

Supreme Court Limits Arizona's Overreach on Immigration, Leaves Door Open to Future Challenges

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Washington D.C. - In a blow to the state anti-immigration movement, the Supreme Court ruled today that the authority to enforce immigration laws rests squarely with the federal government, limiting the role that states may play in crafting state-level answers to immigration enforcement. By a 5-3 margin, the Court struck down three of the four provisions of SB 1070 that were challenged by the Obama administration as pre-empted under federal law. While the Court agreed that Arizona's attempt to limit immigration by creating new laws and new penalties to punish undocumented immigrants was pre-empted, it found that a provision requiring local police to investigate the legal status of suspected undocumented immigrants was not pre-empted on its face. The court read this provision very narrowly, however, leaving open the door to future lawsuits based on racial profiling and other legal violations.

"Today's decision makes clear that the federal government—and only the federal government—has the power and authority to set the nation's immigration policies," said Benjamin Johnson, Executive Director of the American Immigration Council. "Despite its strongly worded rejection of Arizona's effort to set its own immigration policies, the Court adopted a wait-and-see approach to the controversial racial profiling section of the law. There is already ample evidence of discrimination and abuse in Arizona, and many communities in the state will bear the brunt of the Court's unwillingness to face that reality. It's time for Congress to heed the dire warnings contained in this opinion and recommit to fixing our broken immigration system."

For additional information see:

- [Q&A Guide to Arizona v. United States: What You Need to Know About the Supreme Court Case Involving SB 1070](#) [1]
- [Q&A on What Arizona v. United States May Mean for States with Similar Immigration Laws](#) [2]
- [Q&A Guide to State Immigration Laws: What you Need to Know if Your State is Considering Anti-Immigrant Legislation](#) [3]
- [Bad for Business: How Harsh Anti-Immigration Legislation Drains Budgets and Damages States' Economies](#) [4]

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[1] <http://www.immigrationpolicy.org/special-reports/guide-arizona-v-united-states-what-you-need-know-about-sb-1070-supreme-court-case>

[2] <http://www.immigrationpolicy.org/just-facts/what-arizona-v-united-states-may-mean-states-similar-immigration-laws>

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[5] http://www.americanimmigrationcouncil.org/sites/default/files/docs/scotus_arizona_decision_062512.pdf