



Judge in Hazleton suit rules plaintiffs do not have to disclose their immigration status

FOR IMMEDIATE RELEASE

December 15, 2006

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SCRANTON, PA. A federal judge today ruled that the plaintiffs suing Hazleton to stop its anti-immigrant ordinance do not have to disclose their identities or immigration status. In the language of the decision, public identification "...would cause the plaintiffs to become targets of intense anti-immigrant and anti-Latino sentiment."

The law being challenged would fine landlords found to be renting to undocumented individuals and close down businesses that hire them. For the first time a judge has ruled that immigrants challenging this recent wave of anti-immigrant laws do not have to disclose their identity or immigration status.

"These laws, grounded in racial animus, are barbaric," said Foster Maer, an attorney for the Puerto Rican Legal Defense and Education Fund. "Their intention is to force immigrants into homelessness and destitution. Hopefully, this decision will encourage others across the country to stand up and challenge them."

PRLDEF is challenging several other ordinances around the country. In Hazleton, PRLDEF is joined by the ACLU, Community Justice Project, law firm of Cozen O'Connor and local attorneys David Vaida and George Barron.

Judge James Munley of the U.S. District Court for the Middle District of Pennsylvania held that, “plaintiffs may legitimately fear removal from the country and separation from their families.” Last month, Judge Munley temporarily barred the city from implementing the law. The original measure became a model for other U.S. towns that blame undocumented immigrants for a range of social problems.

“What is at stake here is the fundamental right of someone in this country to go to court and assert their rights without fear,” said Cesar Perales, president and general council of PRLDEF.

This was the second defeat for Hazleton in its attempt to pass an anti-immigration measure. The city has changed the original ordinance several times in an attempt to survive legal challenge.

In November, Judge Munley issued a restraining order and said that immigrants risked "irreparable injury" by being evicted from their apartments if the law is enforced. He also said he was not convinced by the city council's argument that illegal immigration increases crime and overburdens social services.

"Defendant offers only vague generalizations about the crime allegedly caused by illegal immigrants but has nothing concrete to back up these claims," Munley wrote.

He added that since the plaintiffs -- representing the town's Hispanic community -- claim the law affects constitutionally protected rights, it is in the public interest to delay enforcement of the ordinance until a court can consider its constitutional implications.

About a third of Hazleton's 31,000 residents are immigrants from Central America. According to local civil rights activists, about a quarter of the town's immigrant population is in the United States illegally.

The law, passed by the city council in July and revised in September, is seen as a template for similar laws passed by 12 other towns around the country, according to

PRLDEF's Latino Justice Project. The Latino Justice Project has helped residents in several towns around the country fight such ordinances.

More than 50 towns are considering similar measures.

PRLDEF, established in 1972, has won landmark civil rights cases in education, housing, voting, migrant, immigrant, employment and other civil rights. PRLDEF has fought for the right of non-English speaking students to get a good education, against housing discrimination in city-owned apartments, and to open up employment opportunities for all citizens.