

# U.S. LEGAL CHALLENGE TO ARIZONA'S SB 1070

## Amicus Briefs Filed in Support of Respondent

APRIL 10, 2012

ON MARCH 26, 2012, over 350 individuals and organizations joined 22 *amici* briefs supporting the U.S. government in its legal challenge against Arizona's SB 1070. The table below summarizes those friend-of-the-court briefs and the organizations and individuals that joined them. Full copies of these briefs can be downloaded from [www.nilc.org/USvAZamici.html](http://www.nilc.org/USvAZamici.html). The *amici* briefs summarized below include briefs by:

*Friendly House* counsel & plaintiffs | Faith organizations | Law enforcement officials & organizations | Business organizations | Foreign governments | Labor | Cities & counties | Civil rights, faith, & community organizations | Members of Congress | Immigration experts | States | Latino civil rights, business & professional organizations | Former state attorneys general | Criminal Defenders | American Bar Association | Former Immigration and Naturalization Service commissioners | Center for Constitutional Accountability | Former State Dept. & military officials | Rutherford Institute | Greater Houston Partnership | City of New York Bar

AMICUS BRIEF	COSIGNERS	KEY ARGUMENTS
<p><b><i>Friendly House</i> counsel &amp; plaintiffs</b></p> <p><a href="http://www.nilc.org/document.html?id=632">www.nilc.org/document.html?id=632</a></p>	<ul style="list-style-type: none"> <li>• ACLU</li> <li>• MALDEF</li> <li>• National Immigration Law Center</li> <li>• ACLU of Arizona</li> <li>• Asian American Justice Center</li> <li>• Asian Pacific American Legal Center</li> <li>• National Day Labor Organizing Network</li> <li>• Arizona South Asians for Safe Families, plaintiff</li> <li>• Asian Chamber of Commerce of Arizona, plaintiff</li> <li>• Border Action Network, plaintiff</li> <li>• Maura Castillo, plaintiff</li> <li>• Derechos Humanos, plaintiff</li> <li>• John Doe, plaintiff</li> <li>• Jane Doe #3, plaintiff</li> <li>• Japanese American Citizens League</li> <li>• Jim Shee, plaintiff</li> <li>• Luz Santiago, plaintiff</li> <li>• Southside Presbyterian Church, plaintiff</li> <li>• Valle del Sol</li> </ul>	<p>Written on behalf of the counsel and plaintiffs in the civil rights coalition lawsuit challenging SB 1070, <i>Friendly House v. Whiting</i>. Addresses the stop, detention, and arrest provisions of SB 1070 (Sections 2 and 6) and lays out the statutory and constitutional arguments why these sections are necessarily preempted. Outlines in detail the narrow space that Congress has allowed state and localities to occupy with respect to immigration enforcement and argues that SB 1070 does not fit within these limited confines.</p>

Compiled by the National Immigration Law Center. Please contact Karen Tumlin, managing attorney, at [tumlin@nilc.org](mailto:tumlin@nilc.org) with any questions. Full copies of these briefs are available at: <http://www.nilc.org/USvAZamici.html>.



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AMICUS BRIEF	COSIGNERS	KEY ARGUMENTS
<p><b>Law enforcement officials &amp; organizations</b></p> <p><a href="http://www.nilc.org/document.html?id=647">www.nilc.org/document.html?id=647</a></p>	<ul style="list-style-type: none"> <li>• Major Cities Chiefs Police Association</li> <li>• Police Executive Research Forum</li> <li>• National Latino Police Officers Association</li> <li>• Sheriff Dupnik, Pima County, AZ</li> <li>• Chief Harris, Phoenix, AZ</li> <li>• Chief Villaseñor, Tucson, AZ</li> <li>• Chief Acevedo, Austin, TX</li> <li>• Sheriff Baca, Los Angeles, CA</li> <li>• Chief Beck, Los Angeles, CA</li> <li>• Chief Burbank, Salt Lake City, UT</li> <li>• Chief Davis, East Palo Alto, CA</li> <li>• Chief Diaz, Riverside, CA</li> <li>• Chief Dolan, Minneapolis, MN</li> <li>• District Attorney Gascón, San Francisco, CA</li> <li>• Eduardo Gonzalez, Director of U.S. Marshall Service (Retired)</li> <li>• Chief Hadley, Kalamazoo, MI</li> <li>• Chief Halstead, Fort Worth, TX</li> <li>• Chief Jones, Los Rios, CA</li> <li>• Chief Venegas, Former Chief of Sacramento, CA</li> <li>• Sheriff Wiles, El Paso, TX</li> <li>• Chief Wray, Madison, WI</li> </ul>	<p>Argues that SB 1070 will produce erroneous applications of immigration law; undermine law enforcement activities and federal enforcement priorities; and undermine local community policing efforts.</p>
<p><b>Mexico &amp; other foreign governments</b></p> <p><a href="http://www.nilc.org/document.html?id=635">www.nilc.org/document.html?id=635</a></p>	<ul style="list-style-type: none"> <li>• Mexico</li> <li>• Argentina</li> <li>• Bolivia</li> <li>• Brazil</li> <li>• Chile</li> <li>• Colombia</li> <li>• Costa Rica</li> <li>• Dominican Republic</li> <li>• Ecuador</li> <li>• El Salvador</li> <li>• Guatemala</li> <li>• Haiti</li> <li>• Honduras</li> <li>• Nicaragua</li> <li>• Panama</li> <li>• Paraguay</li> <li>• Peru</li> <li>• Uruguay</li> </ul>	<p>Addresses the adverse impact of SB 1070, and laws like it, on foreign relations. The brief outlines the specific negative impacts on diplomatic relations, trade, and foreign affairs that SB 1070 and similar laws have already had.</p>
<p><b>Cities &amp; counties</b></p> <p><a href="http://www.nilc.org/document.html?id=648">www.nilc.org/document.html?id=648</a></p>	<ul style="list-style-type: none"> <li>• County of Santa Clara, California</li> <li>• City of Austin, Texas</li> <li>• City of Baltimore, Maryland</li> <li>• City of Beaverton, Oregon</li> <li>• City of Berkeley, California</li> <li>• City of Boston, Massachusetts</li> </ul>	<p>Argues that the enjoined provisions of SB 1070 impermissibly usurp scarce local resources that should be devoted to public safety. The brief also argues that SB 1070's immigration verification provisions</p>

AMICUS BRIEF	COSIGNERS	KEY ARGUMENTS
	<ul style="list-style-type: none"> <li>• City of Bridgeport, Connecticut</li> <li>• Town of Carrboro, North Carolina</li> <li>• Town of Chapel Hill, North Carolina</li> <li>• City of Charleston, South Carolina</li> <li>• City of Cincinnati, Ohio</li> <li>• City of Columbia, South Carolina</li> <li>• County of Dallas, Texas</li> <li>• District of Columbia</li> <li>• City of Durham, North Carolina</li> <li>• City of Flagstaff, Arizona</li> <li>• City of Gainesville, Florida</li> <li>• City of Hallandale Beach, Florida</li> <li>• City of Laredo, Texas</li> <li>• City of Los Angeles, California</li> <li>• City of Madison, Wisconsin</li> <li>• City of Miami Beach, Florida</li> <li>• City of Minneapolis, Minnesota</li> <li>• County of Monterey, California</li> <li>• County of Multnomah, Oregon</li> <li>• The National League of Cities</li> <li>• City of New Haven, Connecticut</li> <li>• City of New York, New York</li> <li>• City of Oakland, California</li> <li>• City of Omaha, Nebraska</li> <li>• City of Palo Alto, California</li> <li>• Mayor of the City of Phoenix, Arizona</li> <li>• City of Portland, Oregon</li> <li>• City of Providence, Rhode Island</li> <li>• City of Saint Paul, Minnesota</li> <li>• Salt Lake City, Utah</li> <li>• City and County of San Francisco, California</li> <li>• City of San Jose, California</li> <li>• City of San Leandro, California</li> <li>• City of San Luis, Arizona</li> <li>• County of San Mateo, California</li> <li>• City of Seattle, Washington</li> <li>• City of Tualatin, Oregon</li> <li>• City of Tucson, Arizona</li> <li>• The United States Conference of Mayors</li> </ul>	<p>impose vague and unworkable requirements that effectively compel local law enforcement officials to violate the Constitution, creating liabilities for localities. Last, the brief argues that if the enjoined provisions were allowed to take effect the necessary trust between local law enforcement agencies and the communities they serve would be irreparably harmed.</p>
<p><b>Members of Congress</b>  <a href="http://www.nilc.org/document.html?id=639">www.nilc.org/document.html?id=639</a></p>	<ul style="list-style-type: none"> <li>• Representative Ackerman</li> <li>• Representative Baca</li> <li>• Representative Becerra</li> <li>• Representative Berman</li> <li>• Representative Yvette Clarke</li> <li>• Representative Hansen Clarke</li> <li>• Representative Chu</li> <li>• Representative Christensen</li> <li>• Representative Cleaver</li> </ul>	<p>Argues that SB 1070 is preempted because it allows state and local officers to conduct immigration enforcement in a manner not authorized by Congress.</p>

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	<ul style="list-style-type: none"> <li>• Representative Clyburn</li> <li>• Representative Conyers</li> <li>• Representative Cummings</li> <li>• Representative Danny Davis</li> <li>• Representative Deutch</li> <li>• Representative Ellison</li> <li>• Representative Eshoo</li> <li>• Representative Farr</li> <li>• Representative Fattah</li> <li>• Representative Filner</li> <li>• Representative Al Green</li> <li>• Representative Gene Green</li> <li>• Representative Gonzalez</li> <li>• Representative Grijalva</li> <li>• Representative Gutierrez</li> <li>• Representative Hahn</li> <li>• Representative Hinchey</li> <li>• Representative Hinojosa</li> <li>• Representative Honda</li> <li>• Representative Hoyer</li> <li>• Representative Jesse Jackson</li> <li>• Representative John Larson</li> <li>• Representative Sheila Jackson Lee</li> <li>• Representative Hank Johnson, Jr.</li> <li>• Representative Barbara Lee</li> <li>• Representative John Lewis</li> <li>• Representative Lofgren</li> <li>• Representative Maloney</li> <li>• Representative McDermott</li> <li>• Representative Meeks</li> <li>• Representative Miller</li> <li>• Representative Moore</li> <li>• Representative Moran</li> <li>• Representative Nadler</li> <li>• Representative Napolitano</li> <li>• Representative Norton</li> <li>• Representative Pastor</li> <li>• Representative Pelosi</li> <li>• Representative Pierluisi</li> <li>• Representative Polis</li> <li>• Representative Quigley</li> <li>• Representative Rangel</li> <li>• Representative Reyes</li> <li>• Representative Roybal-Allard</li> <li>• Representative Richardson</li> <li>• Representative Rush</li> <li>• Representative Linda Sánchez</li> <li>• Representative Loretta Sánchez</li> <li>• Representative Schakowsky</li> <li>• Representative Serrano</li> </ul>	

AMICUS BRIEF	COSIGNERS	KEY ARGUMENTS
	<ul style="list-style-type: none"> <li>• Representative Sewell</li> <li>• Representative Slaughter</li> <li>• Representative Sires</li> <li>• Representative Bennie Thompson</li> <li>• Representative Towns</li> <li>• Representative Van Hollen</li> <li>• Representative Waters</li> <li>• Representative Frederica Wilson</li> <li>• Representative Velázquez</li> </ul>	
<p><b>States</b></p> <p><a href="http://www.nilc.org/document.html?id=651">www.nilc.org/document.html?id=651</a></p>	<ul style="list-style-type: none"> <li>• New York</li> <li>• California</li> <li>• Connecticut</li> <li>• Hawaii</li> <li>• Illinois</li> <li>• Iowa</li> <li>• Maryland</li> <li>• Massachusetts</li> <li>• Oregon</li> <li>• Rhode Island</li> <li>• Vermont</li> </ul>	<p>Argues that federal law preempts unilateral state action regarding immigration enforcement. SB 1070’s state enforcement scheme conflicts with Congressional priorities and delegation of immigration enforcement authority to federal authorities. Arizona’s SB 1070 has adverse national and international consequences.</p>
<p><b>Former state attorneys general (AGs)</b></p> <p><a href="http://www.nilc.org/document.html?id=643">www.nilc.org/document.html?id=643</a></p>	<ul style="list-style-type: none"> <li>• Terry Goddard, Former AG, AZ</li> <li>• Grant Woods, Former AG, AZ</li> <li>• Former NY AG Abrams</li> <li>• Former AZ AG Babbitt</li> <li>• Former AL AG Baxley</li> <li>• Former NV AG Bryan</li> <li>• Former FL AG Butterworth</li> <li>• Former IA AG Campbell</li> <li>• Former IN AG Carter</li> <li>• Former AR AG Clark</li> <li>• Former MD AG Curran</li> <li>• Former NV AG Del Papa</li> <li>• Former NJ AG Del Tufo</li> <li>• Former WI AG Doyle</li> <li>• Former OK AG Edmondson</li> <li>• Former OH AG Fisher</li> <li>• Former OR AG Frohnmayer</li> <li>• Former UT AG Graham</li> <li>• Former MI AG Granholm</li> <li>• Former MA AG Harshbarger</li> <li>• Former NJ AG Harvey</li> <li>• Former MA AG Ketterer</li> <li>• Former NY AG Koppell</li> <li>• Former WI AG Lautenschlager</li> <li>• Former RI AG Lynch</li> <li>• Former CO AG MacFarlane</li> <li>• Former NM AG Madrid</li> <li>• Former MA AG Mills</li> <li>• Former IN AG Modisett</li> </ul>	<p>Argues that SB 1070 impermissibly interferes with local law enforcement by damaging police and prosecutors’ ability to effectively fight crime and undercutting their ability to establish enforcement priorities for their own jurisdictions.</p>

AMICUS BRIEF	COSIGNERS	KEY ARGUMENTS
	<ul style="list-style-type: none"> <li>• Former MS AG Moore</li> <li>• Former OR AG Myers</li> <li>• Former MS AG Pittman</li> <li>• Former RI AG Roberts</li> <li>• Former MA AG Rowe</li> <li>• Former KS AG Six</li> <li>• Former NH AG Smith</li> <li>• Former DC AG Spagnoletti</li> <li>• Former KS AG Stephan</li> <li>• Former VA AG Terry</li> <li>• Former VA AG Troy</li> <li>• Former MA AG Tierney</li> <li>• Former UT AG Van Dam</li> <li>• Former CA AG Van de Kamp</li> <li>• Former TX AG White</li> </ul>	
<p><b>Former U.S. Immigration and Naturalization Service (INS) commissioners</b></p> <p><a href="http://www.nilc.org/document.html?id=646">www.nilc.org/document.html?id=646</a></p>	<ul style="list-style-type: none"> <li>• Doris Meissner, INS Commissioner, 1993-2000</li> <li>• James Ziglar, INS Commissioner, 1993-2003</li> </ul>	<p>Argues that SB 1070 rejects the federal government’s primacy in the development and execution of immigration enforcement priorities, a power specifically delegated by Congress. In so doing, SB 1070 also rejects a long-standing Congressional preference for the judgment of expert federal agencies over that of individual states. Arizona’s law also rejects a long history of federal enforcement discretion and strategic resource management.</p>
<p><b>Former U.S. State Department &amp; military officials</b></p> <p><a href="http://www.nilc.org/document.html?id=649">www.nilc.org/document.html?id=649</a></p>	<ul style="list-style-type: none"> <li>• Madeline K. Albright, former Secretary of State and Ambassador to the United Nations</li> <li>• William S. Cohen, former Secretary of Defense</li> <li>• Rudolph F. DeLeon, former Deputy Secretary of Defense</li> <li>• Conrad K. Harper, Former Legal Advisor, Dept. of State</li> <li>• Donald L. Kerrick, former Deputy National Security Advisor to the President</li> <li>• Lawrence J. Korb, former Assistant Secretary of Defense</li> <li>• John D. Negroponte, former Deputy Secretary of State, former Director of National Intelligence, former Ambassador to the United Nations, &amp; former Deputy National Security Advisor</li> <li>• Davis R. Robinson, former Legal</li> </ul>	<p>Argues that SB 1070, and laws like it, impermissibly interfere with foreign relations by undermining the exclusivity and uniformity of federal immigration law. Lays out legal and historical arguments relating to the federal government’s exclusive role in foreign relations, and how immigration policy is inextricably intertwined with foreign relations.</p>

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	<p>Advisor, Dept. of State</p> <ul style="list-style-type: none"> <li>• William H. Taft IV, former Legal Advisor, Dept. of State, former Ambassador to NATO, &amp; former Deputy Secretary of Defense</li> </ul>	
<p><b>Faith</b></p> <p><a href="http://www.nilc.org/document.html?id=634">www.nilc.org/document.html?id=634</a></p>	<ul style="list-style-type: none"> <li>• United States Conference of Catholic Bishops</li> <li>• The Evangelical Lutheran Church in America</li> <li>• Lutheran Immigration and Refugee Service</li> <li>• Reverend Gradye Parsons as Stated Clerk of the General Assembly of the Presbyterian Church (U.S.A.)</li> </ul>	<p>Argues that SB 1070 impedes the considered and balanced judgment of federal immigration law. Specifically it undermines the federal goals of promoting family unity and human rights and dignity. The brief also argues that SB 1070 and laws like it threaten religious liberty by criminalizing so-called “harboring” and “transporting” of undocumented immigrants in such a way as to punish acts within the mission of religious organizations such as the provision of food, shelter, and care for all.</p>
<p><b>Business organizations</b></p> <p><a href="http://www.nilc.org/document.html?id=633">www.nilc.org/document.html?id=633</a></p>	<ul style="list-style-type: none"> <li>• Arizona Employers for Immigration Reform</li> <li>• Arizona Hispanic Chamber of Commerce</li> <li>• Arizona Subcontractors Association of Arizona</li> <li>• Hill &amp; Usher, L.L.C.</li> </ul>	<p>Discusses SB 1070’s impact on interstate commerce and argues that it violates the Dormant Commerce Clause by burdening commerce and providing little to no benefits to the state.</p>
<p><b>Labor</b></p> <p><a href="http://www.nilc.org/document.html?id=642">www.nilc.org/document.html?id=642</a></p>	<ul style="list-style-type: none"> <li>• Service Employees International Union</li> <li>• United Food and Commercial Workers International</li> <li>• International Brotherhood of Teamsters</li> <li>• United Farm Workers of America</li> <li>• Change to Win</li> </ul>	<p>Argues that the provision in SB 1070 criminalizing work by unauthorized immigrants (Section 5(c)) is impliedly preempted by the Immigration Reform and Control Act of 1986. In enacting the comprehensive federal law regulating the employment of unauthorized immigrants, Congress explicitly considered and rejected the imposition of criminal penalties on employees in favor of a complex scheme escalating civil and criminal penalties on employers and administrative immigration consequences for employees. SB 1070 conflicts with this federal scheme. This brief also distinguishes the Supreme Court’s 2011 decision in <i>Chamber of Commerce v. Whiting</i>.</p>

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<p><b>Labor</b></p> <p><a href="http://www.nilc.org/document.html?id=652">www.nilc.org/document.html?id=652</a></p>	<ul style="list-style-type: none"> <li>• AFL-CIO</li> </ul>	<p>Argues that SB 1070’s provision criminalizing work by unauthorized immigrants is preempted. The brief discusses SB 1070’s central purpose of regulating immigration, not employment, which is an area of traditional state control as well as the conflict between SB 1070 and federal law regarding the hiring of unauthorized workers.</p>
<p><b>Civil rights, faith, &amp; community organizations</b></p> <p><a href="http://www.nilc.org/document.html?id=641">www.nilc.org/document.html?id=641</a></p>	<ul style="list-style-type: none"> <li>• Leadership Conference on Civil &amp; Human Rights</li> <li>• Southern Poverty Law Center</li> <li>• League of United Latin American Citizens</li> <li>• National Asian Pacific American Bar Association</li> <li>• National Congress of American Indians</li> <li>• Legal Momentum</li> <li>• Lambda Legal Defense &amp; Education Fund</li> <li>• African American Ministers in Action</li> <li>• American Jewish Committee</li> <li>• Leadership Conference on Women Religious</li> <li>• Alabama Appleseed Center for Law &amp; Justice</li> <li>• Coalition of Utah Progressives</li> <li>• Georgia Latino Alliance for Human Rights</li> <li>• Hispanic Interest Coalition of Alabama</li> <li>• Lowcountry Immigration Coalition</li> <li>• South Carolina Appleseed Legal Justice Center</li> <li>• Utah Coalition of La Raza</li> <li>• 9to5, National Association of Working Women</li> <li>• Adorers of the Blood of Christ, U.S. Region</li> <li>• Adrian Dominican Sisters</li> <li>• Alliance for a Just Society</li> <li>• American GI Forum</li> <li>• Asian &amp; Pacific Islander American Health Forum</li> <li>• Asian American Institute</li> <li>• Asian Law Caucus</li> <li>• Asian Pacific American Labor Alliance, AFL-CIO</li> <li>• Bickel &amp; Brewer Latino Institute for</li> </ul>	<p>SB 1070 will harm U.S. citizens and other lawful residents, and citizens of color will disproportionately bear the burden of “papers please” policing. SB 1070 misapprehends the federal immigration scheme instituting state criminal consequences that contravene Congressional policy. Real-world evidence from Arizona and Alabama belies the notion that laws like SB 1070 can be implemented in a fashion to comport with the Constitution.</p>



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	<p>Human Rights</p> <ul style="list-style-type: none"> <li>• Center for Community Change</li> <li>• Center for Gender &amp; Refugee Studies</li> <li>• Centro Civico Mexicano</li> <li>• Church World Service</li> <li>• Coalition for Human Immigration Reform of Los Angeles</li> <li>• Congregation of Sisters of St. Agnes</li> <li>• Congregation of St. Joseph</li> <li>• Congregation of the Sisters of Charity of Saint Vincent de Paul of New York</li> <li>• Covenant of the Sisters of Saint Joseph of Chestnut Hill, PA</li> <li>• Daughters of Charity of Saint Vincent de Paul, Province of St. Lousie</li> <li>• Daughters of Charity of Saint Vincent de Paul, Province of the West</li> <li>• Dēmos</li> <li>• Dominican Sisters of Peace</li> <li>• Dominican Sisters of St. Catherine di Ricci</li> <li>• Dominican Sisters, Grand Rapids, MI</li> <li>• Equal Justice Society</li> <li>• Esperanza</li> <li>• Fair Immigration Reform Movement</li> <li>• Farmworker Justice</li> <li>• Franciscan Action Network</li> <li>• Grey Nuns of the Sacred Heart</li> <li>• Hebrew Immigrant Aid Society</li> <li>• Holy Cross Ministries</li> <li>• Immigration Equality</li> <li>• Jewish Labor Committee</li> <li>• League of Women Voters of Utah</li> <li>• Lutheran Immigrant &amp; Refugee Services</li> <li>• Main Street Alliance</li> <li>• Make the Road by Walking</li> <li>• Muslim Public Affairs Council</li> <li>• National Advocacy Center of the Sisters of Good Shepherd</li> <li>• National Association of Colored Women’s Clubs</li> <li>• National Association of Human Rights Workers</li> <li>• National Association for Asian Pacific American Community Development</li> <li>• National Council of Jewish Women</li> <li>• National Employment Law Project</li> <li>• National Fair Housing Alliance</li> <li>• National Immigration Project of the National Lawyers Guild</li> <li>• National Korean American Service &amp;</li> </ul>	

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	<p>Education Consortium</p> <ul style="list-style-type: none"> <li>• National Latina Institute for Reproductive Health</li> <li>• National Latino Evangelical Coalition</li> <li>• National Organization for Women Foundation</li> <li>• National Tongan-American Society</li> <li>• NETWORK A Catholic Social Justice Lobby</li> <li>• New York Immigration Coalition</li> <li>• OCA</li> <li>• Pineros y Campesinos Unidos del Noroeste</li> <li>• Public Advocates</li> <li>• Refugee &amp; Immigration Ministries, Disciples Home Mission, Christian Church (Disciples of Christ)</li> <li>• Religious Sisters of Charity</li> <li>• Rights Working Group</li> <li>• School Sisters of Notre Dame, Central Pacific Province</li> <li>• Sikh American Legal Defense &amp; Education Fund</li> <li>• Sinsinawa Dominican Sisters</li> <li>• Sisters of Charity Cincinnati</li> <li>• Sisters of Charity Leavenworth</li> <li>• Sisters of Charity Nazareth</li> <li>• Sisters of Charity of Our Lady of Mercy</li> <li>• Sisters of Charity of Saint Elizabeth</li> <li>• Sisters of Charity of Seton Hill, Greensburg, PA</li> <li>• Sisters of Charity of the Blessed Virgin Mary</li> <li>• Sisters of Mercy of the Americas</li> <li>• Sisters of Notre Dame de Namur, USA</li> <li>• Sisters of St. Francis of Dubuque, IA</li> <li>• Sisters of St. Francis of Penance and Charity</li> <li>• Sisters of St. Joseph of Rochester, NY</li> <li>• Sisters of St. Joseph of Springfield, IL</li> <li>• Sisters of the Divine Compassion</li> <li>• Sisters of the Holy Cross</li> <li>• Sojourners</li> <li>• Somos America</li> <li>• South Asian Americans Lending Together</li> <li>• Southeast Asia Resource Action Center</li> <li>• Southern Center for Human Rights</li> <li>• Southwest Conference of the United Church of Christ</li> <li>• The Conference of Major Superiors of</li> </ul>	

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	<p>Men</p> <ul style="list-style-type: none"> <li>• United Church of Christ, Justice and Witness Ministries</li> </ul>	
<p><b>Immigration experts</b> <a href="http://www.nilc.org/document.html?id=645">www.nilc.org/document.html?id=645</a></p>	<ul style="list-style-type: none"> <li>• National Immigrant Justice Center</li> <li>• American Immigration Lawyers Association</li> </ul>	<p>Focuses on Sections 2 and 6 of SB 1070 and argues that state and local officials' involvement in immigration enforcement is rightly subject to federal oversight and that these provisions of SB 1070 are preempted. The brief argues that Section 2(B) of SB 1070 is preempted by federal law because it premises immigration detention and investigation on concepts that would not trigger investigation under federal law.</p>
<p><b>Latino civil rights, business &amp; professional organizations</b> <a href="http://www.nilc.org/document.html?id=640">www.nilc.org/document.html?id=640</a></p>	<ul style="list-style-type: none"> <li>• National Council of La Raza</li> <li>• United States Hispanic Chamber of Commerce</li> <li>• The Hispanic National Bar Association</li> <li>• Los Abogados Hispanic Bar Association</li> <li>• National Association of Latino Elected &amp; Appointed Officials</li> </ul>	<p>Focuses on the profound negative impact that lifting the preliminary injunction of SB 1070 would have on Latinos in Arizona, including increased private harassment, likely detention and arrest, and denial of benefits and services to which they are entitled. The brief also addresses the harm that lifting the injunction would do to business interests in Arizona.</p>
<p><b>Criminal Defenders</b> <a href="http://www.nilc.org/document.html?id=656">www.nilc.org/document.html?id=656</a></p>	<ul style="list-style-type: none"> <li>• National Association of Criminal Defense Lawyers</li> <li>• Arizona Attorneys for Criminal Justice</li> </ul>	<p>Argues that SB 1070 cannot be enforced without racially profiling Latinos in a manner that violates the Fourth Amendment's prohibition on unlawful searches and seizures and the Fourteenth Amendment's guarantee of equal protection. Discusses how seizures that may be lawful at inception, can become unlawful if prolonged.</p>
<p><b>American Bar Association</b> <a href="http://www.nilc.org/document.html?id=650">www.nilc.org/document.html?id=650</a></p>	<ul style="list-style-type: none"> <li>• American Bar Association</li> </ul>	<p>Argues that SB 1070's immigration verification and warrantless arrest provisions (Sections 2 and 6) will necessarily lead to the wrongful detention of U.S. citizens and other lawfully present immigrants. Drawing on stories of its clients in ABA detention programs, the brief highlights examples of U.S. citizens and lawful permanent residents who were wrongfully detained by <i>federal</i> officials and argues that SB 1070 would exacerbate this</p>

AMICUS BRIEF	COSIGNERS	KEY ARGUMENTS
		<p>problem by allowing arrest and detention based on perceived immigration status by untrained state and local officials. The brief also argues that state immigration enforcement schemes that operate without federal oversight and control will lead to erroneous detentions of lawfully present individuals.</p>
<p><b>Center for Constitutional Accountability</b>  <a href="http://www.nilc.org/document.html?id=638">www.nilc.org/document.html?id=638</a></p>	<ul style="list-style-type: none"> <li>Center for Constitutional Accountability</li> </ul>	<p>Argues that SB 1070 is impliedly preempted and that Arizona’s arguments to the contrary are unavailing.</p>
<p><b>Rutherford Institute</b>  <a href="http://www.nilc.org/document.html?id=653">www.nilc.org/document.html?id=653</a></p>	<ul style="list-style-type: none"> <li>Rutherford Institute</li> </ul>	<p>Argues that SB 1070 violates the Fourth Amendment and the Equal Protection Clause of the Fourteenth Amendment. Specifically, it argues that if SB 1070’s immigration verification and warrantless arrest provisions were implemented, they would lead to unlawfully prolonged seizures of individuals without proper justification. In addition, the brief argues that SB 1070 would subject individuals to unconstitutional discrimination based on race because race will be inappropriately used as a proxy for immigration status.</p>
<p><b>Greater Houston Partnership</b>  <a href="http://www.nilc.org/document.html?id=657">www.nilc.org/document.html?id=657</a></p>	<ul style="list-style-type: none"> <li>Greater Houston Partnership</li> </ul>	<p>Argues that SB 1070 is preempted by federal law. The brief also argues that SB 1070 will result in unlawful detentions of lawful immigrants as well as discourage and deter lawful immigrants from living in Arizona, causing harmful economic effects to the state.</p>
<p><b>City of New York Bar Association</b>  <a href="http://www.nilc.org/document.html?id=670">www.nilc.org/document.html?id=670</a></p>	<ul style="list-style-type: none"> <li>City of New York Bar Association</li> </ul>	<p>Argues that SB 1070 is preempted because it stands as an obstacle to the national interest in regulating foreign relations and, instead, allows one state to saddle every other state and the nation with responsibility for the foreign policy effects of Arizona’s policy choices. The brief also argues that the immigration verification and warrantless arrest provisions should be rejected under the</p>

AMICUS BRIEF	COSIGNERS	KEY ARGUMENTS
		constitutional issue avoidance doctrine because these provisions raise serious Supremacy Clause questions.

Compiled by the National Immigration Law Center. Please contact Karen Tumlin, managing attorney, at [tumlin@nilc.org](mailto:tumlin@nilc.org) with any questions. Full copies of these briefs are available at: <http://www.nilc.org/USvAZamici.html>.