**Information about Arizona Immigration Law**

<https://immigration.findlaw.com/immigration-laws-and-resources/arizona-immigration-law-s-b-1070.html>

On April 23, 2010, Arizona Gov. Jan Brewer signed into law [Senate Bill 1070](http://www.azleg.gov/legtext/49leg/2r/summary/s.1070pshs.doc.htm) aimed at preventing illegal immigration that has significantly affected the Mexico-bordering state over many decades. The law, entitled Support Our Law Enforcement and Safe Neighborhoods Act, would require law enforcement officials to enforce existing federal immigration laws in the state by checking the immigration status of a person they have "reasonable suspicion" of being in the U.S. illegally. But a U.S. Supreme Court ruling in 2012 and a settlement with plaintiffs in 2016 have collectively gutted the law.

For example, a provision that would have charged immigrants with a [misdemeanor](https://criminal.findlaw.com/crimes/criminal-overview/misdemeanors.html) for failing to carry documentation of their legal status was eliminated in 2016. And while the law required police to ask for proof of legal residency status, it is now subject to the officer's discretion.

Below is a general overview of some of the legal implications of this law and its current status after being challenged in the courts.

**National, State, and Local Reaction**

The signing of Arizona's new law sparked an ongoing national debate from both opponents and supporters of the law over its legality. Opponents claimed the law was unconstitutional under civil rights laws, believing it would lead to racial profiling and [harassment](https://criminal.findlaw.com/crimes/a-z/harassment.html) of Hispanics and other Spanish-speaking residents in the state. Then-President Barack Obama took an early stance against the new Arizona immigration law by calling it "misguided" and claiming it has "the potential of violating the rights of innocent American citizens and legal residents, making them subject to possible stops or questioning, because of what they look like or how they sound."

Supporters of the measure claimed the law simply enforces what the federal government requires it to do and argues that the law's overall purpose is to keep neighborhoods and communities safe in a state heavily affected with illegal immigration, drug smuggling and human trafficking. Moreover, some say the law was needed to help lead the charge for immigration reform.

**The Supremacy Clause**

Under the doctrine of preemption, the [Supremacy Clause](https://public.findlaw.com/library/legal-system/supremacy_clause.html) of the United States Constitution (Article VI, Section 2) stands for the principle that federal law "preempts" (or trumps) state law in matters arising out of federal law. Because immigration laws and policy are federal in nature, the Arizona immigration law was challenged as violating the Supremacy Clause. The U.S. 9th Circuit Court of Appeals upheld a lower federal court's injunction of the law, kicking the matter up the U.S. Supreme Court.

**Challenges to the Arizona Law**

In a 5-3 ruling, the [Supreme Court overturned three of the provisions](https://caselaw.findlaw.com/us-supreme-court/11-182.html) of the state's controversial law, leaving intact the provision requiring police to demand documentation of legal residency, citing the Supremacy Clause. Later, in 2016, the state settled lawsuits by the National Immigration Law Center and other immigrants' rights groups by dropping the one provision left intact by the Supreme Court. Along with the settlement, Arizona Attorney General Mark Brnovich issued the following statement:

"Officers shall not prolong a stop, detention or arrest solely for the purpose of verifying immigration status. Officers shall not contact, stop, detain or arrest an individual based on race, color, or national origin, except when it is part of a suspect description."

**Racial Profiling**

By definition, racial profiling is the use of race or nationality to identify a person as a suspect or potential suspect. Because the new law would allow police to arrest people they suspect of being in Arizona illegally, opponents believe it would unfairly lead to racial profiling among a large percentage of residents or visitors within the state.

**National Immigration Policies**

Many national immigration reform advocates were hoping the controversy surrounding Arizona's new law would help put the emphasis on the need for a comprehensive federal reform law. But as of 2017, no such reform has been introduced nor acted upon.

**Public Safety Concerns**

Because of fears the law would have discouraged illegal immigrants from reporting criminal activity, there was a concern over public safety. Unauthorized residents, who fear being prosecuted, could have put others at risk by not reporting such activities.

**"Piggy Back" Affect**

Following the passage of Arizona's (now mostly defunct) S.B. 1070, a growing number of states followed suit. Legislators in at least five states including Pennsylvania, Minnesota, South Carolina, Rhode Island, and Mississippi have introduced laws mirroring the Arizona immigration law. But most of those efforts also were challenged and/or curtailed following actions in the courts.

**Immigration Lawsuits**

Several Arizona police officers also filed lawsuits against the state claiming that they are required to enforce a law that could potentially cause liability on themselves.

**Defend Your Rights: Meet With an Immigration Lawyer Today**

Arizona has created a tangle of federal and state regulations relating to immigrants and immigration status. Now, more than ever before, the assistance of a legal professional can make an enormous difference. Contact a local [immigration attorney](https://lawyers.findlaw.com/lawyer/practice/immigration-naturalization-law?fli=dcta) and learn more about your rights as they relate to your particular situation.