

**Introduced by Senator Cedillo**

**(Coauthors: Senators Calderon, Corbett, Correa, DeSaulnier, Ducheny, Florez, Hancock, Kehoe, Leno, Liu, Lowenthal, Padilla, Pavley, Price, Romero, Steinberg, Wright, and Yee)**

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June 22, 2010

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Senate Concurrent Resolution No. 113—Relative to Arizona law.

LEGISLATIVE COUNSEL'S DIGEST

SCR 113, as introduced, Cedillo. Arizona law.

This measure would urge various state and private entities to withhold financial support of Arizona businesses in response to recent Arizona state laws relating to illegal immigration.

Fiscal committee: no.

1 WHEREAS, On April 23, 2010, the Governor of Arizona signed  
2 into law Arizona Senate Bill 1070, that permits state and local law  
3 enforcement officials in Arizona to engage in racial profiling,  
4 thereby turning the clock back a generation of civil rights gains;  
5 and  
6 WHEREAS, SB 1070 specifically turns unlawful presence,  
7 which is a civil administrative offense under federal immigration  
8 law, into a state crime, requires Arizona state and local law  
9 enforcement to question people who they “reasonably suspect” of  
10 being in the United States unlawfully, and grants Arizona police

1 the power to arrest individuals without a warrant if they believe  
2 the individuals are in the United States in violation of federal  
3 immigration laws, thereby giving Arizona police an arrest authority  
4 normally limited to criminal violations; and

5 WHEREAS, On April 30, 2010, the Governor of Arizona signed  
6 into law Arizona House Bill 2162, modifying SB 1070  
7 (collectively, the Arizona law) to prohibit racial profiling but still  
8 criminalizing unlawful presence, thus requiring Arizona state and  
9 local law enforcement to engage in immigration enforcement,  
10 question individuals they “reasonably suspect” of being in the  
11 United States unlawfully in the course of any “lawful stop,  
12 detention or arrest,” and arrest individuals without a warrant for  
13 federal immigration violation; and

14 WHEREAS, The Arizona law undermines fundamental civil  
15 rights and civil liberties, and poses a special threat to people of  
16 color who live in and travel through Arizona; and

17 WHEREAS, Although the Arizona law states that it prohibits  
18 racial profiling, public officials assert that undocumented  
19 immigrants can be identified by the clothes they wear and the way  
20 they speak, and are therefore using stereotypes as proxies for race  
21 that will inevitably lead to racial profiling; and

22 WHEREAS, The State of California prohibits the unequal  
23 treatment of its residents and prohibits racial profiling of any kind;  
24 and

25 WHEREAS, According to the United States Census Bureau, an  
26 estimated 68 percent of California residents are people of color  
27 and 37 percent are of Hispanic or Latino origin who potentially  
28 could be targeted and harassed by law enforcement officials in  
29 Arizona as “reasonably suspect,” if they fall into a stereotype held  
30 by law enforcement officers; and

31 WHEREAS, The Major Cities Chiefs Association stated in 2006  
32 that when police engage in immigration enforcement, immigrant  
33 community members are less apt to call them when they witness  
34 or suffer a crime, thereby undermining the ability of police to  
35 protect the entire community and threatening public safety; and

36 WHEREAS, To the extent the Arizona law threatens public  
37 safety in Arizona, it also threatens public safety in California, as  
38 a neighboring state, and could potentially undermine trust between  
39 California communities and the police that serve them; and

1 WHEREAS, Civil rights leaders, constitutional rights scholars,  
2 elected officials, and police chiefs across the country condemn the  
3 Arizona law; and

4 WHEREAS, The City of Los Angeles, City of San Diego, City  
5 of Oakland, and City and County of San Francisco have all passed  
6 resolutions condemning the Arizona law; and

7 WHEREAS, We need humane and workable solutions, not an  
8 irrational and irresponsible response, to our broken immigration  
9 system, and we need solutions that help our state and country move  
10 forward together, rather than divide us apart; and

11 WHEREAS, The California Latino Legislative Caucus condemns  
12 the Arizona law and its impact on civil rights; and

13 WHEREAS, The California Latino Legislative Caucus cautions  
14 California residents from traveling to, or spending time in, Arizona  
15 due to the risk they may face in being subjected to inappropriate  
16 and unlawful scrutiny; now, therefore, be it

17 *Resolved by the Senate of the State of California, the Assembly*  
18 *thereof concurring*, That the Legislature and the California Latino  
19 Legislative Caucus urge the California Public Employees  
20 Retirement System and the California State Teachers Retirement  
21 System to cease making new investment in Arizona until Arizona  
22 Senate Bill 1070 and House Bill 2162 are repealed; and be it further

23 *Resolved*, The Legislature urges Major League Baseball  
24 Commissioner Bud Selig to remove Arizona from consideration  
25 for hosting the 2011 All-Star Game until Arizona Senate Bill 1070  
26 and House Bill 2162 are repealed; and be it further

27 *Resolved*, The Legislature urges an economic boycott of Arizona  
28 until Arizona Senate Bill 1070 and House Bill 2162 are repealed  
29 and requests California businesses to evaluate their investments  
30 in Arizona to affirm that business in this state do not directly or  
31 indirectly support any Arizona laws that sanction racial profiling;  
32 and be it further

33 *Resolved*, That the Secretary of the Senate transmit copies of  
34 this resolution to the author for appropriate distribution.

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