



Resolution of Support for the End Racial Profiling Act

WHEREAS, the Coalition of Bar Associations of Color (CBAC), organized in 1983, is a coalition created to act as a collective voice for issues of common concern to its member organizations; and

WHEREAS, the member organizations of the CBAC are the Hispanic National Bar Association (HNBA), the National Asian Pacific American Bar Association (NAPABA), the National Bar Association (NBA), and the National Native American Bar Association (NNABA); and

WHEREAS, racial and religious profiling is a pervasive practice that profoundly affects Asian Pacific American and other minority communities across the country; and

WHEREAS, racial and religious minorities are disproportionately targeted by traffic stops and “stops and frisks” often implemented as pretext for determining criminal activity; and

WHEREAS, programs such as 287(g), Secure Communities, and the Criminal Alien Program that deputize state and local law enforcement agencies to enforce civil immigration laws—the domain of the federal government—lack meaningful safeguards against racial profiling and have been used to disproportionately target U.S. citizens and lawful residents of racial and religious minority groups; and

WHEREAS, post-9/11 programs and policies continue to perpetuate sweeping and aggressive discrimination against members of Muslim, Arab, and South Asian American communities; and

WHEREAS, the practice of racial profiling is an ineffective law enforcement practice that focuses on factors unrelated to criminal activity rather than on specific indicators of criminal behavior; and

WHEREAS, the practice of racial profiling diverts valuable law enforcement resources from the task of pursuing specific and actual threats to public safety; and

WHEREAS, the practice of racial profiling further undermines public safety by creating fear and mistrust of law enforcement among community members who are vital to effective community policing; and

WHEREAS, the practice of racial profiling violates constitutional guarantees of freedom against unreasonable searches and seizures, the right to due process, and the right to equal protection; and

WHEREAS, the End Racial Profiling Act would curtail this unlawful, discriminatory, and ineffective practice by:

- Prohibiting the use of profiling based on race, religion, ethnicity, or national origin.
- Instituting training programs and data collection and monitoring mechanisms at the local, state, and federal law enforcement levels.
- Creating a private right of action for victims of racial profiling, among other requirements.

NOW THEREFORE BE IT RESOLVED, that the CBAC supports the passage of the End Racial Profiling Act and similar measures and legislation for the reasons set forth above; and

THEREFORE BE IT FURTHER RESOLVED, that the CBAC authorizes the communication of the content of this resolution to members of the U.S. Senate, members of the U.S. House of Representatives, the press, and to others the CBAC deems appropriate to receive the information; and

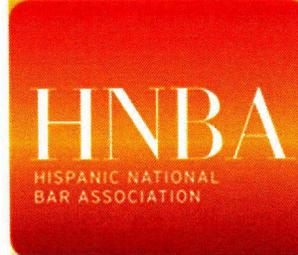
THEREFORE BE IT FINALLY RESOLVED, that this resolution shall be the legislative priority of the CBAC until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

We, the duly elected leadership of the Hispanic National Bar Association, the National Asian Pacific American Bar Association, the National Bar Association, and the National Native American Bar Association, hereby certify that this resolution was duly enacted by the CBAC at its annual meeting on the 16th of May 2012.

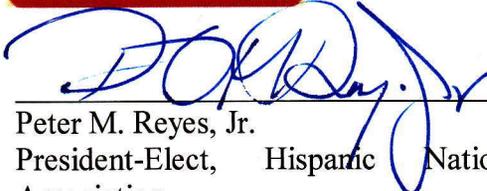


National Asian Pacific American Bar Association

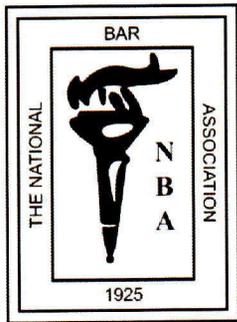




Nimesh Patel
President, National Asian Pacific American Bar Association



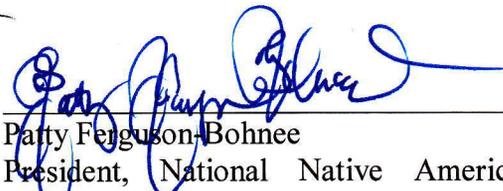
Peter M. Reyes, Jr.
President-Elect, Hispanic National Bar Association





Daryl Parks
President, National Bar Association





Patty Ferguson Bohnce
President, National Native American Bar Association