



## Supreme Court Decision on Anti-Immigration Law Sends Strong Rebuke to Arizona

Racial Profiling and "Show Me Your Papers" Upheld But Will See Future Challenges

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MADISON, WI – Today the Supreme Court of the United States struck down three parts of Arizona's anti-immigration law as unconstitutional. But the court did not strike down the discriminatory "show me your papers" provision which condones racial profiling and allows law enforcement to ask for immigration documents from lawfully stopped people. The decision is mixed, but ultimately sends a strong rebuke to the state of Arizona for overstepping its legal authority in the realm of federal immigration enforcement.

The focus of the court's decision was whether or not Arizona's law was preempted by the U.S. Constitution, which gives the federal government – not the states – authority to regulate immigration. In three areas, the court said it was unconstitutional for states to criminalize working while undocumented, criminalize not being registered or carrying immigration documents, and for law enforcement to make warrantless arrests of people solely on the basis of a suspicion of their undocumented status. Other states that have written or passed similar laws must pay attention to the SCOTUS decision and repeal or stop attempts to pass anti-immigration laws.

In Wisconsin, Representative Don Pridemore (R-Hartford) drafted a bill that included a "show me your papers" provision, language allowing law enforcement to make warrantless arrests, and also criminalized the refusal or failure to show proof of legal status which could lead to detention. Today's Supreme Court decision should show Wisconsin lawmakers that attempts to authorize state police to enforce federal immigration law run afoul of the constitution.

"The Wisconsin Legislature wisely did not hold hearings on a bill similar to Arizona's," said ACLU of Wisconsin Executive Director Chris Ahmuty. "While the Supreme Court decision rules out much of the Wisconsin proposal, states that allow 'show me your papers' provisions will open the floodgates to further litigation and will hurt law-abiding citizens in Wisconsin. The ACLU of Wisconsin will collect stories and evidence of racial profiling and any effort by law enforcement to detain residents unlawfully. The discussion on Arizona's law will not end today."

The national ACLU has amassed an \$8.6 million war chest to mount an aggressive response against Arizona's SB 1070 and other states' racial profiling laws. It will help underwrite continued litigation against these measures, lobbying efforts and public education programs. Any laws that encourage racial profiling, undermine local law enforcement's priorities and sow a climate of fear that pits neighbor against neighbor will be stopped.

The ACLU of Wisconsin has approximately 6,500 members who support its efforts to defend the civil liberties and civil rights of all Wisconsin residents. For more on the work of the ACLU of Wisconsin, visit our [webpage](#), like us on [Facebook](#) or follow us on Twitter [@ACLUofWisconsin](#) and [@ACLUMadison](#). Read more news and opinion on civil liberties in Wisconsin on the [Forward for Liberty](#) blog.

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