

RESOLUTION NO. 2010-89

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
URGING REPEAL OF ARIZONA STATE BILL
1070, "SUPPORT OUR LAW ENFORCEMENT
AND SAFE NEIGHBORHOODS ACT," AND
RESCINDING ESCONDIDO CITY COUNCIL
RESOLUTION NO. 2007-16R

WHEREAS, on April 23, 2010, Arizona Governor Jan Brewer signed Senate Bill 1070, "Support Our Law Enforcement and Safe Neighborhoods Act ("SB 1070")," 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 offence; 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 City Council of the City of Escondido, California as follows:

1. That the above recitations are true.
2. That this Council urges the State of Arizona to repeal SB 1070, and directs the City Clerk to send a copy of this resolution to Arizona Governor Jan Brewer.
3. 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.
4. That Escondido City Council Resolution 2007-16R is hereby rescinded and shall be of no further force or effect. A copy of Resolution 2007-16R is attached as Exhibit "A" to this resolution for reference.

RESOLUTION NO. 2007-16R

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
REGARDING ILLEGAL IMMIGRATION

WHEREAS, the City finds that it is in the best interest of and will serve and benefit the health, safety and welfare of the public and law-abiding business entities and property owners to commit to addressing the issues related to illegal immigration to deter and prevent criminal activity by illegal aliens; and

WHEREAS, local communities, by not enforcing their own laws already on the books act as sanctuaries for illegal aliens, and

WHEREAS, the City Council, as the duly elected governing body of the City of Escondido wishes to address the public nuisances of illegal immigration by aggressively working to prohibit and address acts, policies, people and businesses that aid and abet illegal aliens.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Escondido, California as follows:

1. That the above recitations are true.
2. Now therefore, the City of Escondido will enforce the Laws of the United

States and hereby requests the Federal Government take such actions as may be necessary to authorize municipal governments to make inquiries on the legal status of persons who may be illegal immigrants, and take other such actions that will enable local governments such as Escondido to address the problems associated with illegal immigration.

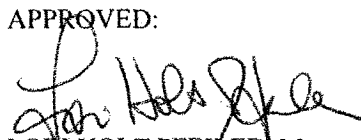
PASSED, ADOPTED AND APPROVED by the City Council of the City of Escondido at a regular meeting thereof this 10th day of January, 2007 by the following vote to wit:

AYES : Councilmembers: ABED, GALLO, WALDRON

NOES : Councilmembers: DANIELS, PFEILER

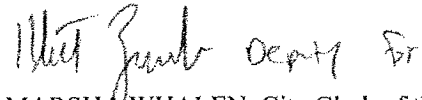
ABSENT : Councilmembers: NONE

APPROVED:



LORI HOLT PFEILER, Mayor of the
City of Escondido, California

ATTEST:



MARSHA WHALEN, City Clerk of the
City of Escondido, California

RESOLUTION NO. 2007-16 (R)