



FOR IMMEDIATE RELEASE:

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ACLU files lawsuit against the state to stop HB 83

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Note: Mere hours after sending this press release out, the judge in our case [granted our request for a Temporary Restraining Order](#) preventing the law from being enforced until a decision is made on a preliminary injunction.

BOISE — Today, the ACLU of Idaho and the ACLU filed a lawsuit against the state of Idaho to stop enforcement of House Bill 83, which was signed into law earlier in the day.

The plaintiffs in the lawsuit, *IORC v. Labrador*, are the Idaho Organization of Resource Councils, The Alliance of Idaho, and five anonymous noncitizens.

The lawsuit asks the court to enjoin enforcement of the law. It requests an emergency temporary restraining order preventing enforcement against anyone. The lawsuit argues that H.B. 83 violates the U.S. Constitution by attempting to supersede the federal government's oversight of immigration enforcement, by impermissibly limiting interstate commerce, and by failing to give ordinary people fair notice of what conduct it proscribes.

“The state of Idaho cannot enforce this unconstitutional law,” said **Paul Carlos Southwick, ACLU of Idaho Legal Director**. “Every other court to have considered similar laws, including conservative federal appellate courts, have stopped laws like this one from going into effect.”

“Idaho’s effort to circumvent the federal immigration system is unconstitutional and will have devastating consequences for families and communities,” said **Hannah Steinberg, Staff Attorney with the ACLU’s Immigrants’ Rights Project**. “Friends, family members, neighbors, and community members will be pushed into harm’s way regardless of their immigration status. Even people with pending applications for immigration relief can be prosecuted.”

“We are disappointed that Idaho’s elected officials seem comfortable with disparaging immigrants, even while recognizing that immigrants are the backbone of several labor industries in our state,” said **Ruby Mendez-Mota, ACLU of Idaho Campaign Strategist**. “Not only that, but this is clearly racially motivated, as lawmakers pointed out during debates about this bill. This is absolutely a slap in the face for the Latino community, and we will not tolerate it.”

“It is unfortunate that elected officials did not heed our warnings about this unconstitutional bill,” said **Leo Morales, ACLU of Idaho Executive Director**. “The ACLU will not stand by as elected officials disregard our constitution. We will see you in court.”

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*The **ACLU of Idaho** is a non-partisan, non-profit organization dedicated to the preservation and enhancement of civil liberties and civil rights. The ACLU of Idaho strives to advance civil liberties and civil rights through activities that include litigation, education, and lobbying. Learn more at acluidaho.org.*