



Est. 1992

Coalition of Bar Associations of Color

**RESOLUTION SUPPORTING LEGISLATIVE
ACTION TO ENACT THE END RACIAL PROFILING ACT**

Endorsed March 2015

WHEREAS, the Coalition of Bar Associations of Color (CBAC), organized in 1992, 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 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, the member organizations of CBAC are the national voices of their respective legal communities in the United States and its territories and possessions; and

WHEREAS, communities of color have endured and continue to endure a long history of racial discrimination by law enforcement; and

WHEREAS, racial profiling occurs when police target people based on an individual's perceived race, ethnicity, nationality, or religion; and

WHEREAS, racial profiling is proscribed by the principle of nondiscrimination in international human rights law and under international human rights treaties; and

WHEREAS, the practice of racial profiling contributes to a culture that breeds hate crimes against communities of color, including the massacre of Sikhs practicing their faith at the gurdwara in Oak Creek, Wisconsin in 2012; and

WHEREAS, since September 11th, programs and policies continue to perpetuate sweeping and aggressive discrimination against members of Muslim, Arab, and South Asian American communities; and

WHEREAS, the 4th and 14th Amendment guarantee that all people shall be free from unreasonable search and seizure; and

WHEREAS, the 2014 Department of Justice Guidance Regarding the Use of Race by Federal Law Enforcement Agencies makes it clear that the federal government views racial profiling as

an issue of national concern and characterizes racial profiling as ineffective and inconsistent with American values of fairness and justice; and

WHEREAS, the End Racial Profiling Act, S.1038/H.R. 2851, has 16 Senate co-sponsors and 54 House co-sponsors; and

WHEREAS, the End Racial Profiling Act

- prohibits profiling by federal, state, local and Indian tribal law enforcement authorities on the basis of race, religion, ethnicity or national origin;
- mandates law enforcement training on racial profiling and data collection on all law enforcement routine or investigatory activities;
- creates a private right of action for victims of racial profiling to seek redress;
- authorizes the Department of Justice to provide grants for the development of best practices to discourage racial profiling and withholding grants from law enforcement agencies that do not comply with ERPA; and
- requires the Department of Justice to provide periodic reports to assess any ongoing discriminatory policing practices by federal, state, local, and tribal law enforcement authorities; and

NOW THEREFORE BE IT RESOLVED, that CBAC also supports other efforts and laws that are consistent with this resolution; and

NOW THEREFORE BE IT FURTHER RESOLVED, that CBAC authorizes its officers and staff to communicate the content of this resolution to other minority bar association members, members of the U.S. Congress, the Executive Office of the President, the press, and to whomever else CBAC board deems suitable to receive the information; and

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

CERTIFICATION

We, the duly-elected Presidents of 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), hereby certify that the foregoing Resolution was duly enacted by a duly-noticed meeting of the Coalition Bar Associations of Color.



Cynthia Mares

Cynthia Mares
President, Hispanic National Bar Association

3/2/2015
Date

George C. Chen

George C. Chen
President, National Asian Pacific American Bar Association

3/2/2015
Date

Pamela Meanes

Pamela Meanes
President, National Bar Association

3/2/2015
Date

Mary Smith

Mary Smith
President, National Native American Bar Association

3/2/2015
Date