

## **Faith Statements on the Supreme Court Ruling of *Arizona v. United States***

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### **1. American Friends Service Committee (AFSC)**

The American Friends Service Committee, a Quaker peace and social justice organization, is very troubled by the U.S. Supreme Court's ruling, although it permanently enjoins portions of Arizona's anti-immigrant law SB 1070.

Today's decision affirms that the federal government maintains sole control over immigration policies. However, it also sustains the egregious "show me your papers" clause which in its implementation implicitly endorses racial profiling.

"Today's ruling unfortunately upholds the worst part of this mean-spirited law, even as it overturns other sections. In effect, this means speaking with an accent, or being a person of color – or any other form of racial profiling - can trigger a profound violation of human rights. Most troubling is this decision undermines the moral fiber of the U.S. Constitution, and can be used by other states to enact laws that also enable racial profiling," said Amy Gottlieb, Director of AFSC's Immigrants Rights Program in Newark, NJ.

AFSC has strongly opposed Arizona's SB 1070 since its passage in 2010. Consistent with the Quaker Testimony of Equality, we reject all forms of discrimination, whether based on race, nationality, immigration status, etc. On June 4th, 2010, AFSC signed an amicus brief stating that the law violates both the Arizona and U.S. Constitutions.

Today, AFSC welcomes and supports further legal challenges to SB 1070 that would seek to render the entire law as unconstitutional.

"It is extremely troubling that Arizona's SB 1070 has been replicated in varying degrees by other states, causing economic hardship and dislocation of immigrant communities all across the U.S.", said Gabriel Camacho, the Coordinator for AFSC's Project Voice Program in Cambridge, MA.

Through decades of experience supporting immigrant families and workers, AFSC has witnessed and documented the conditions under which immigrant families are separated, immigrant workers are mistreated and their labor rights abused.

AFSC will continue to work together with immigrant communities and other allies to stand against hate and discrimination, and for policies that are welcoming and inclusive. AFSC urges Congress and the Obama Administration to utilize the following seven principles to guide reform:

- 1 Adopt economic policies consistent with human rights and trade justice
- 2 Protect all workers' labor rights
- 3 Create a clear, workable path to residency
- 4 Respect immigrants' civil and human rights
- 5 Demilitarize the U.S.-Mexico border
- 6 Support family reunification
- 7 Ensure immigrants access to services

## **2. American Jewish Committee (AJC)**

June 25, 2012 – Washington, DC – AJC commends the U.S. Supreme Court for upholding the preeminent role of the federal government in immigration policy, but is disappointed that the Court's ruling left in place a provision of Arizona law enabling law-enforcement officers to require proof of legal status from anyone whom they have reasonable suspicion to believe is undocumented.

Commenting on the 5-3 decision on the constitutionality of S.B. 1070, Arizona's immigration enforcement law, Richard Foltin, AJC's Director of National and Legislative Affairs, applauded the Court's overturning of several of the statute's provisions on the basis of federal preemption, "which will likely result in the overturning of other state copycat laws, such as in Alabama and South Carolina, and prevent the proliferation of similar laws in new states."

The Court invalidated key provisions of the Arizona law, including ones that would penalize an undocumented immigrant who works in the state, or fails to comply with federal alien registration. But Foltin warned that by upholding the provision allowing police to stop and question people simply on the basis of suspicion, the Court decision "will likely lead to racial profiling and civil rights abuses." He noted that the Court's decision leaves the door open to further challenges to that provision on an "as applied" basis.

AJC has condemned S.B.1070 from its inception, calling it a setback in national efforts to achieve immigration reform. "There is no doubt that our nation's immigration laws must be reformed, but those reforms must come from Congress, not from states enacting piecemeal immigration enforcement legislation," Foltin said.

Since its founding in 1906, AJC has been a strong voice in support of fair and generous treatment of immigrants. AJC continues to urge Congress to pass commonsense federal immigration reforms that are consistent with humanitarian values and with the need to treat all individuals with respect, while allowing the United States to implement its immigration laws and identify and prevent the entry of criminals, and of persons who wish to do us harm or otherwise pose a risk to our national security.

## **3. Church World Service (CWS)**

Still more needed to protect immigrants, CWS CEO says

Today the U.S. Supreme Court got it right when it struck down key elements of Arizona's SB 1070, a law we contend is not only unconstitutional but also immoral. However, by failing to reject the law's racial profiling provision, the Court has unfortunately left the question of racial profiling to another day, and thus prolonged civil and human rights abuses in Arizona.

Good laws support the common good and the right to liberty and dignity, but SB 1070 and copycat laws in four other states have sown public chaos. We pray that this racial profiling section will have the same fate as the other sections of SB 1070 – that it will be struck down in future legal battles.

We've seen the negative impacts of these policies. Community trust has been eroded. People should not be afraid to report crimes they witness or are victimized by, for fear that they or a loved one could be deported as a result. Did the authors of the Constitution ever envision an America where children fear going to school lest when they come home they'll find their parents have been detained or deported? Even citizens and lawful permanent residents whom police have determined "look undocumented" have been stopped, harassed, and imprisoned overnight or longer until a family member or friend could locate and bring documentation of their status. Without clarity from the Supreme Court on this racial profiling provision – these abuses of civil and human rights will continue.

There have also been severe negative economic consequences. Arizona has lost billions in tourism and conventions revenue. In Georgia, farmers lost millions of dollars as crops rotted in the fields for lack of farm workers, and in Alabama, the potential economic loss is estimated at two to ten billion dollars.

It is not by chance that this year, not one single state has passed a copycat SB 1070 law. Increasingly, states are rejecting Arizona's example, recognizing that the public does not support mean-spirited, anti-immigrant laws that separate families, reduce community safety, and negatively impact immigrants and U.S. citizens alike. By striking down the majority of SB 1070's provisions, the Supreme Court sent a strong warning to states considering such laws that they are contrary to this nation's values. The Court also emphasized that immigration policies should be set at the federal, rather than the state level.

All people are created in the image of God and loved by God. Immigration policy is both complicated and influenced by the times in which we live, but we can achieve the common good of equal protection under the law of all people, no matter what they look like or where they come from.

Our undocumented brothers and sisters live and work among us, pay taxes, start businesses, and contribute to U.S. economic and cultural life. We should not rest until they are given the ability to make their status right with the law. As Church World Service, we will continue to urge all members of Congress to support and enact humane immigration reforms.

In faith, many people stood in front of the Supreme Court continuously during a 48-hour prayer vigil as the Supreme Court justices prepared to hear the arguments around Arizona's SB 1070. In faith, we will continue in prayerful mission with immigrants in our communities, believing yet again in the generosity of the principles upon which this country was founded.

#### **4. Disciples of Christ**

Faith leaders react to Supreme Court decision on Arizona law

On Monday, June 25, the Supreme Court of the United States made a ruling on SB 1070 – Arizona's immigration law that includes a "show me your papers" provision. The court struck down other parts of the law but retained the documentation provision with the caveat that it would reconsider if there were evidence of misuse, including evidence of racial profiling.

President of Disciples Home Missions, Ron Degges, said, "Because God has called us to be a proreconciling, antiracist church, we oppose racial profiling of all kinds, including those directed at immigrants. Therefore, even as we applaud the positive parts of the Supreme Court's decision, we also look forward to the end of all laws that allow this kind of discrimination to continue." (See below for study resources.)

The [Justice Table](#), made up of several of the General Ministries of the Disciples, has identified immigration as one of the four areas in which to focus its work. Participants in the Nashville assembly may remember [immigration as a focus of one of the plenary sessions](#) and the workshop ["A Case Study on Immigration."](#)

As Tana Liu-Beers, Disciples Home Missions immigration legal counsel, said, "After prayerful reflection and faithful conversation, our General Assembly has urged all Disciples to advocate for compassionate and humane immigration policies. Today's US Supreme Court decision strikes down several inhumane provisions of the Arizona law, but leaves one dangerous policy in place. In terms of education, spiritual formation and changes in the law, we still have our work cut out for us."

[Church World Service](#), the [Hebrew Immigrant Aid Society](#), the [Lutheran Immigration and Refugee Service](#), the [Episcopal Diocese of Arizona](#) and more support continued work on this question. Arizona's anti-immigrant law SB1070 is in opposition to faith values of welcoming the stranger by sanctioning policies that lead to racial profiling, persecuting those that provide for their families, and promoting the separation families. This law failed to promote a fair justice system for all people and put the burden of federal immigration enforcement on the backs of local cities and counties drawing away from precious local resources.

If you are interested in studying racial and reconciliation topics, resources are available through [Refugee and Immigration Ministry](#), [Reconciliation Ministry](#) and [Disciples Home Missions](#).

## 5. Episcopal Church

Arizona bishop "guardedly pleased" with Supreme Court ruling

Bishop Kirk Smith of Arizona said he is "guardedly pleased" about the U.S. Supreme Court's June 25 landmark immigration ruling, which struck down the majority of the state's controversial law targeting immigrants.

"As one working and praying for a more just immigration policy, I was guardedly pleased with the Supreme Court ruling on the controversial SB 1070 law," said Smith, a vocal opponent of the measure, in a statement released to the press.

The 5-3 high court decision blocked three of four contested areas of the law, but let stand the most controversial "show me your papers" provision, which authorizes state police to check the immigration status of anyone they detain if there is reasonable suspicion that the person is unlawfully in the United States.

Yet the ruling also said that the federal government has the ultimate authority to decide who will be held on immigration charges and deported.

The majority opinion written by Justice Anthony Kennedy blocked parts of the law that would have made it a misdemeanor for immigrants to fail to carry identification that says whether they are in the United States legally. It also said the state cannot make it a crime for undocumented persons to apply for a job and cannot arrest someone based solely on the suspicion that the person is in this country illegally. Justices Antonin Scalia, Clarence Thomas and Samuel Alito held dissenting opinions. Justice Elena Kagan had recused herself, saying she had worked on the case while serving in the Justice Department prior to her nomination to the court.

Smith called the high court's ruling a step in the right direction but said he wished justices had gone further, adding that the ruling still leaves "much work to be done to ensure that law-abiding immigrants in our country are treated in a just and humane manner.

"For example, the 'show me your papers' provision of the law, which the court left standing, still has enormous potential for racial profiling and other abuses," he said. "There is still much work that has to be done to assure that all our immigration laws respect the dignity of every human being."

"The Episcopal Church is committed to public policies that create a more just and humane immigration system in the United States," Alexander D. Baumgarten, the Episcopal Church's director of government relations, wrote in an email to ENS. "Over the past two years, the church has expressed consistent concern over Arizona's law because it makes life more challenging, and our communities less welcoming, for those who come to this nation seeking to build a better life for themselves and their descendants. The enforcement of existing immigration laws, while an obligation of elected leaders, should be conducted in a way that safeguards the civil rights of all people and respects the dignity of all God's children.

"We respect the Supreme Court's role as the arbiter of constitutional questions in the United States, and are grateful that several of the farthest-reaching aspects of the Arizona law are now no longer in force," Baumgarten continued. "We remain concerned about the impact of the 'show your papers' provisions upheld by the Court, and we urge lawmakers in Arizona, and throughout the country, to act now to rethink this unfortunate policy and others like it. Ultimately, the debate over this law reinforces the need for Congress and the Administration to undertake the work of comprehensive immigration reform."

The Arizona legislature approved SB 1070 in 2010; a federal judge issued a preliminary injunction blocking the law July 28, 2010, the day before it was to take effect. The lower court decision was upheld by the ninth circuit appellate court and state officials appealed the ruling to the Supreme Court, The U.S. Justice Department had argued that federal immigration policies supersede any state laws, and that the law encourages racial profiling by allowing officers to request proof of citizenship if they suspect someone is in the country illegally.

The ruling's potentially could impact laws in about 20 states, from Pennsylvania to Utah, which have either passed or are in the process of enacting similar legislation aimed to target and deport undocumented persons. Elsewhere, officials were reviewing the law to determine its impact on such legislation.

The decision comes after an April 23 Pew Research Center [study](#) revealed that for the first time in decades more undocumented people are leaving, rather than entering, the country.

Smith said he was unaware of any immediate demonstrations planned by local church leaders, but added, "I would expect that no one sees the struggle for human rights in Arizona to be over. No matter what your opinions are in this matter, I would ask that you keep in your prayers those of your fellow Arizona Episcopalians whose lives are affected on a daily basis by the struggle to find a just solution to this problem."

## **6. Friends Committee on National Legislation (FCNL)**

Supreme Court Ruling on Arizona Immigration Bill - FCNL's Perspective

### *Rejected Three Provisions, Upheld One*

The Supreme Court's decision on Arizona v. U.S. rejected Arizona's attempt to take immigration law into its own hands and affirmed some basic principles of law and of human rights.

The Court ruled that Arizona cannot make it a state crime for an undocumented immigrant to be in Arizona or apply for a job in the state. The Court pointed out repeatedly that, under U.S. law, it is not a

crime for an individual to be in this country or to work without legal documentation. These may be civil violations, but not crimes, and states cannot change that.

Under this ruling, Arizona police cannot arrest and detain a person just because they believe he or she is in the country illegally. The Court did allow Arizona police to check the immigration status of people who were being stopped or detained for some other reason, provided the "status check" did not cause any delays in their release from the routine stop. The Court noted that federal and local authorities can share information to help U.S. authorities enforce immigration laws. It said, however, that this law will be open to further challenge once it is implemented. (The Arizona law had been enjoined--stopped before it went into effect--so the Court had no way of knowing whether the implementation of this section would lead to racial profiling or other violations of civil rights or other U.S. laws.) Immigrants' rights groups in Arizona and Alabama point out that they already have experience with racial profiling, and that they believe local police will stop and detain a person who cannot produce acceptable identification.

This was a strong decision that struck down three key provisions in Arizona's law, affirming clearly that states may not take the enforcement of federal laws into their own hands. Unfortunately, it did leave one dangerous provision in place, which is likely to lead to racial profiling. Though advocates are confident that this provision will be struck down as a violation of civil rights, in the meantime, the rights of people in Arizona - citizens and non-citizens alike - are likely to be violated.

#### *Take Action*

Do you want to educate your community on this important decision? [Submit a letter to the editor on this Supreme Court ruling in a few simple clicks.](#)

## **7. Hebrew Immigrant Aid Society (HIAS)**

HIAS Welcomes the Majority of Today's Supreme Court Ruling on Arizona's SB 1070; Continues to Push Congress for Federal Immigration Reform

(New York, NY) – HIAS, the global migration agency of the American Jewish community, welcomes the portion of today's Supreme Court decision in the case of *Arizona v. United States* that struck down three of the four challenged provisions of the Arizona law, but is very concerned that the Court upheld the provision that allows law enforcement agents to check the immigration status of people they detain.

According to Mark Hetfield, HIAS' President and CEO (Interim), "Though we view the positive part of this ruling as another step in the advancement of immigrant rights—forwarded recently by President Obama's executive order halting deportations of Dream Act eligible individuals—we remain extremely concerned about the potential for racial profiling as a result of today's decision.

"HIAS once again calls upon Congress to move forward with just and humane immigration reform. HIAS will continue to seek opportunities to build relationships among law enforcement, immigrant communities, and business, community, labor, and faith leaders to get Congress to fix our broken immigration laws, reinstate the rule of law along the border, and regularize the status of the undocumented immigrants among us who want to come out of the shadows to work legally, support their families, and contribute to our communities."

Earlier this year, HIAS joined the more than 100 faith-based, community, and civil rights groups that submitted an [amicus curiae](#) brief urging the Court to strike down Arizona's law. The organized Jewish community has condemned SB 1070 since its initial passage in April 2010. Shortly after Arizona Governor Jan Brewer signed the bill into law, HIAS coordinated a [letter](#) to Congress that was signed by more than 65 prominent organizations and individuals in the American Jewish community, condemning the legislation and urging Congress to move forward with federal immigration reform. The letter observes that "throughout our history, members of the Jewish community have been considered strangers and outsiders in their communities, and we know too well the pain of living in fear."

[Read more](#) about HIAS' policy regarding state and local immigration enforcement measures, and [learn more](#) about what you can do to take part in HIAS' immigration reform advocacy.

## **8. Immigration Issues Offices of the Presbyterian Church USA**

Presbyterian Church (USA) leaders express both encouragement and concern over Supreme Court's decision on Arizona SB 1070

The Supreme Court has upheld the most controversial aspect of the anti-immigrant legislation adopted in Arizona. Section 2(B), the provision that permits officers conducting a stop, detention, or arrest to verify the person's immigration status, was the only section challenged under federal preemption theory upheld by the Court.

As lawyers and advocates sift through the opinion to determine its impact on state immigration laws, the Reverend Gradye Parsons, Stated Clerk of the Presbyterian Church (U.S.A.), is concerned with how the church will minister to families in states like Arizona. Parsons commented, "Right now, the most important issue is responding to the pastoral needs of those unsure about how this decision will affect their families." He added, "We will work with local congregations and Presbyteries to ensure that communities have reliable and accurate information to make the best decisions for their families."

This law creates an environment where some are more closely scrutinized and viewed as suspicious, and this worries many immigrants and advocates. Hostility in communities that is sanctioned by law creates an environment where immigrants are not welcomed, which is antithetical to the gospel. The Constitution of the Presbyterian Church (U.S.A.) calls the church to be open to the future to which God is drawing us, which includes church membership and welcoming all people regardless of worldly conditions. By denying the full humanity and rights of a segment of the population in the United States in the eyes of the law, Christians forget the stories of migration of their faith ancestors.

The Rev. J. Herbert Nelson, Director of the Office of Public Witness, stated, "The spirit of the Arizona law and others like it robs this country of the gifts immigrants bring to our communities and congregations by encouraging the public to look upon our sisters and brothers with suspicion and, in severe cases, disdain. This suspicion of individuals perceived to be immigrants also does harm to American citizens as we deny our interdependence on one another. This causes us to forget that we, too, were once strangers in this land."

Presbyterians have a long history of commenting on and advocating for immigration reform and ministering to immigrants suffering as a result of the restrictive laws. The General Assembly of the Presbyterian Church (U.S.A.) has continued this tradition by calling for the House and Senate to work together to develop laws that meet the needs of immigrant families and this country. The Arizona law and others like it are in conflict with General Assembly policy that opposes local enforcement of immigration laws and calls for immigration laws that uphold family unity and individual dignity.

Nelson said, "Section 2(B) can be interpreted to encourage racial profiling and this profiling does violence to the image of God that all people bear. I remain hopeful that this section of the law will eventually be struck down."

While for now the law is uncertain in the long term, Parsons stated, "Sometimes government laws can be in conflict with the gospel. Therefore, it is important for people of faith to think critically about the elements of a just law and how to respond to injustice. The General Assembly of the Presbyterian Church (U.S.A.) and other denominations and faiths have signed onto the Interfaith Platform on Human Immigration Reform. We remain committed to the factors set forth in the Platform, which we regard as just and necessary to meet the needs of our country."

The Presbyterian Church (U.S.A.) is working with our inter-faith partners to develop an appropriate faith-based response to move immigration reform forward and support local congregations and Presbyteries working to address the needs of their local communities in light of the Court's ruling.

## 9. Jesuits and Kino Border Initiative

U.S. Supreme Court's Decision Reaffirms the Need for Humane and Comprehensive Immigration Reform  
The U.S. Jesuit Conference, the Jesuit Refugee Service/USA and the Kino Border Initiative welcome the Supreme Court's decision to strike down three key provisions of Arizona's controversial immigration law, S.B.1070. In doing so, the Court correctly recognized the federal government's constitutional authority to regulate immigration.

We are disappointed however that the decision left standing a final provision of the Arizona law, requiring Arizona law enforcement officers to stop and detain without warrant individuals on the sole basis of "reasonable suspicion" of irregular status. We fear this provision places Arizona law enforcement officers at odds with the communities they seek to protect. This decision not only affects *all* Hispanics in the state of Arizona, but anyone deemed "foreign looking" is subject to detention and interrogation by law enforcement officers of the state. Such laws endanger all residents of Arizona by creating a fear and mistrust of law enforcement and drive immigrant communities further into the shadows by discouraging them from contacting the police when they are victims of crimes.

The Supreme Court's decision on this provision of the Arizona law acknowledges the potential for future legal challenges, and we are hopeful that the provision will be overturned once the problems associated with it are further documented.

Through the Kino Border Initiative (a cooperative endeavor between six religious organizations, including JRS/USA and two provinces of the Society of Jesus, operating in the twin cities of Nogales, Arizona and Nogales, Sonora, Mexico) we have borne daily witness to the harsh realities of the current broken immigration system. The Jesuit Conference, JRS/USA, and the Kino Border Initiative have long been committed to a humane and comprehensive approach to immigration reform. In this spirit, we welcome the words of Archbishop José H. Gomez of Los Angeles, chairman of the U.S. Conference of Catholic Bishops Committee on Migration, who has said, in response to the Supreme Court's decision, "The U.S. Catholic bishops across the nation will urge their state governments to not pursue laws such as in Arizona, but rather to pursue humane reform on the federal level. Humane enforcement of our nation's laws are part of any solution, but enforcement by itself, unjustly administered, only leads to abuses and family breakdown."

## 10. Leadership Conference of Women Religious (LCWR)

Ruling on Immigration Gets Mixed Reviews from LCWR and CMSM

[Silver Spring, MD] The Leadership Conference of Women Religious (LCWR) and the Conference of Major Superiors of Men (CMSM) appreciated that the Supreme Court struck down three of the four most controversial provisions of Arizona's immigration law, SB 1070. In its 5-3 ruling the court rightly held as unconstitutional provisions of the Arizona law which would have:

- Made it a crime for an illegal immigrant to work or to seek work in Arizona;
- Authorized state and local officers to arrest people without a warrant if the officers have probable cause to believe a person is an illegal immigrant; and
- Made it a state crime to violate federal immigration laws.

However, LCWR and CMSM are disappointed by the justices' decision to uphold the very contentious "papers please" provision in Section 2(B), believing this will lead inevitably to racial profiling. Under Section 2(B) local police officers are required to investigate the immigration status of any person they stop or detain if the officer has a "reasonable suspicion" that the person is present unlawfully in the United States. This provision will encourage discrimination against individuals based on appearance and speech. The country needs initiatives of deep healing for racial profiling and discrimination rather than the creation of more conditions which will likely exacerbate these wounds.

For many years, women and men religious have been serving immigrant communities and standing with them as they demanded their God-given rights. LCWR and CMSM will continue to pray and advocate for just immigration reform that would protect family unity, respect the dignity and rights of immigrant workers, provide a path to citizenship, and cultivate the virtue of hospitality.

The Court did leave the door open to further challenges to state immigration legislation by finding that the federal government has broad and “undoubted power over immigration and alien status.” To read the full opinion of the court click [here](#).

LCWR and CMSM submitted an [amicus brief](#) to the Supreme Court in March 2012 challenging the constitutionality of the Arizona law.

## 11. Lutheran Immigration and Refugee Service (LIRS)

Supreme Court Immigration Ruling Underscores the Need for Immigration Reform

BALTIMORE, MD June 25, 2012 – Lutheran Immigration and Refugee Service (LIRS) welcomes today’s Supreme Court decision to reaffirm the federal government’s responsibility for immigration by striking down three provisions of Arizona’s extreme anti-immigration law, SB 1070, and underscores the need for comprehensive immigration reform.

“We are glad to see a broad spectrum of justices come together to firmly reassert the federal role and responsibility in immigration policy,” said Linda Hartke, President and CEO of LIRS, the national organization established by Lutheran churches in the United States to serve uprooted people. “This ruling sends a strong message to states not to intrude into federal responsibility for immigration and highlights the need for Congress and the Administration to step up and overhaul our nation’s immigration laws.”

In *Arizona vs. United States*, the Department of Justice challenged the constitutionality of SB 1070. Today, the justices invalidated three out of four of the law’s challenged provisions, specifically, those making it a crime for immigrants without work permits to seek employment; making it a crime for immigrants to fail to carry registration documents; and authorizing the police to arrest any immigrant they believe has committed a deportable offense.

In the majority opinion, Justice Anthony M. Kennedy wrote, “Arizona may have understandable frustrations with the problems caused by illegal immigration ... but the State may not pursue policies that undermine federal law.”

Unfortunately, the Supreme Court allowed Arizona to implement the so-called “papers-please” provision, which allows Arizona law enforcement officers to verify the immigration status of anyone they detain if there is “reasonable suspicion” that the person is in the United States without proper documentation. The Court believed that it was too soon to rule on the provision before state courts had a chance to interpret it and without more information to determine if it conflicts with federal immigration law. However, in its ruling, the Court also signaled its openness to hearing future arguments on the provision’s constitutionality.

“It’s important that the justices left the door open to hearing other challenges to SB 1070’s provisions,” said Hartke. “This means that while they let stand one of the most troubling provisions of the Arizona law – a discriminatory practice that amounts to racial profiling – they are sending a strong and clear message that the fate of the provisions depends on how it is implemented.”

LIRS was one of many organizations supporting the U.S. government in its legal challenge to SB 1070. LIRS signed on to two separate amicus briefs filed as voluntary information to the Supreme Court. “Signing on to the amicus briefs was just a first step,” said Hartke. “Now that the Court has ruled, we commit ourselves to monitoring how the law is implemented and to continue to advocate for the passage of fair and humane immigration reform.”

LIRS is nationally recognized for its leadership advocating on behalf of refugees, asylum seekers, unaccompanied children, immigrants in detention, families fractured by migration and other vulnerable populations, and for providing services to migrants through over 60 grassroots legal and social service partners across the United States.

## **12. National Advocacy Center of the Sisters of the Good Shepherd**

Bishops Greet Supreme Court Decision on Immigration with Hope, Caution

The U.S. bishops greeted with hope and caution the June 25 Supreme Court decision to strike down provisions of an Arizona immigration law that would have allowed warrantless arrests of people suspected of an offense that is deportable, that would have made it a crime to seek work in the state and that would have made undocumented presence a state crime.

The bishops found hope in the decision in *Arizona vs. United States* and said it reflects the bishops' call for humane and just immigration laws and concern for laws that could tear families apart. Their caution lay in the lifting of an injunction against immigrants having to show papers in some circumstances.

The bishops had filed a friend of the court brief in the case.

Archbishop José H. Gomez of Los Angeles, chairman of the U.S. Conference of Catholic Bishops Committee on Migration, expressed concern regarding the one part of the 5-3 decision that narrowly upheld a provision that permits state law enforcement personnel to determine the immigration status of any person stopped, detained, or arrested if there is a reasonable suspicion that the person is not lawfully in the United States, and to verify the immigration status of any person arrested before releasing that person.

In the opinion, the justices left the door open that the provision that was upheld — known as 2(B) of SB 1070 — could later be found unconstitutional.

“While we are concerned with the Court’s decision to lift the injunction on section 2 (B) of the law, we are encouraged that the Court did not rule it constitutional,” Archbishop Gomez said. “As we articulated in our amicus brief, the implementation of this provision could lead to the separation of families and undermine the Church’s ability to minister to the immigrant population.”

A copy of the brief can be found at <http://www.usccb.org/ogc/amicus-briefs/upload/state-of-arizona-v-united-states-of-america.pdf>

“We stand in solidarity with our brother bishops in Arizona, as they prepare to respond to the implementation of this provision and its potential human consequences,” Archbishop Gomez said.

Opponents of the law have expressed concern that the decision would lead to the racial profiling of immigrants and the violation of civil rights laws.

Archbishop Gomez highlighted the Court’s other provisions. “The Court’s decision to strike down the other provisions of the Arizona law reaffirms the strong role of the federal government in regulating immigration,” said Archbishop Gomez.

Archbishop Gomez urged state governments not to rush to pass laws similar to SB 1070 and called upon Congress to assume its responsibility and enact comprehensive immigration reform. He vowed that the Catholic Church in the United States would continue to fight for humane and just reform of the nation’s immigration system.

“The U.S. Catholic bishops across the nation will urge their state governments to not pursue laws such as in Arizona, but rather to pursue humane reform on the federal level,” Archbishop Gomez said. “Humane

enforcement of our nation's laws are part of any solution, but enforcement by itself, unjustly administered, only leads to abuses and family breakdown."

"The Church will continue to stand by immigrants and their families and seek justice on their behalf," stated Archbishop Gomez.

### **13. NETWORK**

NETWORK Deplores Part of Supreme Court Immigration Ruling While Commending Other Portions

*Washington:* NETWORK, A National Catholic Social Justice Lobby, deplores the Supreme Court decision to uphold Section 2(B) of the Arizona immigration law (SB 1070), the harshest part of the law. Sister Simone Campbell, NETWORK Executive Director, commented: "This decision legitimizes discrimination and racial profiling, and we are appalled. It also convinces us more than ever that this nation needs comprehensive immigration reform at the national level. Discriminatory practices like those in Arizona reflect some of the worst attempts to create piecemeal immigration laws at the local level. Simply stated, the Arizona law, as written, is unjust, discriminatory and mean-spirited."

The "papers please" section of the Arizona law, which was upheld, requires state and local police to ask for proof of immigration status whenever they have a "reasonable suspicion" that someone who has been lawfully stopped is undocumented. It also requires that they verify immigration status with the federal government. This not only harasses immigrants, but U.S. citizens as well. Local police must waste their valuable time and the time of lawfully present people when they carry out this requirement.

NETWORK hopes there will be further legal challenges to this part of the law.

NETWORK commends the Supreme Court for its ruling striking down three other unjust portions of Arizona's law. These sections make it a state crime to violate federal registration requirements or apply for work if unlawfully present. The third provision authorizes police officers to arrest someone without a warrant when they believe that person has committed an offense for which he or she could be deported. Added Sister Simone Campbell: "We are elated that the Supreme Court recognized that these provisions at least are unconstitutional and unjust. Our nation urgently needs reasonable, fair immigration laws. We call on Congress to make that happen now."

### **14. PICO National Network**

Faith leaders warn that Supreme Court's SB 1070 decision will promote racial profiling

Washington D.C. — PICO National Network warned that today's Supreme Court's ruling upholding the worst part of Arizona's anti-immigrant SB1070 law would exacerbate racial profiling directed at immigrants and people of color.

Today's ruling by the Supreme Court struck down three of four sections of the law, leaving in place the controversial "show me your papers" section which requires law enforcement to ask for proof of legal status of anyone they suspect is undocumented.

As faith leaders who have witnessed the indiscriminate and unjust treatment of immigrants in our congregations, we fear the "show me your papers" provision will lead to racial profiling that targets people for police intervention based simply on the way they look or speak.

While the Court's ruling on the "show me your papers" provision allowed for future reconsideration, the fact today is that the ruling leaves in place a climate of fear for Arizona residents.

"We are deeply disappointed at news of the Court's decision to uphold the worst aspect of SB 1070, Arizona's harsh anti-immigrant and anti-family law," said the Rev. John McCaslin, pastor of St. Anthony Catholic Church in Indianapolis and a clergy leader with IndyCAN, a PICO federation.

"This decision puts families and human dignity at risk by tacitly condoning racial profiling of those considered 'different'," he said. "Our families must be free to walk the streets of their neighborhoods without fear of being stopped and questioned."

People of faith in the United States have been serving, advocating, and standing in solidarity with immigrants in their communities since the foundation of this country. We will not be deterred in our quest for justice for all, but instead will seek to hold both local and national policy makers accountable to enacting positive reforms to current immigration policies.

Today's decision makes it even more important that Latino and immigrant communities go to the polls in record numbers this year, so that our elected officials understand that our nation needs immigration reforms that will prioritize family unity, provide a process by which undocumented immigrants can earn their legal status, restore due process and ensure all workers' rights are respected.

PICO National Network urges lawmakers to promote common sense solutions that work for the good of all people. PICO will continue to organize congregations against anti-immigrant laws on the state and federal level and will work to ensure that the inherent dignity of all people is protected.

## **15. Religious Action Center of Reform Judaism (RAC)**

### Threats of Civil Rights Violations Persist in Immigration Law, Despite Court Ruling

Washington, D.C., June 25, 2012: In response to the Supreme Court decision on the constitutionality of Arizona's immigration law SB 1070, Rabbi David Saperstein, Director of the Religious Action Center of Reform Judaism, released the following statement:

We welcome today's Supreme Court ruling overturning most provisions of Arizona's draconian immigration law, SB 1070. Rather than responding reasonably to the problems within our immigration system, SB 1070 would have encouraged racial profiling and would have usurped the federal government of an authority it has always had. The state's audacious response to the challenges of our immigration system threatens civil and human rights, rather than providing constructive solutions.

America is becoming ever more diverse. Living together in comity with intergroup respect and a rule of law under which all are treated equally are indispensable to the well-being of our nation.

The case still leaves open whether police will be able to engage in demanding papers of any people stopped for any reason. Despite provisions barring racial profiling, it is impossible to see how these provisions will be implemented short of such profiling.

We urge Arizona and the lower courts to endorse the principle that all women, men and children deserve equal protection under the law, as appearance offers no grounds on which to assume the legal status of an individual. Engaging in racial profiling only jeopardizes the safety of entire communities, as members of immigrant communities fearful of being profiled are discouraged from cooperating with law enforcement on issues

Throughout our history, from Moses' time to modern times, the Jewish people have known the experience of being strangers in a strange land. Those experiences, and Leviticus' mandate to "welcome the stranger," (19:33-34) have inspired American Jewry's commitment to a just immigration system and the just treatment of immigrants. SB 1070 would have failed to achieve either goal and would have been an affront to us as Reform Jews and as Americans who cherish this country's history as a nation of immigrants.

## **16. Sisters of Mercy of the Americas**

June 25, 2012 – The Sisters of Mercy are pleased with the Supreme Court's decision today to strike down three provisions of Arizona's immigration law, "Support Our Law Enforcement and Safe Neighborhoods Act," (SB 1070). These provisions would have led to wrongful arrests and criminal detention.

Section 2(B) or the "papers please" provision of this state legislation, however, was upheld by the Supreme Court. The Sisters of Mercy are disappointed with this decision. Under this provision local police officers are required to investigate the immigration status of any person they stop or detain if the officer has a "reasonable suspicion" to believe that the person is unlawfully present in the United States. This encourages discrimination against individuals based on appearance and speech.

For nearly 170 years the Sisters of Mercy have been serving immigrant communities and advocating on behalf of immigrants held in detention. The Sisters of Mercy will continue to advocate for the federal government to enact just comprehensive immigration reform and work against state anti-immigration laws.

## **17. Sojourners**

Christians concerned about vulnerable immigrants have called laws like Arizona's SB 1070 immoral and now the Supreme Court has declared those laws unconstitutional. Our national immigration system is broken, and a patchwork of harsh state-level immigration laws isn't the way to fix it. The decision to strike down key provisions of this legislation is a victory for everyone in the faith community who seeks to follow the Bible's call for concern for the vulnerable and "stranger" among us.

Arizona's immoral legislation threatened families, harmed children, and made it difficult for law enforcement to safeguard the communities they swore to protect; it remains important to ensure that any remaining parts of the legislation are never used to justify racial profiling by local police.

Earlier this month, nearly 150 evangelical leaders set aside their own political differences to endorse basic moral principles that should guide immigration reform. We called for Congress to put away the partisan talking points, end the political games, and find a common-ground solution that fixes America's broken immigration system: now they should act.

## **18. Unitarian Universalist Association of Congregations (UUA)**

UUA Responds to Supreme Court Decision on Arizona's SB1070  
by Rev. Peter Morales

As Unitarian Universalists, we applaud the Supreme Court's decision to strike down several portions of SB1070, a law we have held as immoral and unjustifiable since its inception. It is heartening to see this unjust law begin to crumble, and for the Supreme Court's decision, we are thankful.

However, I am deeply disappointed that the Court has chosen to uphold the 'check your papers' portion of SB1070. This is not in keeping with our country's long tradition of striving for justice for all, nor does it reflect our collective moral obligation to protect and support vulnerable populations among us, including migrants and people of color. The thinly veiled racism inherent in SB1070 continues as long as this section of the law stands.

Unitarian Universalists hold among our principles the affirmation of the inherent worth and dignity of every person. People of faith cannot rest easy as long as any part of SB1070 continues to strip the worth and dignity from migrants and their families. It is more than an injustice; it is a central component of the human rights crisis happening in Arizona right now.

On the day SB1070 went into effect in July 2010, I went to Phoenix with other Unitarian Universalists to lift our voices in protest. I was arrested and convicted for my non-violent civil disobedience that day, but remain undaunted - in fact, I am more committed than ever - in taking a moral stand against the injustice of SB1070. On my journey to Phoenix for our Justice General Assembly, I was proud to return with thousands of Unitarian Universalists willing to stand on the side of love, and to continue our work for humane immigration reform and migrant rights.

## **19. United Church of Christ, Witness and Justice Ministries**

Major-leaguer hitters win high praise for going 3-for-4.

But the U.S. Supreme Court struck out when it struck down three-quarters of Arizona's controversial SB 1070 immigration law June 25, according to two United Church of Christ leaders in the Grand Canyon State.

"It is preposterous for proponents of SB 1070 to see any 'victory' in our Supreme Court's ruling," said the Rev. Phil Reller, chair of the UCC's Southwest Conference justice and witness ministries team and lead organizer of Conference opposition to SB 1070.

"There's definitely going to be a human cost," said the Rev. Randy Mayer, pastor of the Good Shepherd UCC in Sahuarita, Ariz. "It would have been so much easier and stronger if the Supreme Court had come out stronger against it."

The court overturned three pieces of the law but let stand the Section 2(B) "show me your papers" segment. That portion permits local police to check immigration status of people they stop if the detainees are considered a questionable threat.

"What criteria could police possibly use to make them suspicious and demand citizenship papers other than how people look, dress or sound?" said Reller. "Last week [Maricopa County] Sheriff [Joe] Arpaio arrested a 6-year-old child. Who would call terrorizing, degradation of human rights, separation of families and violations of civil rights a victory? Countless personal stories of abusive and racist behaviors have been gathered."

Added Mayer, "This just makes it more and more clear that our politicians on all sides have completely failed to take comprehensive immigration (reform) seriously."

The three parts of SB 1070 rejected by the court were: making it a state crime for illegal immigrants not to possess their federal registration cards; making it a crime for illegal immigrants to work, apply for work or solicit work; and allowing state and local police to arrest illegal immigrants without a warrant when probable cause exists that they committed "any public offense that makes the person removable from the United States."

Just hours after the June 25 ruling, the Obama administration announced it was suspending indefinitely a program known as 287(g), in which local authorities are permitted by the federal government to make immigration-related arrests.

"The Obama Administration only suspended the 287(g) contract in Arizona — which is a direct move to counter the Section 2(B) piece of SB 1070 that the Supreme Court allowed to tentatively let move forward," said Mayer.

Mayer said the Administration has told Homeland Security in Arizona to respond to local law enforcement requests only to pick up undocumented immigrants if the person is: a convicted criminal; someone who has been deported in the past; or is a recent illegal border crosser.

"All of this is good," said Mayer. "But the hard point is that with Section 2(B) still in place, it creates a culture of fear among the immigrant community and others, which will have a drastic effect on law enforcement and the ability to create safe and healthy communities."

Mayer said he spoke with Tucson Police Chief Roberto Villasenor after the ruling was announced. "He said, 'This is really going to make our work difficult. Anyone there's a question about, we'll have to hold them, and it's going to completely bog down our system.'"

Responding to claims citing high rates of criminal activity by undocumented immigrants, Mayer said, "There's a criminal element in all of the populations. It just happens that the immigrant community, for the most part, wants to stay low-key. They're not the ones committing all these huge, violent crimes."

UCC churches in Arizona are partnering with interfaith communities, said Reller, adding that grass-roots organizers and the national Our Faith Our Vote campaign are helping to register large numbers of Latino/Latina voters.

Immigrant communities have made the United States "strong and vibrant and alive" for over 200 years, said Mayer. "We've always had new blood and new people coming in with new ideas, but every 25 years, we've regulated the immigrant community."

Despite Section 2(B) remaining in place, Mayer sounds optimistic. "This will go to a lower court and probably be stopped — that would be my hope," he said.

Reller agreed.

"This part of the law will again be challenged by courageous truth-tellers sharing their personal stories," he said. "We believe victory is coming. We're marching on in solidarity with those most brutalized by racist policies and forced attrition. God's reign calls us to act for justice and celebrate diversity."

## **20. United Methodist Church, General Board of Church and Society**

Faith groups hail Supreme Court immigration law decision

United Methodists joined other faith groups in hailing the Supreme Court decision this week that declared Arizona's controversial SB1070 immigration law overstepped the bounds of state authority. Three of SB1070's provisions were struck down by the court.

The federal power to determine immigration policy is well settled, the Supreme Court said on June 25. By a 5-3 margin, the justices ruled that federal law makes a single sovereign responsible for maintaining a comprehensive and unified system to keep track of aliens within the U.S.'s borders.

If provisions of the Arizona statute were valid, the court pointed out, "every State could give itself independent authority to prosecute federal registration violations, 'diminish[ing] the [Federal Government]'s control over enforcement' and 'detract[ing] from the 'integrated scheme of regulation' created by Congress."

### *Racial profiling*

While the court knocked out most of SB1070's enforcement provisions, it did not eliminate what most critics call its onerous racial-profiling measure that enables local law officials to ask for identification and proof of valid residency. The justices said it is "not clear at this stage" and on this record, in practice, if SB1070 will require state officers to delay the release of detainees for no reason other than to verify their immigration status.

“This would raise constitutional concerns,” the Supreme Court said leaving open the door to further legal challenges to that measure.

“While it was disappointing to see the Supreme Court of the United States uphold the likely continuing of racial profiling by Arizona law enforcement against Arizona’s residents,” assessed Bill Mefford, director of Civil & Human Rights at the United Methodist General Board of Church & Society, “the fact that the rest of this misguided legislation was struck down is quite significant.”

Mefford emphasized that immigration reform must be handled by the federal government. “Considering President Obama’s decision last week to order the Dept. of Homeland Security to no longer deport DREAM Act students,” Mefford said, “it is time for Congress to step up and show their leadership.”

Reform can and must be passed this year and it must be just and humane, according to Mefford.

#### *Centerpiece of legislation*

Bishop Minerva Carcaño, episcopal leader of the United Methodist Desert Southwest Conference that includes Arizona, said the impact on all Arizonans created by the anti-immigrant law has been nothing but devastating. “The centerpiece of this legislation has allowed for racial profiling, which has created fear in Arizona’s residents and weakened trust in local law enforcement,” stressed Carcaño, who is also co-chair of the United Methodist Interagency Immigration Task Force.

The bishop said she celebrates the fact that the Supreme Court ruled the majority of SB1070 unconstitutional. “I am disappointed that the provision for local law enforcement to continue to function as immigration officials has largely been left in place,” she said.

Bishop Carcaño said the decision overall gives her confidence, though. “This decision, along with the President’s last week signals a change in public policy, a change United Methodists have long worked for,” she said. “And United Methodists will not be deterred until rights of all immigrants are protected, regardless of their legal status.”

United Methodists in Arizona and across the United States will continue to stand firmly and compassionately with their immigrant brothers and sisters, according to Carcaño. “With Christians everywhere and persons of other faiths, we will continue to raise our voices to challenge all anti-immigrant laws in the land,” she said. “The time has come for justice for immigrants and for our communities.”

#### *Guardedly pleased*

Other faith-based organizations issued statements on the Supreme Court ruling. The Rt. Rev. Bishop Kirk Stevan Smith of the Episcopal Diocese of Arizona said he is “guardedly pleased” with the Supreme Court ruling. “Although much work still needs to be done to ensure that law-abiding immigrants in our country are treated in a just and humane manner,” he said, “the Supreme Court’s decision to strike down much of SB1070 as unconstitutional is a step in the right direction.”

Smith said he wished the court had gone further, and cited the “show me your papers” provision that the court left standing. The provision “still has enormous potential for racial profiling and other abuses,” he warned.

“There is still much work that must be done to assure that all our immigration laws respect the dignity of every human being,” Smith said.

By striking down three out of four provisions of Arizona's anti-immigrant law SB1070, the U.S. Supreme Court today "has gotten some points right, but has unfortunately left the question of racial profiling to another day and thus prolonged civil and human rights abuses in Arizona," said the Rev. John McCullough, executive director and CEO of Church World Service, a global humanitarian agency addressing hunger and forced displacement.

McCullough, a United Methodist, said the Supreme Court sent a strong warning to states considering such laws that are contrary to the values of the United States. "We pray that this racial profiling section will have the same fate as the other sections of SB1070," he said, "that it will be struck down in future legal battles."

### *Common good*

Immigration policy is both complicated and influenced by the times in which we live, McCullough emphasized. "But we can achieve the common good of equal protection under the law of all people, no matter what they look like or where they come from," McCullough declared. "Our undocumented brothers and sisters live and work among us, pay taxes, start businesses, and contribute to U.S. economic and cultural life. We will continue to stand in solidarity with them against anti-immigrant laws and in support of positive, humane immigration reforms."

Lutheran Immigration & Refugee Service (LIRS) welcomed the Supreme Court decision to reaffirm the federal government's responsibility for immigration by striking down three provisions of Arizona's extreme anti-immigration law, SB 1070.

"We are glad to see a broad spectrum of justices come together to firmly reassert the federal role and responsibility in immigration policy," said Linda Hartke, president and CEO of LIRS, the national organization established by Lutheran churches in the United States to serve uprooted people.

It's important that the justices left the door open to hearing other challenges to SB1070's provisions, according to Hartke. "This means that while they let stand one of the most troubling provisions of the Arizona law — a discriminatory practice that amounts to racial profiling — they are sending a strong and clear message that the fate of the provisions depends on how it is implemented," she said.

Hartke reiterated the sentiment of the other faith leaders to continue to advocate for the passage of fair, humane immigration reform.