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Montana Supreme Court Rules Immigration Law Unconstitutional

By [EDWARD O'BRIEN \(/PEOPLE/EDWARD-OBRIEN\)](/PEOPLE/EDWARD-OBRIEN) • MAY 11, 2016[Twitter \(http://twitter.com/intent/tweet?url=http%3A%2F%2Fwww.tinyurl.com%2Fjr79k5c&text=Montana%20Supreme%20Court%20R](http://twitter.com/intent/tweet?url=http%3A%2F%2Fwww.tinyurl.com%2Fjr79k5c&text=Montana%20Supreme%20Court%20R)http://mediad.publicbroadcasting.net/p/kufm/files/styles/x_large/public/201410/court-news.jpg*Montana Supreme Court Rules Immigration Law Unconstitutional*



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Montana Supreme Court Rules Immigration Law Unconstitutional

The Montana Supreme Court this week struck down the final provision of a law to deny services to undocumented immigrants (http://drive.google.com/open?id=0BwpXhbW_aHBOMmRkVFVCVjMtRzJ4NG9Qa2Z3TEJSU1o1OTRR).

2012's Legislative Referendum-121 prevented undocumented immigrants from being employed by any state agency or qualifying for unemployment insurance. It also denied:

"Crime victim services, infant hearing screenings, believe it or not, even the ability to attend a public university, much less to get any kind of scholarship or student aid."



That's Shahid Hauque Hausrath of the Montana Immigrant Justice Alliance.

(<http://www.mija.org/>)

The Alliance said the law illegally regulated immigration at the state level. Hauque-Hausrath, an immigration attorney, also asserted it would have wrongly denied state services to non-citizens with a valid immigration status.

In 2014, a Helena judge rejected most of the law as unconstitutional. The state Supreme Court upheld that ruling this week.

(http://mediad.publicbroadcasting.net/p/kufm/files/styles/x_large/public/201411/shahidhaque-hausrath.png).

Shahid Hauque Hausrath, Montana Immigrant Justice Alliance

CREDIT COURTESY PHOTO BORDER CROSSING LAW FIRM

Justices also struck down its final provision requiring state workers to report the names of applicants not legally in the United States

(https://drive.google.com/file/d/0BwpXhbW_aHBOYmJYcmw1VUVGcklFN0ZuQVh0eEITS3MxNzh3usp=sharing). Hauque Hausrath says the law was intended to send what he calls a "coded message."

"It had a mean-spirited goal of trying to drive immigrants out of the state of Montana and sending a message that we don't want them here."

LR-121 was approved by 80 percent of Montana voters.

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