

Civil Rights Coalition Files Lawsuit to Block Alabama from 'Black Listing' Immigrants

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Body

The American Civil Liberties Union issued the following news release:

A coalition of civil rights organizations filed a lawsuit today to **block** a portion of **Alabama's** anti-**immigrant law** requiring state officials to publicly post an online list of **immigrants** who may be undocumented.

The lawsuit was filed in federal district court on behalf of four Latino **immigrants** in Montgomery County who were arrested for allegedly fishing without a license - a misdemeanor offense. The **law** does not give **immigrants** any way to dispute their inclusion in the database.

Justin Cox, staff attorney with the ACLU **Immigrants'** Rights Project, pointed out that the "black list" -- which has also been called the "scarlet letter" provision -- was controversial when it was pushed through by one **Alabama** legislator. "Sen. Scott Beason should never have been allowed to hijack the state legislature with his anti-**immigrant** agenda. This **law** violates privacy **laws** and basic constitutional rights, as well as conflicts with fundamental American values of fairness and equality. Instead of moving forward with a mean-spirited **law** that is doomed to fail, **Alabama** should join the rest of the country and focus on common-sense reforms that benefit citizens and **immigrants** alike."

Kristi Graunke, staff attorney with the Southern Poverty **Law** Center, said: "This **part** of **Alabama's** anti-**immigrant law** represents an unfortunate effort to bully and intimidate **immigrants** into leaving **Alabama**. It is designed to permanently brand, humiliate and otherwise make life difficult for **immigrants** regardless of status. It conflicts with federal privacy requirements and burdens the already cash-strapped state court system. Sadly, **laws** like this show that **Alabama** has yet to turn away from the devastation its anti-**immigrant laws** have caused."

Nora Preciado, staff attorney with the National Immigration **Law** Center, said: "While the rest of the country focuses on how best to make Americans at heart become Americans on paper, **Alabama** continues to tread down a discriminatory, anti-**immigrant** path. This lawsuit proves once again that **Alabama's** policies aren't just unconstitutional, but also out of touch with the political mainstream."

The latest attack on **immigrants** in **Alabama** is **part** of HB 658, a package of revisions to the state's notorious anti-**immigrant law**, HB 56. HB 658 effectively doubled-down on the draconian nature of the original **law**, enacted in 2011. Section 5 of HB 658 requires the state to compile and post on a public website the names and other information clearly identifying certain **immigrants** when they are detained on any state charge, no matter how minor, and appear in state court. The plaintiffs in this case and even those charged with minor traffic violations would fall within this requirement and be unconstitutionally added to the "black list."

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Section 5 requires the posting of private information that the federal government has declared confidential and not subject to public disclosure. Moreover, once a person is named on the list, the law provides no means to remove their name or change their information if the listing is inaccurate, the person obtains permission to live in the United States, or even becomes a citizen.

The Alabama Administrative Office of Courts is charged with compiling the list. All individuals falling into a new and vague category of immigration status created by the law are added to the list, even if their cases are later dismissed. The law also provides no notice to people that their names and information will be listed online.

The U.S. Court of Appeals for the 11th Circuit has already blocked key provisions of Alabama's original law -- the most extreme in the nation -- after finding that it conflicted with federal immigration law. The revision mandating the "black list" also violates federal law, and encourages discrimination by targeting immigrants.

For a copy of the complaint: www.aclu.org/immigrants-rights/doe-v-hobson-complaint

For more information about Alabama's original anti-immigrant law: www.aclu.org/crisis-alabama-immigration-law-causes-chaos

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