



# Mexican American Bar Association of Houston

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## FOR IMMEDIATE RELEASE

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## The Mexican American Bar Association of Houston (MABAH) Speaks Out Against Proposed Texas Legislation Which Violates Constitutional Protections of Hispanics

Houston, Texas –MABAH, the voice of the Hispanic legal community in Houston, Harris County, Texas, speaks out against proposed immigration-type legislation in Texas because the bills raise grave constitutional concerns. Rep. Debbie Riddle, Republican of Tomball, for instance, filed House Bill 17, which is similar to Arizona’s controversial immigration law. It would allow law enforcement officers to charge an immigrant who lacks proper documentation and already is detained on another charge with criminal trespass – a Class B misdemeanor that carries a fine of up to \$2,000 and maximum jail time of six months.

A federal district court has already ruled in Arizona that similar legislation interferes with the federal government’s plenary power in the field of immigration enforcement. MABAH notes that Riddle’s immigration bill would result in litigation that has drained millions of dollars from Arizona’s already limited budget. The proposed Texas bill raises the following grave constitutional concerns: 1) racial profiling, 2) freedom from unreasonable seizures, 3) the imposition of ex post facto laws, 4) lack of due process guarantees, and 5) federal preemption of state laws through the plenary power of Congress in the field of immigration.

MABAH President Ephraim Del Pozo noted, “The passage of this type of immigration legislation at the state level can only create an impediment to effective police enforcement of major crimes. Hispanics in general and undocumented persons in particular will be less willing to cooperate in providing information to police.”

MABAH, an association of attorneys, realizes that frustration over the failed efforts of the Executive and the Legislative branches of the federal government to resolve our country’s immigration crisis has resulted in dangerous, unjust and discriminatory actions directed toward the Hispanic community. However, MABAH urges that cool, fair-minded heads prevail in addressing this sensitive issue. Federal courts have ruled, often in favor of the Hispanic litigants, that these type of local ordinances and statutes are discriminatory and unlawful, often resulting in exorbitant legal costs to the taxpayers.

According to Del Pozo, “MABAH remains committed to the principles of fundamental fairness, due process, and equal protection for all people, regardless of immigration status. The proposed legislation in Austin, Texas is inconsistent with those principles. What this Nation needs is an effective and comprehensive bi-partisan immigration reform that our Congressional leaders should implement as soon as possible this year.”

*The Mexican American Bar Association of Houston (MABAH), founded in 1972, is an incorporated, nonpartisan, not-for-profit, membership organization that represents the interests of the more than 500 Hispanic attorneys, judges, law professors, and law students in Houston, Harris County, Texas. For more information, please visit [www.mabah.com](http://www.mabah.com).*