring looser immigration laws.

"With respect to immigration, allowing states to be the primary enforcers of federal immigration law would from a civil rights perspective have huge ramifications. All of a sudden, every traffic stop that is conducted by a local officer and involves someone who arguably looks or sounds like an immigrant could result in an extended detention and even possibly incarceration," he said.

Dissatisfied with what it considered inadequate federal enforcement, Arizona, which shares its southern border with Mexico, passed an controversial immigration law two years ago. The Arizona law requires police to check the immigration status of anyone detained and suspected of being in the country illegally.

At issue in the case is whether the authority of the federal government supersedes regulations put forth by the state, particularly in an areas of jurisdiction -- in this case, immigration -- that have traditionally been within the purview of the federal government.

Other parts of the Arizona law require immigrants to carry their papers at all times; ban illegal immigrants from soliciting for work in public places; and allows police to arrest immigrants without a warrant if an officer believes they have committed a crime that would make them deportable.

"If the law is, you have to carry your immigration documents and if you are in the country illegally you should go home under most circumstances, then that's should be what is enforced at the federal, at the state and at the local level," he said.

A federal judge and a U.S. appeals court earlier ruled for the Obama administration and blocked all four parts of the Arizona law from taking effect.

Five other states -- Alabama, Georgia, Indiana, South Carolina and Utah -- have followed Arizona's lead and adopted similar laws, parts of which could be affected by the Supreme Court's ruling.

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