

U.S. Supreme Court declines immigration cases

By Lawrence Hurley

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(Reuters) - The U.S. Supreme Court on Monday rejected attempts by towns in Texas and Pennsylvania to revive local laws that cracked down on illegal immigration.

The court decided against hearing appeals filed by the towns of Farmers Branch, Texas, and Hazleton, Pennsylvania, which were seeking to overturn appeals court rulings that said the ordinances were trumped by federal immigration law. In doing so, the court left intact the appeals court rulings and avoided wading into the divisive issue of immigration at a time in which reform efforts have stalled in the U.S. Congress.

Prompted by concerns that the federal government was not adequately enforcing immigration laws, officials in both towns enacted ordinances that, among other things, required tenants to provide identification that could later be verified with immigration authorities and penalized landlords from renting to illegal immigrants. The Hazleton ordinance also penalized employers for knowingly employing unlawful immigrants. Groups of tenants, landlords, employers and workers challenged the laws in court. They won in both cases, prompting the towns to seek Supreme Court review.

Advocates for immigrants say that five out of six federal courts of appeals that have dealt with similar housing-related ordinances have held that they conflict with the federal government's role as the primary enforcer of immigration law.

The outlier was the St. Louis, Missouri-based 8th U.S. Circuit Court of Appeals, which in June 2013 upheld an ordinance passed in the town of Fremont, Nebraska. That ordinance was different, lawyers opposing the laws say, because it did not penalize immigrants themselves, unlike the two ordinances at issue in the cases before the Supreme Court. Under both ordinances, tenants can be arrested and fined for occupying a residence without the necessary license.

The last time the court decided a major immigration case was in 2012 when it partially upheld Arizona's immigration law. The previous year, the court upheld another Arizona law that penalizes businesses for hiring illegal immigrants. In April 2013, the court signaled a reluctance to get further involved in immigration when it declined to hear an appeal from Alabama seeking to revive a section of the state's immigration law that criminalized the harboring of illegal immigrants.

The cases are City of Hazleton v. Lozano, 13-531 and City of Farmers Branch, 13-516.

<http://www.reuters.com/article/2014/03/03/us-usa-court-immigration-idUSBREA221C220140303>