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Judge Blocks Arizona Immigration Law for Now

Updated 4 p.m.

A federal judge today halted key provisions of Arizona's controversial new immigration law, holding that enforcement of the law would likely burden legal resident aliens and interfere with federal policy.

Judge Susan Bolton of the U.S. District Court for the District of Arizona issued a preliminary injunction blocking enforcement of the provisions, which would have taken effect on Thursday.

Bolton enjoined one provision that required police to make a reasonable attempt to determine the immigration status of a person stopped, detained or arrested. Other portions of the law that are subject to the preliminary injunction include those making it a crime for an alien to fail to apply for or carry alien registration papers and making it a crime for an unauthorized alien to solicit, apply for, or perform work.

"The Court by no means disregards Arizona's interests in controlling illegal immigration and addressing the concurrent problems with crime including the trafficking of humans, drugs, guns, and money," Bolton said in the [36-page ruling \(.pdf\)](#). "Even though Arizona's interests may be consistent with those of the federal government, it is not in the public interest for Arizona to enforce preempted laws."

The Justice Department on July 6 filed the suit against Arizona seeking to block the enforcement of the immigration law on the ground that federal law pre-empts the state's action. Click [here](#) for a background story.

A Justice spokeswoman, Hannah August, today issued a statement that said: "While we understand the frustration of Arizonans with the broken immigration system, a patchwork of state and local policies would seriously disrupt federal immigration enforcement and would ultimately be counterproductive. States can and do play a role in cooperating with the federal government in its enforcement of the immigration laws, but they must do so within our constitutional framework."

Chief counsel of The [Washington Legal Foundation](#), Richard Samp, said in a statement that Bolton's ruling "cries out for appeal." The WLF participated in the litigation in defense of the state law.

Bolton, according to Samp, had no reasonable basis to determine the Arizona law would interfere with federal law. "It is extraordinary for a federal judge to enjoin enforcement of a state law even before the law is allowed to go into effect," Samp said.

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