



NEWS

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Northwest Immigrant Rights Project, Legal Voice, Latina/o Bar Association of Washington, National Employment Law Project and ACLU of Washington Unite to Praise Washington Supreme Court Decision Protecting the Integrity of the Court

Seattle - Northwest Immigrant Rights Project (NWIRP), Legal Voice, the Latina/o Bar Association of Washington (LBAW), National Employment Law Project (NELP) and the American Civil Liberties Union of Washington State (ACLU-WA) today praised the decision of the Washington State Supreme Court in *Salas v. Hi-Tech Erectors* (Case No. 81590-9). In a 7-2 decision released today, the court held that the trial court had erred in allowing the admission of evidence of a plaintiff's immigration status during a civil case. NWIRP, Legal Voice, LBAW, NELP and ACLU-WA joined several other organizations as *amicus curiae* (friend of the court) in urging the Supreme Court to find that evidence of a person's immigration status should not be admitted in civil cases because of its potential prejudicial effect.

"Today's decision by the Washington Supreme Court helps ensure that everyone living in our state will have equal access to the judicial system," said Jorge L. Barón, executive director of NWIRP. "This case was about protecting the integrity of our court system by keeping prejudices out of the judicial process."

Legal Voice, a non-profit women's rights organization, also hailed today's ruling. Legal Voice filed an *amicus curiae* brief stressing the impact that admission of immigration status would have on battered immigrant women, for whom fear of immigration consequences is already a powerful disincentive to seeking help from the police and the courts. "Allowing admission of immigration status in this context provides an abusive spouse one more tool of control, and puts battered women and their children at risk," said Lisa Stone, Executive Director of Legal Voice. "Today's decision could make it safer for battered immigrant women to come forward and seek safety."

"The Latina/o Bar Association of Washington has long recognized that the introduction of immigration status chills immigrants from exercising their rights and invites abusive litigation tactics," said Patricia Lally, President of LBAW. "LBAW is proud that today's Washington Supreme Court ruling, in *Salas v. Hi-Tech Erectors*, keeps the doors to justice open by ensuring that undocumented immigrants who are injured or subjected to unfair employment practices need not fear that their immigration status will be used against them."

“Today’s decision makes clear that all workers have the same rights to a safe workplace. By ensuring that no group of workers gets second-class status, the Supreme Court has guaranteed a safe workplace for all of us who work for a living,” said Rebecca Smith of the National Employment Law Project.

“The court issued a strong ruling that protects the rights of workers to seek redress from our judicial system for workplace violations, regardless of one’s citizenship,” said ACLU of Washington legal director Sarah Dunne. “The court recognized that immigration status is a politically sensitive issue and that introducing it when not necessary can interfere with a jury’s reasoned deliberation about a case,” Dunne added.

The case decided today was brought by Alex Salas, who has lived in the greater Seattle area since 1990, and who was injured while working at a construction site. Mr. Salas sued one of the contractors for negligence. During the trial, the contractor moved to introduce evidence of Mr. Salas’s immigration status and the trial court allowed this evidence over Mr. Salas’s objection. The jury found that the contractor had been negligent but ruled against Mr. Salas. The state’s intermediate Court of Appeals upheld the trial court’s decision to allow evidence of Mr. Salas’s immigration status in 2008 but the Washington Supreme Court agreed to review the case. Today’s decision reverses the Court of Appeals and sends the case back to the lower courts for further proceedings.

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Northwest Immigrant Rights Project is the only organization providing comprehensive immigration legal services to low-income immigrants and refugees in Washington State. Each year, NWIRP serves over 10,000 individuals through direct services and community education, and impacts thousands more through its advocacy and impact litigation work.

Legal Voice is the only organization in the Northwest that advocates in Washington, Alaska, Idaho, Montana and Oregon to advance women’s legal rights through litigation, legislative advocacy, and by providing self help educational materials and information.

The Latina/o Bar Association of Washington (LBAW) represents the concerns and goals of Latino attorneys and Latino people of the State of Washington. LBAW encourages and promotes the active participation of all Latino attorneys throughout the State and seeks the involvement of Latino political, governmental, educational and business leaders.

National Employment Law Project (NELP) is a national advocacy organization working on behalf of low-wage and immigrant workers around the country.

The ACLU of Washington is a non-profit, non-partisan organization with more than 20,000 members that works to defend the constitutional rights of all people in Washington.