



**Statement by Victoria Middleton**  
**Executive Director, ACLU South Carolina National Office**  
**Summerville, SC**  
**July 14, 2010**

The proposed ordinance under consideration by Summerville is not only inconsistent with the U.S. Constitution and federal civil rights laws, but it also subjects people who look or sound foreign to potential discrimination based on their race, ethnicity or national origin. This undermines fundamental American values of fairness, due process and the rule of law. We need a system that enforces the laws, not guts them.

Laws like these clearly conflict with federal law, but more than that, they violate America's tradition of fairness and openness. We expect the government to make laws that will prevent discrimination, not require it. This ordinance would lead to individuals losing housing and jobs because of their appearance and language ability.

Moreover, this proposed ordinance is at odds with the clear congressional mandate imposing a uniform federal immigration enforcement system. If every city and town across the country were allowed to enact its own immigration laws, we would end up with chaos and confusion, causing racial discrimination and ethnic profiling. Ordinances like the one under consideration by Summerville do not take into account the complexity of existing federal law and place individuals and businesses in the impossible position of trying to comply with multiple sets of incompatible rules at the federal, state, and local levels. This puts the city's economy at risk. During this time of economic uncertainty, it is irresponsible to enact laws that cause significant economic disruption to our business community.

Law enforcement chiefs and groups around the U.S., including here in South Carolina, oppose discriminatory laws like these because they divert scarce law enforcement resources from the important task of protecting public safety, and they imperil cooperation between the police and the immigrant community, including victims and witnesses to crimes.

Courts around the country have struck down every anti-immigrant ordinance imposing housing restrictions, like the Summerville proposal seeks to do. Federal and state courts have blocked similar local laws in Pennsylvania (Hazelton), Missouri (Valley Park), Texas (Farmers Branch), and California (Escondido). Not a single one of these rental licensing laws have withstood constitutional scrutiny by the courts. Riverside, New Jersey opted to repeal their anti-immigrant housing ordinance rather than defend it.

These unconstitutional ordinances do nothing to solve the problems with our immigration system, serve only to divide communities and cost cities millions of dollars to defend them in the courts. We urge a "No" vote on the proposed ordinance.