

# Pennsylvania trial is first test of local immigration law

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By Jon Hurdle

PHILADELPHIA (Reuters) - A Pennsylvania town's efforts to crack down on illegal immigration will be challenged by civil rights campaigners in a landmark federal trial beginning on Monday that could signal whether such local laws across the country can stand up to legal challenge.

Hazleton, a community of about 30,000, set the tone for dozens of other towns across the United States when it passed a law last year imposing penalties on businesses that hire undocumented aliens, and fining landlords who rent to them. The city council also declared English the official language.

Opponents of the law -- which has not been implemented because of a court injunction -- say it discriminates against anyone who appears to be foreign or who speaks no English. They say it has created a climate of fear where immigrants, whether legal or illegal, have been harassed, businesses have closed, and some people have left town.

Backers of such laws say the estimated 12 million illegal immigrants drive down wages, burden social services, increase crime and fail to assimilate into U.S. society.

About a third of Hazleton's residents are immigrants, mostly from central America. Around a quarter of the immigrant population is thought to be illegal, according to civil rights campaigners.

The trial is the first to test a local immigration law in a U.S. federal court, said Kristina Campbell, a staff attorney with the Mexican American Legal Defense and Educational Fund, which is following the case.

Amid stalled efforts by Congress and urging by the White House to enact comprehensive immigration reform, similar measures have been passed or are being considered by around 70 other communities, the Puerto Rican Legal Defense and Education Fund, a plaintiff in the Hazleton suit says.

Cesar Perales, chief counsel of the PRLDEF, said the trial is being watched by many such communities for guidance on whether their laws will survive a court challenge.

"Unless we strike down this type of ordinance, there will be others," Perales told reporters on a conference call.

Other plaintiffs include the American Civil Liberties Union, the Hazleton Hispanic Business Association, and a number of anonymous plaintiffs who say they have lost business or been harassed because of the law.

Kris Kobach, lead attorney for the City of Hazleton, denied the law is discriminatory. He said the law requires officials to reject any claim of illegality based on national origin, race or ethnicity.

Hazleton Mayor Lou Barletta, who led the campaign for the Illegal Immigration Relief Act Ordinance and has become a national figurehead for anti-illegal immigrant campaigners, said as much as half the town's Hispanic population has left since the law was first passed in July 2006.

"The town has become quieter, there seems to be a calm across the city," Barletta said. He denied that the local economy has been hurt by the exodus.

Kimberly Lopez, a former Hazleton resident, said she and her husband closed their Hispanic grocery store in the town after business halved in response to the law.

"They were running scared," she told Reuters. "A lot of our customers said they were going somewhere else."

The trial takes place in the U.S. District Court for the Middle District of Pennsylvania in Scranton, Pennsylvania before Judge James Munley.

(Additional reporting by Tim Gaynor in Phoenix)

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