

RESOLUTION NUMBER R- 305813

DATE OF FINAL PASSAGE MAY 11 2010

A RESOLUTION OF THE COUNCIL OF THE CITY OF  
SAN DIEGO URGING REPEAL OF ARIZONA SENATE  
BILL 1070, "SUPPORT OUR LAW ENFORCEMENT  
AND SAFE NEIGHBORHOODS ACT."

WHEREAS, the City of San Diego has historically supported policies that prohibit discrimination based on race, ethnicity, sex, age, national origin, religion, sexual orientation, and disability; and

WHEREAS, on April 23, 2010, Arizona Governor Jan Brewer signed Senate Bill 1070 (Support Our Law Enforcement and Safe Neighborhoods Act), requiring all local law enforcement to investigate a person's immigration status when there is a reasonable suspicion that the person is in the Country unlawfully, regardless of whether that person is suspected of a crime; and

WHEREAS, SB 1070 permits the arrest of a person, without a warrant, if there is probable cause to believe that the person has committed a public offense; and

WHEREAS, SB 1070 does not prohibit law enforcement officers from relying on race, ethnicity, national origin or language to determine whom to investigate; and

WHEREAS, SB 1070 encourages racial profiling and violates Fourteenth Amendment guarantees of due process and equal protection for U.S. citizens, legal residents and visitors who are detained for suspicion of being in the Country unlawfully; and

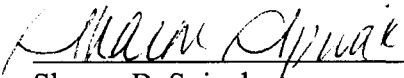
WHEREAS, federal funds should not be used to support immigration programs that promote racial profiling and discrimination based on race, ethnicity or national origin or any other form of discrimination; and

WHEREAS, SB 1070 seriously undermines the U.S. Constitution, which grants Congress exclusive power over immigration legislation; NOW, THEREFORE,


BE IT RESOLVED, by the Mayor and Council of the City of San Diego, for and on behalf of the people of San Diego, that this Council urges the State of Arizona to repeal SB 1070, the "Support Our Law Enforcement and Safe Neighborhoods Act," and directs the City Clerk to send a copy of this resolution to Arizona Governor Jan Brewer.

BE IT FURTHER RESOLVED, that by adoption of this Resolution, the City of San Diego hereby includes in its Federal Legislative Program opposition to any budgetary action or legislation, including immigration policy, that promotes racial profiling or discrimination based, on race, ethnicity or national origin.

APPROVED: JAN I. GOLDSMITH, City Attorney


By   
Sharon B. Spivak  
Deputy City Attorney

SBS:jdf  
04/28/10  
Or.Dept:Council President Hueso

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I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of ~~MAY 03 2010~~.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 5-11-10  
(date)

  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor