

Statement of Opposition against Arizona S.B. 1070

Endorsed by NAPABA

April 2012

WHEREAS, the Arizona State legislature has passed, and Governor Jan Brewer has signed into law, S.B. 1070;

WHEREAS, S.B. 1070 allows a law enforcement officer, without warrant, to arrest a person if the officer has probable cause to believe that the person has committed any public offense that makes the person removable from the U.S.;

WHEREAS, if an official or agency of the state or a county, city, town, or political subdivision has a reasonable suspicion that the person is an alien who is unlawfully present in the U.S., the legislation requires that law enforcement make a reasonable attempt be made to determine the immigration status of the person during any legitimate contact;

WHEREAS, a reasonable suspicion is not constitutionally sufficient grounds to stop someone for a civil violation based on their immigration status;

WHEREAS, S.B. 1070's use of a "reasonable suspicion" standard is so arbitrary and capricious that it will result in racial profiling, an unjustified action based on skin color, general appearance, and language ability;

WHEREAS, S.B. 1070 disallows officials or agencies of the state or political subdivisions from adopting or implementing policies that limit or prohibit local officials from inquiring into the immigration status of suspects, witnesses, and victims of crimes;

WHEREAS, the policies are essential to maintaining effective community policing which relies on witnesses and victims coming forward irrespective of their immigration status; and

WHEREAS, S.B. 1070 forces state and political subdivisions to share immigration statuses with other government agencies, despite confidentiality restrictions imposed on those agencies.

THEREFORE BE IT RESOLVED, that NAPABA

1. Opposes the implementation of Arizona S.B. 1070 and similar bills being introduced, passed, and signed into law in other states.
3. Authorizes its President, officers, and staff to communicate the content of this resolution to other diverse bar associations, members of the House of Representatives, members of the U.S. Senate, the press, and to others the NAPABA Board deems suitable to receive the information.

I, the elected president of the National Asian Pacific American Bar Association, hereby certify that this resolution was enacted by NAPABA on April 18, 2012.

A handwritten signature in black ink, appearing to read "Nimesh M. Patel", with a long horizontal flourish extending to the right.

Nimesh M. Patel
President