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Judge strikes down Hazleton laws on illegal immigrants

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By Milan Simonich, Pittsburgh Post-Gazette

A judge today struck down two laws in the city of Hazleton that were aimed at driving illegal immigrants out of town.

U.S. District Judge James Munley of Scranton ruled that Hazleton's mayor and city council did not have the authority to try to regulate immigration policy, typically a matter for the federal government.

Hazleton Mayor Louis Barletta had hoped to force every renter to obtain a permit at city hall. He also wanted to impose penalties on landlords that rented to illegal immigrants and businesses that hired them.

Mr. Barletta said the laws would force out illegal immigrants, who he said were responsible for a crime wave in his northeastern Pennsylvania city of 22,000. He pushed for the laws after two illegal immigrants from the Dominican Republic were arrested in the murder of a Hazleton man.

Judge Munley, though, said Mr. Barletta's approach to solving the problem was wrong.

"Whatever frustrations officials of the city of Hazleton may feel about the current state of federal immigration enforcement, the nature of the political system in the United States prohibits the city from enacting ordinances that disrupt a carefully drawn federal statutory scheme," Judge Munley wrote in his 206-page decision.

He went on to say that Hazleton's immigration laws were unfair: "The genius of our Constitution is that it provides rights even to those who evoke the least sympathy from the general public ... Hazleton, in its zeal to control the presence of a group deemed undesirable, violated the rights of such people, as well as others within the community. Since the United States Constitution protects even the disfavored, the ordinances cannot be enforced."

Vic Walczak, legal director of the ACLU of Pennsylvania, was among those who brought a lawsuit challenging Hazleton's laws.

"We're happy," Mr. Walczak said this afternoon as he pored over the judge's ruling.

Mr. Barletta plans a news conference at 4 p.m. today. He had said an appeal was likely, regardless of which side won.

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• Read the [full text of Judge Munley's decision](#), in .pdf format

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