



State of Arizona

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Governor

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STATEMENT BY GOVERNOR JAN BREWER

“Thank you for being here today, to join me as we take another step forward in protecting the state of Arizona.

The bill I’m about to sign into law – Senate Bill 1070 – represents another tool for our state to use as we work to solve a crisis we did not create and the federal government has refused to fix ...

... The crisis caused by illegal immigration and Arizona’s porous border.

This bill, the Support Our Law Enforcement and Safe Neighborhoods Act, strengthens the laws of our state.

It protects all of us, every Arizona citizen and everyone here in our state lawfully.

And, it does so while ensuring that the constitutional rights of ALL in Arizona remain solid -- stable and steadfast.

I will now sign Senate Bill 1070.

For weeks, this legislation has been the subject of vigorous debate and intense criticism. My decision to sign it was by no means made lightly.

I have listened patiently to both sides. I have considered the significance of this new law long into the night. I have prayed for strength and prayed for our state.

I’ve decided to sign Senate Bill 1070 into law because, though many people disagree, I firmly believe it represents what’s best for Arizona. Border-related violence and crime due to illegal immigration are critically important issues to the people of our state, to my Administration and to me, as your Governor and as a citizen.

EXECUTIVE ORDER 2010-09

Establishing Law Enforcement Training for Immigration Laws

WHEREAS, Senate Bill 1070 was signed into law on April 23, 2010, and establishes a statewide policy to discourage and deter the unlawful entry and presence of aliens and economic activity by persons unlawfully present in the United States; and

WHEREAS, in accordance with Article V, Section 4 of the Arizona Constitution, the Governor is responsible for the supervision of the executive department and is obligated and empowered to protect the interests of the people and the State by taking care that the laws are faithfully executed; and

WHEREAS, Senate Bill 1070 prohibits any official or agency of this state or a county, city, town or other political subdivision of this state from limiting or restricting the enforcement of federal immigration laws to less than the full extent permitted by federal law; and

WHEREAS, Senate Bill 1070 requires a law enforcement official or a law enforcement agency of this state, county, city, town or other political subdivision when lawful contact is made and reasonable suspicion exists that the person is an alien who is unlawfully present in the United States, to reasonably attempt, when practicable, to determine the immigration status of the person, except if the determination may hinder or obstruct an investigation; and

WHEREAS, Senate Bill 1070 provides that the immigration enforcement by police agencies shall be implemented in a manner consistent with federal laws regulating immigration, protecting the civil rights of all persons and respecting the privileges and immunities of United States citizens; and

WHEREAS, Senate Bill 1070 prohibits a law enforcement official or agency of this state or a county, city, town or other political subdivision of this state from solely considering race, color or national origin in implementing Senate Bill 1070 except to the extent permitted by the United States or Arizona Constitution; and

WHEREAS, the Arizona Peace Officer Standards and Training Board (Board) was established by law to address the need for uniform peace officer selection, recruitment, retention and training standards, and to provide curriculum and standards for all certified law enforcement training facilities; and

WHEREAS, the Board is required by A.R.S. § 41-1822(A)(4) to prescribe minimum courses of training for law enforcement officers in the state and all political subdivisions; and

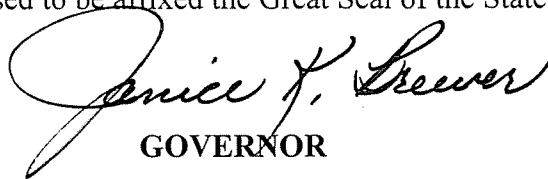
WHEREAS, the Board members are appointed by the Governor pursuant to A.R.S. § 41-1821, and the Governor may in accordance with A.R.S. § 41-101(A)(9), require the board to make special reports to the Governor upon written request; and

WHEREAS, the Board per A.R.S. § 41-1822(A)(2) is required to make recommendations to the Governor, Speaker of the House of Representatives and the President of the Senate on all matters relating to law enforcement and public safety;

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and laws of this State, hereby order and direct as follows:

1. The Arizona Peace Officer Standards and Training Board (Board) shall prescribe a minimum course of training for law enforcement officers in the state and all political subdivisions to implement Senate Bill 1070.
2. The course of training established by the Board shall provide statewide and uniform practices to assure that law enforcement officials and agencies are implementing Senate Bill 1070 in a manner that is consistent with federal laws regulating immigration, protects the civil rights of all persons and respects the privileges and immunities of United States citizens.
3. The course of training established by the Board shall provide clear guidance to law enforcement officials regarding what constitutes reasonable suspicion, and shall make clear that an individual's race, color or national origin alone cannot be grounds for reasonable suspicion to believe any law has been violated.
4. Provide a list of the specific forms of identification that provide a presumption that a person is not an alien who is unlawfully present in the United States.
5. The Board shall report to the Governor in writing its timeline for promulgating the new course of training materials no later than May 21, 2010.
6. The Board shall have the course of training completed within sixty days of the signing of the Executive Order and shall make its best efforts to ensure all law enforcement personnel in this State receive training regarding the new procedures before the effective date of Senate Bill 1070.
7. The Board shall submit a written report to the Governor no later than December 31, 2010, setting forth recommendations with respect to the implementation of Senate Bill 1070, including any recommended changes to the law.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.


GOVERNOR

DONE at the Capital in Phoenix, Arizona this 23rd day of April in the Year Two Thousand and Ten and of the Independence of the United States of America the Two Hundred and Thirty-Fourth.

ATTEST:

SECRETARY OF STATE



There is no higher priority than protecting the citizens of Arizona. We cannot sacrifice our safety to the murderous greed of drug cartels. We cannot stand idly by as drop houses, kidnappings and violence compromise our quality of life.

We cannot delay while the destruction happening south of our international border creeps its way north.

We in Arizona have been more than patient waiting for Washington to act. But decades of federal inaction and misguided policy have created a dangerous and unacceptable situation.

Yesterday, I announced the steps I was taking to enhance security along our border.

Today – with my unwavering signature on this legislation – Arizona strengthens its security WITHIN our borders.

Let me be clear, though: My signature today represents my steadfast support for enforcing the law — both AGAINST illegal immigration AND against racial profiling.

This legislation mirrors federal laws regarding immigration enforcement.

Despite erroneous and misleading statements suggesting otherwise, the new state misdemeanor crime of willful failure to complete or carry an alien registration document is adopted, verbatim, from the same offense found in federal statute.

I will NOT tolerate racial discrimination or racial profiling in Arizona.

Because I feel so strongly on this subject, I worked for weeks with legislators to amend SB 1070, to strengthen its civil rights protections.

That effort led to new language in the bill, language prohibiting law enforcement officers from “solely considering race, color, or national origin in implementing the requirements of this section...”

The bill already required that it “shall be implemented in a manner consistent with federal laws regulating immigration, protecting the civil rights of all persons and respecting the privileges and immunities of United States citizens.”

While the general protection was already included, I believe the issue is so important, we needed to make it CRYSTAL clear.

And I believe that we need to more than simply inscribe it in statute.

Words in a law book are of no use if our police officers are not properly trained on the provisions of SB 1070, including its civil rights provisions.

Today I am issuing an executive order directing the Arizona Peace Officer Standards and Training Board – AZPOST -- to develop training to appropriately implement SB 1070.

Importantly, this training will include what DOES – and DOES NOT – constitute “reasonable suspicion” that a person is not legally present in the United States.

Currently, AZPOST serves approximately 170 law enforcement agencies encompassing over 16,000 sworn peace officers, 9,000 correctional service officers, and 16 training academies.

The AZPOST Board of Directors includes the Arizona Attorney General, the Directors of the Arizona Department of Public Safety, the Arizona Department of Corrections, several county sheriffs, and local police departments.

I am also asking the Board to make recommendations on possible improvements to SB 1070 before the end of the year.

For 28 years in public service, I have worked without fail to solve problems diligently and practically. I have done so always with an eye toward civility, and always with the greatest respect for the rule of law.

This new law is no different: As committed as I am to protecting our state from crime associated with illegal immigration I am EQUALLY committed to holding law enforcement accountable should this statute ever be misused to violate an individual’s rights.

Respect for the rule of law means respect for every law. I have led that way every day in every office I have ever held. That will not change.

I have also spent my career in service to Arizona working to bring people together, no matter the color of their skin and no matter the depth of our disagreements.

This bill – and this issue – will be no exception.

While protecting our citizens is paramount, it cannot come at the expense of the diversity that has made Arizona so great. Nor can safety mean a compromise of freedom for some, while we, the many, turn a blind eye.

We must acknowledge the truth – people across America are watching Arizona, seeing how we implement this law, ready to jump on even the slightest misstep.

Some of those people from outside our state have an interest in seeing us fail.

They will wait for a single slip-up, one mistake, and then they will work day and night to create headlines and get the face time they so desperately covet.

We cannot give them that chance.

We must use this new tool wisely, and fight for our safety with the honor Arizona deserves.

We must react calmly.

We must enforce the law evenly, and without regard to skin color, accent, or social status.

We must prove the alarmists and the cynics wrong.

I know in my heart that this great state, my home for more than 40 years, is up to the task.

I believe every one of us wants to be safe, and none of us wants to compromise on the subject of civil rights.

I believe we must love and honor those who fight beside us – just as we must love and honor those who look and believe nothing like we do.

I believe Arizona, like America, is governed by laws.

Good laws ... well-intentioned laws ... laws that confer respect and that demand respect in return.

In his third State of the Union address, President Theodore Roosevelt said, “No man is above the law and no man is below it; nor do we ask any man's permission when we require him to obey it. Obedience to the law is demanded as a right; not asked as a favor.”

So, let us move forward -- ever mindful of our rights ...

-- ever faithful to the law ... and ever conscious of our bond as Arizonans, and the blessing we share together.

Thank you.”

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