



City of Austin

Mayor Lee Leffingwell
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June 8th, 2010

The Honorable Gabrielle Giffords
United States House of Representatives
Washington DC 20515-0308

Dear Representative Giffords:

Thank you for taking time to tell me about your concerns over recent action by the Austin City Council.

Due to the City of Austin's belief that the Arizona law SB 1070 could lead to significant racial profiling and thus put city employees traveling to the State of Arizona at risk, the Austin City Council established a resolution to not only protect its employees from any discriminatory practices that might be encountered upon travel to Arizona, but also to demonstrate a disapproval with the new law.

Our resolution calls for:

- 1) Travel to Arizona to be restricted for City of Austin employees, unless the travel involves a police investigation, provides humanitarian aid, or protects the health and safety of Austin residents.
- 2) The City Manager to evaluate, and rescind if practicable, any contracts and investments with the State of Arizona unless necessary for the health and safety of Austin residents.

The resolution does not call for the general public to boycott the State of Arizona, nor does it call for the termination of contracts with privately owned businesses. The resolution is simply a minimalist effort to make the statement that we disapprove of the new Arizona law; we have no wish to adversely affect the general public.

Attached is a copy of the City of Austin's resolution on Arizona; hopefully it will address some of your concerns.

Sincerely,


Lee Leffingwell

RESOLUTION NO. 20100513-030

WHEREAS, the State of Arizona has recently passed a law regarding immigration referred to as SB 1070; and

WHEREAS, this legislation mandates that law enforcement officials detain individuals who they suspect of being in the country illegally and who cannot prove documentation of their lawful status; and

WHEREAS, provisions in SB 1070 create the framework for law enforcement agencies to face potential legal action for failure to comply; and

WHEREAS, the City of Austin believes this broad power could lead to significant racial profiling placing not just Arizona residents at risk, but also any potential travelers to the state; and

WHEREAS, the City of Austin has an affirmative interest in making sure its employees are not subjected to unfounded detentions while on official city business; and

WHEREAS, the City of Austin has a vested interest in, and an established practice of, limiting business dealings with entities that espouse discriminatory practices; and

WHEREAS, SB 1070, should it go into effect, has the potential to create similar discriminatory practices; and

WHEREAS, the City of Austin believes there are more appropriate measures related to protecting the nation's borders that are the responsibility of the federal government; and

WHEREAS, the passage of SB 1070 in Arizona provides a piecemeal approach to addressing immigration challenges that are better solved through comprehensive immigration reform at the federal level; and

WHEREAS, the approach taken by Arizona's SB 1070 conflicts with most major-city police chiefs who oppose engaging in immigration enforcement and ignores more proven, data-driven efforts to reduce crime overall in communities like Mesa, Arizona; and

WHEREAS, should other states or communities attempt to recreate SB 1070-like provisions, it will further threaten community policing efforts underway nationwide and trample on long-term efforts across the nation to create relationships of trust among migrant communities and law enforcement to better combat crime, **NOW, THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Manager is directed to take steps to cease all business-related travel by City employees to the state of Arizona until such time as this legislation is overturned or changed and no longer potentially threatens City

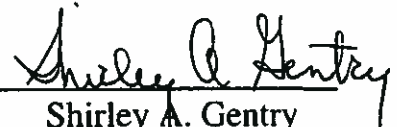
employees' welfare, unless the travel is related to a police investigation, to provide humanitarian aid or to protect the health and safety of Austin residents; and

BE IT FURTHER RESOLVED:

The City Manager is directed to investigate all current and potential City of Austin business with, and investments in, the State of Arizona and report back to Council with a plan to cease such business dealings unless it is necessary to protect the health and safety of Austin residents.

ADOPTED: May 13, 2010

ATTEST:


Shirley A. Gentry
City Clerk