

# Draconian anti-immigrant law stokes fear among Alabama's undocumented population

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A federal judge's decision to allow several aspects of Alabama's draconian new anti-immigration law to go into effect is having a devastating impact on the state's immigrant families. The decision has already led immigrants to flee their homes, pull their children out of school and avoid farming jobs at the height of the harvesting season. School districts across the state are reporting plummeting attendance among Hispanic students.

The law is the latest example of the ruling elite's determined effort to intimidate and silence undocumented workers and their families, and to scapegoat them for the unemployment and social misery unleashed by the capitalist crisis. Since it was first approved by the state legislature in June, the law has stoked widespread fears of deportation.

The law imposes immigration status checks at schools, businesses and routine traffic stops. Police officers are now allowed to arrest anyone they suspect of being undocumented during a traffic stop, and can detain individuals without bail. The law requires public schools to reveal to authorities the citizenship status of all newly enrolled students. Many immigrants fear the school status checks will ultimately extend beyond students. "They are going to investigate us through our children," Maria Morales, an undocumented immigrant, told CNN.

Alabama's crackdown on undocumented immigrants had initially been set to take effect on September 1, but US District Judge Sharon Blackburn issued a temporary hold on the law in late August after several lawsuits were filed by the Obama administration, civil rights groups and churches. The lawsuits were consolidated for the motions requesting a preliminary injunction against the measure.

On September 28, Judge Blackburn ruled that Alabama could enforce the law's requirement that schools check the immigration status of students and that police check the citizenship and status of those they stop, detain or arrest. Blackburn claimed that the mandate that requires schools to check the status of new students does not interfere with a federal law guaranteeing that undocumented students receive K-12 education.

In a 115-page ruling, the judge wrote that "the United States has not met the requirements for a preliminary injunction" for several of the measures the Justice Department and civil rights groups had argued violated the Constitution and infringed upon the federal government's authority to set immigration policy. These included the mandate that public schools check the citizenship status of students.

The law had originally included provisions that would have made it a crime to transport or harbor undocumented workers, or for undocumented immigrants to look for or perform work, but these measures were blocked by the ruling. Alabama Governor Robert Bentley has praised the cruel measure as the "strongest immigration law in the country." He added, "We intend to enforce it."

Since the law went into effect last week, there have been increasing reports of undocumented families fleeing Alabama. In Albertville, some immigrants have already left, despite having lived in the area for years. "They left behind mobile homes, sold fully furnished for a thousand dollars or even less. Or they just closed up and, in a gesture of optimism, left the keys with a neighbor. Dogs were fed one last time; if no home could be found, they were simply unleashed," reported the *New York Times*.

Many of the town's undocumented residents work in poultry plants where they must contend with low wages and brutal working conditions. Undocumented workers remaining in the town are afraid to venture outside their homes, worried they may be targeted by the authorities. "We cannot even go out and buy food," Perla Perez, who has lived in Alabama for the past five years without legal status, told CNN.

An alarming number of undocumented students are avoiding school due to the new law. According to the Alabama Department of Education, 2,285 of the state's approximately 34,000 Hispanic students did not show up for school on Monday, about double the usual absentee rate. Last Friday, 2,011 Hispanic students were absent, according

to the department's public information manager Malissa Valdes. In contrast, the absentee count two days earlier, before the ruling on the law was announced, was recorded at just 1,172.

"If you start collecting information about the immigration status of students, parents aren't going to send the students to schools because they're going to be afraid of getting deported and it will chill them from executing a basic constitutional right," said Kevin Johnson, dean of the University of California, Davis Law School. "I think undocumented immigrant communities feel vulnerable and threatened, and are very fearful of ending up in deportation proceedings."

Students in Albertville have been heavily affected by the law. "By Monday afternoon, 123 students had withdrawn from the schools in this small town in the northern hills, leaving behind teary and confused classmates," reported the *New York Times*. "Scores more were absent."

In Shelby County, a large number of students were absent on Monday and 40 undocumented students had withdrawn from their schools by Tuesday. Last week, 20 students officially withdrew from public schools in the county.

Keith Ward, spokesperson for Huntsville City Schools, one of Alabama's largest school districts with 23,000 students, told ABC News that of the 1,435 Hispanic students enrolled in Huntsville schools, 207 were absent last Thursday, the day the law took effect. While the number of Huntsville students avoiding school has decreased since last week, the absentee count remains substantially higher than the average of 20 to 40 absences for Hispanic students each week.

On Monday, the mother of a Hispanic student at a Montgomery County school said in a court brief that a teacher had asked students about their parents' status. According to the affidavit filed on Monday, a Montgomery public school teacher asked a fourth-grader last week if she was a legal resident and later asked about the citizenship status of her parents. The incident was cited in a U.S. District Court case to show that the law would frighten many undocumented parents into pulling their children out of school. The brief, which does not name the school or the teacher, was filed by the American Civil Liberties Union and the Southern Poverty Law Center on behalf of a coalition of plaintiffs.

According to the *Montgomery Advertiser*, the mother, known as "Jane Doe No. 7," said she did not plan on withdrawing her child from school, but knew other parents who have done so. "Her education is too important for her to miss school, and I trust she will not tell the school about her parent's immigration status," she said. "However, I am very

afraid that they might find out, and that they will treat her and us differently because of this new law."

Desperate farmers have complained the new law is driving away migrant workers at harvest time, placing them at risk of losing their farms. "The tomatoes are rotting on the vine, and there is very little we can do," said Chad Smith, who farms tomatoes with his relatives.

On Monday, Republican state Senator Scott Beason made it clear that the law would not be changed. "My position is to stay with the law as it is," Beason told the farmers. Lana Boatright told the Associated Press that she and her husband had used the same crews for over a decade, but only eight of the 48 workers they needed showed up after the law took effect. "My husband and I take them to the grocery store at night and shop for them because they are afraid they will be arrested," she said.

The law has sparked outrage in Alabama and throughout the country. Last week, hundreds of students demonstrated against the law at the University of Alabama in Tuscaloosa. The students chanted slogans and carried signs reading, "Hate Bill 56" and "Ask ME For My Papers." Protests against the law have also been held by relatives and friends of undocumented workers and by religious groups.

Alabama's draconian new anti-immigration law is part of a nationwide crackdown on undocumented immigrants, a campaign supported by both big business parties. During his election campaign, President Obama promised to push for "immigration reform" during his first term in office. However, he quickly reneged on his pledge and has assisted the Republican right in whipping up anti-immigrant sentiment and scapegoating immigrants for the jobs crisis and rising crime.

In line with the policies of the Bush administration, Obama has overseen enormous Immigration and Customs Enforcement raids against undocumented workers across the country. While claiming to back immigration reform, Obama has deported over 1 million undocumented immigrants in two and a half years—on pace to deport more people in one term than George W. Bush did in two.



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