



WSBA

WASHINGTON STATE BAR ASSOCIATION BOARD OF GOVERNORS

Resolution Opposing Arizona Senate Bill 1070

Whereas, The Washington State Bar Association and Board of Governors are committed to equal justice for all;

Whereas, the Washington State Bar Association must conduct its work and business in accord with its guiding principle to promote the public's confidence in the legal system and ensure access to justice for all; and

Whereas, mandated determinations by state law enforcement regarding alien status and unlawful presence encourages racial profiling and the discriminatory enforcement of the nation's laws; and

Whereas, mandated determinations by state law enforcement regarding alien status and unlawful presence jeopardizes public safety and fosters distrust between law enforcement and ethnic communities; and

Whereas, the Arizona Legislature amended the Arizona Revised Statutes to include "Enforcement of Immigration Laws" on April 23rd, and 30th, 2010; and

Whereas, this legislation mandates that Arizona State law enforcement officials confirm an individual's immigration status when such individual is legally stopped and there is reasonable suspicion to believe the individual is an alien and present unlawfully within the United States; and

Whereas, this legislation only allows a presumption against unlawful alien presence where the person stopped carries a valid Arizona Driver License, valid Arizona Identification License, valid tribal enrollment card or a valid government issued identification card issued on condition of proof of lawful presence within the United States; and

Whereas, the Washington State Department of Licensing does not require proof of lawful presence within the United States prior to issuance of a Washington State Driver License making a Washington State Driver License insufficient proof to refute suspicion of alien unlawful presence within the boundary of the State of Arizona; and

Whereas, the Washington State Bar Association has an affirmative interest in ensuring that employees and volunteers of the Association are not required to carry a passport or enhanced identification card to travel within these United States; and

Whereas, the Washington State Bar Association has an affirmative interest in ensuring that employees are not subject to unreasonable police detention and/or racial profiling while on official WSBA business; and

Whereas, we believe the law violates the Fourteenth Amendment guarantee of equal protection and due process of law; and

Now, Therefore, Be It Resolved That:

The Board of Governors of the Washington State Bar Association, does hereby oppose Arizona SB 1070, enacted as Laws 2010, Chapter 113 and consistent with this opposition institutes a moratorium on official travel to the State of Arizona by WSBA staff and volunteers for as long as the law remains in effect and further does support challenges to the law as unconstitutional.

Adopted by the Washington State Bar Association Board of Governors on June 4, 2010.

Paula C. Littlewood
Secretary

