

Human Rights Watch criticizes Alabama immigration law - CNN.com

By Ashley Hayes , CNN

An Alabama legislator told CNN that a move is afoot to make changes to the state's new immigration law.

(CNN) -- Alabama's controversial immigration law is "grounded in discrimination," fosters a culture of fear and denies basic rights to undocumented residents and their families, a human rights organization said in a report released Wednesday.

The Human Rights Watch Report, "No Way to Live: Alabama's Immigrant Law," is based in part on first-hand accounts given by 57 state residents, including citizens and permanent residents, who reported abuse or discrimination, the group said.

"Many of the unauthorized immigrants we met and their families are deeply attached to the state," said Grace Meng of Human Rights Watch's U.S. program, who authored the report. "Their children are obviously affected, but we also met a teacher who fought back tears as she described her students' fears, a minister who lost 75 percent of his congregation and a Latino permanent resident who was stopped by a state trooper for no reason except ethnicity."

"Legal or illegal, I'm human," one undocumented immigrant, identified in the report as Sara M., told the organization.

Meanwhile, a state lawmaker acknowledged to CNN earlier this week, "we overreached on this law." State Senate Majority Whip Gerald Dial said officials, including Alabama's attorney general, are considering changes to the measure.

The law, known as HB 56, took effect September 28 after a federal judge ruled most of it was constitutional. The measure prohibits undocumented immigrants from entering into "business transactions" with the state; denies bail to any undocumented immigrant arrested for any offense; requires police to check immigration status during traffic stops; and denies court protection to immigrants who have had a contract, such as an employment contract or a lease, violated, the organization said.

In addition, the law makes it a crime for U.S. citizens or legal residents to knowingly assist undocumented immigrants, Human Rights Watch said. It is considered the toughest anti-immigration law in the nation.

"Business transactions" are broadly defined, Human Rights Watch said. Some state and local agencies have barred undocumented immigrants from signing up for utilities such as water, prohibited them from living in mobile homes they own and said they cannot renew licenses for their small businesses.

In incidents that have left state officials red-faced, the law has resulted in the arrest of executives from Mercedes-Benz and Honda -- two of the state's major employers. Both were detained after failing to produce their immigration documents when stopped for a traffic violation.

The U.S. Justice Department has filed challenges to laws passed in various states, including Alabama, Arizona, South Carolina and Utah.

A young man interviewed by Human Rights Watch said he was stopped and detained by police for not having a driver's license and was told by an officer, "You have no rights." One permanent resident was told by a major store employee her prescription could not be refilled because she is not a citizen.

Although a provision that would have required schools to check students' immigration status has been temporarily blocked by a federal court, many families have pulled their children from school and fled the state, the organization said.

Those left behind live in fear, according to the report. One woman said she was afraid to drive her daughter, who was suffering from an asthma attack, to the hospital. Another said her Alabama-born daughter told her, "Why are we here? They don't want us."

Victims of crimes reported they are afraid to report the offense to police, and victims of wage theft feel there is no way they can recover the lost wages.

"In seeking to drive unauthorized immigrants from the state, the law does not in any way acknowledge that many have lived in the state for years and have deep and extensive ties to the state through U.S. citizen family (members), work and community life," Human Rights Watch said.

One man reported his children and father are citizens, and his mother and four siblings are permanent residents. He said he has been "waiting in line" for residency status for 19 years, since his father first petitioned for him, the report said.

"It's just home," one 19-year-old, brought to Alabama when he was 9, told Human Rights Watch. "I love here."

The law has also begun affecting Alabama's economy as well as its image, the report said. "Farmers report a shortage of workers, businesses that rely on immigrant communities are struggling, and foreign companies are reconsidering their investments."

In an editorial published last month as an open letter to Mercedes-Benz, the St. Louis Post-Dispatch newspaper suggested the company move its plant to Missouri, saying, "We are the Show-Me state, not the 'Show me your papers' state."

Asked Monday if lawmakers are having second thoughts about the law, Dial, a Republican, told CNN, "We certainly are, and we're also looking at making some changes in this law. We probably overreached. I think most people in Alabama agree that we overreached on this law."

On the Mercedes-Benz and Honda incidents, Dial said, "You know, recruiting industry is one of the most competitive things in America. ... We're certainly concerned about this, and we've worked diligently in this state for 40 years to overcome some of the images that we've had. And

to see it certainly regress back to those images that are certainly not Alabama, that don't portray the true and real Alabama, certainly bothers all of us. We're committed to making some changes."

Dial said he supported and voted for the bill, but he called that "a mistake."

Earlier this month, Alabama Attorney General Luther Strange sent state legislative leaders suggested changes to the law. State Senate President Pro Tempore Del Marsh and House Speaker Mike Hubbard met with Strange earlier and asked for recommendations on possible revisions, said Hubbard spokesman Todd Stacy.

But, Stacy said, "make no mistake, the Legislature is not going to repeal this law and have Alabama become a sanctuary state for illegal immigrants."

"Speaker Hubbard is focused on making our illegal immigration law work better, clearing up misconceptions and correcting any portions that might be vague or require additional definitions," he said.

A coalition of immigrants' rights organizations plan a gathering December 17 at the Alabama State Capitol in Montgomery to protest the law and call for its repeal, according to Human Rights Watch.

Simply changing the law is not enough, the organization said. "The law both denies fundamental rights and encourages interpretations of the law that make violations of these rights more likely. The human rights of all residents in Alabama cannot be protected simply with modifications to a law that is grounded in discrimination."

<http://www.cnn.com/2011/12/14/us/alabama-immigration-report/index.html>