

Much of Alabama's far-reaching immigration law permanently blocked in final settlement of lawsuits

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BIRMINGHAM, Alabama -- The Justice Department's lawsuit against Alabama over the [state's far-reaching immigration law](#) has been settled, with seven provisions of the law permanently blocked, a DOJ spokeswoman said this afternoon.

The [settlement](#) was signed today by U.S. District Judge Sharon Lovelace Blackburn. It finalizes the agreement the state reached last month with the Justice Department and a group of plaintiffs, who also sued to block the law in the summer of 2011.

The groups who sued Alabama [hailed the settlement announcement last month, declaring it a hard-fought victory. Though much of the law was blocked, sponsors also claimed their efforts had been successful.](#) The law's requirement to check immigration status of new hires has been upheld by the court's and the E-verify system is used across the state.

The law passed by the new the Republican majority in the Alabama Legislature in spring 2011, sought to [attack every aspect of an illegal alien's life](#), according to Alabama Rep. Micky Hammon, R-Decatur. Gov. Robert Bentley called it the strongest in the nation.

The law barred and criminalized contracts with illegal immigrants, required new students to provide immigration information for public school enrollment, barred illegal immigrants from transactions with governments, required the carrying of proof of lawful immigration status, barred illegal immigrants from seeking jobs and allowed law enforcement officers to check immigration status of people during routine traffic stops and other law enforcement contact. It allowed law enforcement to hold suspected illegal immigrants without bond.

The law also barred the harboring, transporting and encouraging of illegal immigrants to stay or live in Alabama. That measure was [challenged by leaders of Alabama's Roman Catholic, Episcopal and United Methodist churches.](#)

The law's passage drew national attention to Alabama, with reports of families [pulling their children out of school](#) and fleeing the state, accounts of crops rotting in the fields with no workers available for the harvest and months of marches by groups opposing the law.

There is also strong sentiment across the state about illegal immigration and Republicans in the Legislature said they were routinely congratulated by constituents for finally addressing illegal immigration, which they said officials in Washington had failed to do.

The DOJ lawsuit filed in August 2011 argued that Alabama's law usurped the federal government's authority to regulate immigration and that several provisions in the law were unconstitutional. The first lawsuit was filed in July 2011 by a large group of plaintiffs that included advocacy groups, individuals, unions and some immigrants.

While supporters of the law said it was designed to withstand legal challenges, the [11th Circuit Court of Appeals blocked](#) several portions of the law. The U.S. Supreme Court [decision](#) last year in a case involving Arizona's similar immigration law dealt backers of the Alabama law another blow, as the court found immigration law enforcement was the province of the federal government.

Sam Brooke, a Southern Poverty Law Center attorney, who argued against the law in federal court, welcomed today's final settlement.

"We are pleased to see that the main parts of HB56, which caused so much turmoil and pain, have now been permanently blocked in the courts," Brooke said. "Today Alabama became a little more hospitable. We hope that soon our leaders in Washington D.C. will similarly reform our nation's immigration laws, to ensure we continue being the fair, just, and welcoming nation our founders intended."

Law enforcement officers can check immigration status during a traffic stop, under the settlement, but the status check cannot last any longer than it takes to handle the reason for the stop.

U.S. Attorney Joyce White Vance of the Northern District of Alabama said the law threatened to divert federal law enforcement resources from pursuit of "dangerous criminal aliens" and other high-profile activity.

"The federal government has been making the nation safer by aggressively prosecuting and deporting criminal aliens in record numbers, and it has done so with the cooperation of our sheriffs and police departments," Vance said. "But H.B. 56 diverted the attention of our state and local partners from violent criminals to ordinary families. The law forced parents to uproot their sons and daughters from their home, and it punished immigrant children for exercising their constitutional right to go to school. Today's decision marks a return to common-sense immigration law enforcement."

http://blog.al.com/breaking/2013/11/final_settlement_reached_block.html