

As Holiday Weekend Approaches, ACLU of Arkansas Issues Alert To State Residents Traveling To Arizona

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Arizona Racial Profiling Law Threatens Civil Liberties
FOR IMMEDIATE RELEASE

June 30, 2010

LITTLE ROCK, AR, June 30, 2010 -- In response to civil liberties threats caused by the recent passage of Arizona's racial profiling law, the American Civil Liberties Union of Arkansas issued a travel alert today informing Arkansas residents of their rights when stopped by law enforcement when traveling in Arizona. The unconstitutional law, known as SB 1070, requires law enforcement agents to demand "papers" from people they stop who they suspect are not authorized to be in the U.S. If individuals are unable to prove to officers that they are permitted to be in the U.S., they may be subject to warrantless arrest without any probable cause that they have committed a crime.

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Although the law is not scheduled to go into effect until July 29, the ACLU of Arkansas is concerned that some law enforcement officers are already beginning to act on provisions of the law. Moreover, there has been a history of rampant racial profiling by law enforcement in Arizona, especially in Maricopa County, as well as a stated anti-immigrant policy of "attrition through enforcement" by Arizona lawmakers meant to create a hostile enough environment for Latinos and other people of color that they voluntarily leave the state.

"It is critical that Arkansans understand their rights before traveling to Arizona," said Holly Dickson, staff Attorney of the ACLU of Arkansas. "Residents of Arkansas need to know that under this law, people who look 'foreign' are more likely to be stopped for minor infractions like having a broken taillight or jaywalking and then asked for their 'papers' if police believe, just by looking at them, that they could be in the country unlawfully. Any traveler, including lifelong U.S. citizens and lawful permanent residents, is at risk of detention until their citizenships status can be determined."

In addition to the travel alert, the ACLU has made available in English and Spanish materials on individuals' rights if stopped by law enforcement in Arizona or elsewhere as a result of SB 1070 or for any other reason. The materials include a downloadable card with instructions – applicable in any state – on coping with vehicle stops and questioning by police, U.S. Immigration and Customs Enforcement agents or the FBI, as well as a Frequently Asked Questions document about SB 1070.

"By issuing this advisory and rights information, we are seeking to protect all Arkansans from illegal harassment from law enforcement and to make sure they know their rights should they encounter it," said Ashley Simmons Pagés, immigrants' rights advocate for the ACLU of Arkansas. "A good number of Arkansans, immigrants and non-immigrants, fit the racial profile that police will inevitably use to enforce the law. Unfortunately, it is very possible that Arkansans will experience racial profiling and unlawful detentions in Arizona as a result of this extreme and discriminatory measure."

The ACLU and other leading civil rights organizations filed a lawsuit challenging the Arizona law in May, but until the law is struck down, the ACLU warns that individuals traveling in Arizona must be aware of their rights if stopped there.

Materials informing individuals of their rights when stopped by law enforcement can be found on our website here.

More information about the Arizona law, including an ACLU video and slide show, can be found at: www.aclu.org/what-happens-arizona-stops-arizona

More information about the lawsuit, including information on co-counsel and plaintiffs, can be found at: www.aclu.org/immigrants-rights-racial-justice/aclu-and-civil-rights-groups-file-legal-challenge-arizona-racial-pr