



RE: ACLU Recommends Voting YES on Rep. Holt Amend. to HR 5326

May 9, 2012

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Dear Representative,

On behalf of the American Civil Liberties Union, please see the below alert strongly urging you to vote YES on today's anticipated consideration of Rep. Rush Holt's (D-NJ-12) amendment to H.R. 5326, the Commerce, Justice, Science, and Related Agencies Appropriations Act 2013. A recorded vote on this amendment is anticipated on the House floor today.

Please call Legislative Counsel Devon Chaffee with any questions at (202) 675-2331.

Regards,

Laura W. Murphy
Director, Washington Legislative Office

Devon Chaffee
Legislative Counsel

ACLU Urges YES Vote on Representative Holt's Amendment to H.R. 5326, the Commerce, Justice, Science, and Related Agencies Appropriations Act 2013

Rep. Rush Holt's (D-NJ-12) is expected to introduce an amendment to H.R. 5326, the Commerce, Justice, Science, and Related Agencies Appropriations Act 2013 to prohibit federal funding for programs or activities that involve racial, ethnic, or religious profiling by any Federal, State, or local law enforcement organization.

The American Civil Liberties Union urges you to vote YES on the Holt amendment.

Vote YES on the Holt amendment because federal funds should not support practices that violate the U.S. Constitution. Racial profiling betrays the fundamental American promise of equal protection under the law and infringes on the Fourth Amendment guarantee that all people be free from unreasonable searches and seizures. Such discriminatory law enforcement practices have no place in American life and should not be supported by federal funds.

Vote YES on the Holt amendment because federal funds should not be wasted on counterproductive law enforcement practices that make us less safe. Racial profiling targets individuals not because of evidence of criminal activity but because of the individuals' perceived race, ethnicity, nationality or religion. It diverts limited law enforcement resources away from proven more effective strategies. Racial profiling also causes resentment in targeted communities and makes people in those communities less likely to cooperate in criminal investigations. When individuals and communities fear the police, they are less likely to call law enforcement when they are the victims of or witnesses to crime or in emergencies. Creating a climate of fear compromises public safety for all Americans. Such counterproductive law enforcement practices do not deserve federal support.

Vote YES on the Holt amendment because there is bipartisan opposition to racial profiling. In February 2001, President George W. Bush said of racial profiling: "It's wrong, and we will end it in America. In so doing, we will not hinder the work of our nation's brave police officers. They protect us every day – often at great risk. But by stopping the abuses of a few, we will add to the public confidence our police officers earn and deserve." In 2003, the Justice Department, under Attorney General John Ashcroft, issued guidance prohibiting race from being used "to any degree" in law enforcement investigations (unless describing a specific suspect). Likewise, in July 2009, President Barack Obama said, "There's a long history in this country of African-Americans and Latinos being stopped by law enforcement disproportionately... [T]he more that we're working with local law enforcement to improve policing techniques so that we're eliminating potential bias, the safer everybody is going to be."

Vote YES on the Holt amendment because racial profiling harms innocent victims. Racial profiling incites feelings of helplessness, frustration, anxiety and anger for innocent victims of the practice. Racial profiling affects the lives of responsible, productive citizens as they dine, drive, shop, or worship. Victims include not just those who are wrongly detained, but those who fear being wrongly detained and restrict their activities as a consequence of that fear. These interactions hurt and humiliate individuals while doing irreparable damage to relationships between law enforcement and the community. Congress should not allow federal funds to support such victimization of innocent individuals.

For more information, please contact Devon Chaffee, ACLU Legislative Counsel, at 202/675-2331 or dchaffee@dcaclu.org.