

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 Escondido, for and on behalf of the people of Escondido, 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 Escondido 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.