

# HISPANIC NATIONAL BAR ASSOCIATION

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## **Ninth Circuit Upholds Decision to Bar Main Provisions of Arizona's SB 1070**

San Francisco, CA - The United States Court of Appeals for the Ninth Circuit affirmed a district court's preliminary injunction preventing key sections of Senate Bill 1070 (SB 1070) from taking effect. SB 1070 is Arizona's controversial immigration enforcement law. Signed into law by Governor Jan Brewer last year, SB 1070 was designed to deprive immigrants of their chance to achieve their American dream. The Ninth Circuit stayed application of a segment of the law requiring law enforcement officers to ask anyone they stop to document their lawful status if the officer has "reasonable suspicion" that the individual does not have permission to live in the United States.

The Ninth Circuit's ruling reiterates concerns, [expressed by the Hispanic National Bar Association \(HNBA\)](#) in its amicus brief, that SB 1070 raises grave constitutional issues, including racial profiling; freedom from unreasonable seizures; imposition of ex post facto laws; lack of due process; and federal preemption of state laws through the plenary power of Congress.

"The HNBA praises the Ninth Circuit for upholding the injunction and maintaining that certain provisions of this law are unequivocally discriminatory and unconstitutional," said HNBA President Diana Sen. Sen vowed that "the HNBA will remain vigilant, fighting S.B. 1070-type legislation, as well as any attempt that seeks to enshrine racial intolerance into state or federal law." Sen explained that "our Country has before seen, been challenged by, and successfully fought back cyclical breakouts of xenophobia-inspired legislation. The HNBA will remain vigilant in defeating these outbreaks while urging the federal government to show leadership by reforming our nation's immigration laws responsibly."

*The HNBA is an incorporated, not-for-profit, non-partisan national membership organization that represents the interests of the more than 100,000 attorneys, judges, law professors, legal professionals, and law students of Hispanic descent in the United States, and its territories. For more information about the HNBA, please visit [www.hnba.com](http://www.hnba.com).*

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