

Friday, July 27, 2007

Federal judge strikes down local anti-immigrant ordinances.

^ ^ ^ The Statue of Liberty is worth little if immigrants' rights are not vigorously protected. On July 26, 2007, on Constitutional grounds, a federal trial judge overturned the bulk of Hazleton, Pennsylvania's anti-immigrant ordinances, concerning such matters as housing and employing people who are not United States citizens. The trial court's opinion and order are over two hundred pages long, so I have only had a chance to skim the opinion. The opinion includes in-depth discussion of pre-emption of local ordinances by federal laws, unconstitutional aspects of Hazleton's anti-immigrant ordinances that go beyond federal pre-emption issues, standing of the various plaintiffs to sue Hazleton in this matter, and the ability of some of the plaintiffs to appear anonymously, due to their being in the United States without legal authorization to do so. The case is *Lozano, et al., v. City of Hazleton*, Civ. No. 3:06cv1586, ___ F.Supp. 2d ___ (D. M.D. Pa., July 26, 2007). In the opinion's Appendix is a helpful thirteen-page overview of the history of regulating immigration in the United States. The opinion also is helpful to inform challenges to other similar ordinances sprouting out in many parts of the United States. Aside from Native Americans, all others residing in the United States are born abroad or are descended from immigrants. Unfortunately, too many immigrants and descendants of immigrants in the United States believe that some immigrants were created more equal than others, as a justification to bar the "less equal" immigrants. Often such views are based on racial prejudice. Jon Katz.

Posted by Jon Katz in Constitutional Law at 00:30