

For immediate release // excuse cross-posting

## **PRESS ADVISORY**

October 12, 2016

### **Contacts:**

Carlos Garcia, Puente, [carlos@puenteaz.org](mailto:carlos@puenteaz.org), (520) 248-1697  
Armando Carmona, NDLOJ, [armando@ndlon.org](mailto:armando@ndlon.org), (323) 250-3018  
Steve Kilar, ACLU of Arizona, [skilar@acluaz.org](mailto:skilar@acluaz.org), (602) 773-6007  
Jennifer Kim, UCI Law, [yoonyk2@law.uci.edu](mailto:yoonyk2@law.uci.edu), (909) 569-4840

### **Immigrant Workers Take Sheriff Joe Arpaio and County's Top Prosecutor To Court**

*Plaintiffs Ask Federal Judge to Rule Arpaio's Workplace Raids and County Prosecutions of Immigrant Workers Unconstitutional*

**What:** Court hearing on the parties' requests for summary judgment in *Puente v. Arpaio*

**When:** Thursday, October 13, 2016 – press conference at 9 am, followed by court hearing at 10 am

**Where:** Sandra Day O'Connor Federal Courthouse, 401 W. Washington St., Courtroom 603

\*\*Plaintiffs and their attorneys will be available for interviews \*\*

Phoenix, AZ – Tomorrow, October 13, plaintiffs in *Puente v. Arpaio* will ask a federal judge to rule that Maricopa County Sheriff Joe Arpaio and County Attorney Bill Montgomery violated the Constitution by using portions of the Legal Arizona Workers Act (LAWA) and Arizona's felony forgery statute to systematically investigate, arrest, detain and prosecute immigrants who are working to provide for their families. The case challenges the legality of state-level efforts to criminally punish undocumented immigrants for the use of false identity information to get a job. It was brought in 2014 by the organization Puente Arizona, two individuals convicted under the laws, and Maricopa County-based faith leaders who objected to the use of their tax dollars to finance worksite raids.

"I will never forget the pain of that experience. I spent months in jail and am now marked with a felony conviction because I was working to feed my family," said **Elia Estrada**, a plaintiff in the case who was arrested while working at a fast food restaurant. "I'm part of the suit because no one should be treated the way I was. I want my record cleared."

These anti-immigrant measures took a great human toll. Before the Maricopa County Sheriff's Office (MCSO) disbanded its controversial Criminal Employment Unit, deputies had conducted over 80 worksite raids, resulting in the arrest of over 800 workers. In total during this time period, the Maricopa County Attorney's Office (MCAO) reviewed for prosecution more than 1,800 cases.

“The raids created a climate of fear,” said **Fernando Abundes**, a worker arrested in the 2013 raid on Uncle Sam’s Restaurant. “Abusive employers, like mine, took advantage of that to keep immigrant workers from complaining. In the end, Sheriff Arpaio raided the restaurant—not to help the workers but to arrest us.”

“Arizona overstepped its authority when it recast its identity theft laws to target undocumented workers,” said **Elizabeth Hercules-Paez**, a law student at the University of California, Irvine Immigrants Rights Clinic who is one of the members of the legal team presenting arguments on Thursday. “Arpaio and Montgomery’s enforcement of them has not only been cruel, unjust and degrading, but also unconstitutional.”

In early 2015, the District Court judge granted a preliminary injunction halting enforcement of the challenged laws until the case could be resolved. The Ninth Circuit Court of Appeals recently reversed the preliminary injunction, but sent the case back to the District Court in Phoenix to consider the possibility of a permanent injunction on plaintiffs’ claim that the use of the laws against undocumented workers by County officials conflicts with federal law.

On Thursday, the court will also consider Plaintiffs’ claim that the worker identity provisions violate the Equal Protection Clause of the U.S. Constitution because they were enacted with discriminatory animus. “Legislators traded in harmful stereotypes and were candid about their intent to punish undocumented immigrants,” said **Jessica Karp Bansal** of the National Day Laborer Organizing Network (NDLON) and another member of plaintiffs’ legal team. “Our Constitution does not approve such animus-based laws.”

“For many years, Arizona was gripped by the politics of attrition. We’ve come a long way since then, thanks to the work of many unsung heroes who had the courage to stand up to people like Arpaio and Montgomery,” said **Carlos Garcia** of Puente. “But we cannot go back. These politicians built their careers on attacking our community. After suffering raid after raid, the community decided to take them to court. We will not rest until justice prevails.”

More information and legal documents related to the case are available [here](#).

The plaintiffs are represented by the University of California, Irvine School of Law Immigrant Rights Clinic, NDLON, the ACLU of Arizona, Hadsell Stormer & Renick LLP, Quarles & Brady LLP and attorney Ray Ybarra Maldonado

###