

Racial Profiling



Stop Racial Profiling; It's "Wrong in America"

"Racial profiling" occurs when law enforcement agents rely on race, ethnicity, national origin or religion in deciding whom to target for criminal investigations. This practice violates our nation's basic constitutional commitment to equal justice under the law. Police should not and may not use race, ethnicity, or religion as a basis for criminal suspicion. Both President Bush and the Attorney General have vowed to end racial profiling, calling it "wrong in America." But current law enforcement guidelines do little to stop officials from relying on race or ethnicity when deciding to initiate traffic stops or other investigative activities.

Since September 11, 2001, we've seen a disheartening increase in law enforcement practices targeting people based on their race, religion or national origin under the guise of national security. With disturbing frequency, our nation's Arab, Muslim and South Asian populations have been disproportionately targeted by law enforcement. Law enforcement policies — whether they are official or unofficial — primarily designed to scrutinize members of ethnic, racial and religious groups are ineffective and result in the destruction of civil liberties for everyone. Singling out Muslims, Arabs and South Asians for special law enforcement scrutiny will produce the same low "hit rates" that racial profiling has in the context of drug law enforcement. Furthermore, racial profiling makes us all less safe, by diverting limited law enforcement resources to target innocent individuals.

The End Racial Profiling Act of 2005 ("ERPA"), S. 2138, would build on the guidelines issued by the Department of Justice in 2003 banning federal law enforcement agencies from engaging in racial profiling. ERPA:

- Expands the federal ban on racial profiling to state and local law enforcement.
- Permits people to take legal action if they have been the victims of racial profiling.
- Requires states to establish procedures for handling racial profiling complaints.
- Provides best practice incentive grants to state and local law enforcement.

Senators should support an end to racial profiling in America by co-sponsoring S. 2138, the End Racial Profiling Act of 2005. A show of support for the bill this year will help it move forward in the next session of Congress. Representatives should be asked to support the introduction of similar legislation in 2007.

Support the End Racial Profiling Act of 2005!

ERPA would prohibit post 9-11 racial profiling

S. 2138, the End Racial Profiling Act of 2005 ("ERPA"), would ban not only profiling based on race, but also profiling based on a person's national origin or religion. This prohibition promotes effective security and law enforcement by focusing scarce investigative resources on people whose behavior raises suspicion, rather than on a person's physical characteristics.

ERPA builds on the Department of Justice's guidelines

ERPA would build on the guidelines issued by the Department of Justice in 2003 banning federal law enforcement agencies from engaging in racial profiling. It would extend that ban to state and local law enforcement and provide incentives for rooting out this illegal and unconstitutional practice.

ERPA will help keep our country safe and free

We can, and must, be both safe and free. However, by allowing racial and religious bias to help determine who is detained by law enforcement, we betray that fundamental promise of equal protection under the law.



Legislative Priorities