



May 29, 2014

RE: H.R. 4660 (Amendment by Representative Keith Ellison)

Dear Representative,

AMERICAN CIVIL
LIBERTIES UNION
WASHINGTON
LEGISLATIVE OFFICE
915 15th STREET, NW, 6TH FL
WASHINGTON, DC 20005
T/202.544.1681
F/202.546.0738
WWW.ACLU.ORG

LAURA W. MURPHY
DIRECTOR

NATIONAL OFFICE
125 BROAD STREET, 18TH FL.
NEW YORK, NY 10004-2400
T/212.549.2500

OFFICERS AND DIRECTORS
SUSAN N. HERMAN
PRESIDENT

ANTHONY D. ROMERO
EXECUTIVE DIRECTOR

ROBERT REMAR
TREASURER

On behalf of the American Civil Liberties Union, please find attached our vote recommendation supporting Rep. Keith Ellison's Amendment to H.R. 4660, the Commerce, Justice, Science, and Related Agencies Appropriations Act of 2015. A recorded vote on this amendment is anticipated on the House floor today.

Please call Legislative Counsel Jennifer Bellamy with any questions at (202) 715-0828.

Regards,

Laura W. Murphy
Director, Washington Legislative Office

ACLU Recommends a YES vote on Ellison Amendment to H.R. 4660

This amendment would use existing law to prevent the Department of Justice (DOJ), FBI, and local law enforcement that receive federal funding from engaging in discriminatory policing.

The American Civil Liberties Union recommends a YES vote for the following reasons:

- Racial profiling is wrong and contrary to our nation's core principles. Racial profiling occurs when police target people for humiliating and often frightening interrogations, searches and detentions based not on any evidence of criminal activity but on individuals' perceived race, religion, ethnicity, national origin, gender, or sexual orientation. This violates the U.S. Constitution by betraying the fundamental American promise of equal protection under the law and infringing on the 4th Amendment guarantee that all people be free from unreasonable searches and seizures.
- Despite claims that we have entered a "post-racial" era, racial profiling remains a troubling nationwide problem. A 2008 report by the ACLU of Arizona found that Native Americans were 3.25 times more likely, and African Americans and Hispanics were each 2.5 times more likely, to be searched during traffic stops than whites. Yet, "hit rate" reports of traffic stops and searches show that people of color, including African Americans and Latinos, are *no more likely*, and very often *less likely*, to have drugs or weapons than whites. A 2001 Department of Justice report found that, although blacks and Latinos were *more likely* to be stopped and searched by police, they were *less likely* to be in possession of contraband. On average, searches and seizures of white drivers yielded evidence 17 percent of the time, compared to only 8 percent of the time for black drivers and only 10 percent of the time for Latino drivers.
- Although the overwhelming majority of Latinos in the United States are U.S. citizens or legal permanent residents, Latinos have frequently been singled out for immigration stops and inquiries by local law enforcement. Research by the ACLU of North Carolina and testimony by the ACLU before Congress document the ways in which 287(g) agreements (that permit local police departments to enforce immigration law) in particular have facilitated racial profiling by encouraging police officers to stop anyone who looks "foreign."
- Racial profiling is an ineffective law enforcement tool that wastes police officers' time and taxpayer dollars and creates a climate of fear that is detrimental to public safety.

For more information, please contact Jennifer Bellamy, Legislative Counsel, at (202) 715-0828 or jbellamy@aclu.org.