

# End Racial Profiling Act of 2010 (ERPA) H.R. 5748,



Jul 15, 2010 - (Washington D.C.)— House Judiciary Chairman John Conyers, Jr. (D-Mich.) and Judiciary Subcommittee on Constitution, Civil Rights, and Civil Liberties Chairman Jerrold Nadler (D-N.Y.) introduced H.R. 5748, End Racial Profiling Act of 2010 (ERPA). This critical legislation will eliminate law enforcement practices of singling out people for heightened scrutiny, based on their race, ethnicity, religion, or national origin. As a product of years of extensive consultation with both the law enforcement and civil rights communities, this legislation represents the most comprehensive federal commitment to healing the rift caused by racial profiling and restoring public confidence in the criminal justice system at-large.

Conyers said “Over the past two decades, the tensions between police and minority communities have grown as allegations of racial profiling by law enforcement agents, sometimes supported by data collection efforts, have increased in number and frequency. The recent passage of Arizona’s new immigration law has crystallized the terms of the profiling debate and demonstrates that the combination of racial discrimination and law enforcement represents a volatile mix across all strata of the minority community.”

“Racial profiling not only unfairly targets people for different treatment by law enforcement based on traits such as race, nationality, or religion, but it is bad policing,” said Congressman Nadler (D-N.Y.). “It simply is not an effective way to identify and apprehend criminals. What’s more, focusing on people exhibiting these immutable characteristics easily distracts and diverts the attention of law enforcement in ways that can prove disastrous to public safety. The End Racial Profiling Act will ban the discriminatory and unconstitutional use of racial profiling and provide law enforcement officers with the tools they need to develop more effective practices that do not result in racial profiling.”

The End Racial Profiling Act is designed to enforce the constitutional right to equal protection of the laws by eliminating racial profiling through changes to the policies and procedures underlying the practice. The legislation will do the following:

- 1. Establish a prohibition on racial profiling, enforceable by declaratory or injunctive relief.**
- 2. Mandate training on racial profiling issues and the collection of data on both routine and spontaneous investigatory activities, as a condition of receiving Federal law enforcement funding.**
- 3. Authorize the Justice Department to provide grants for the development and implementation of best policing practices, such as early warning systems, technology integration, and other management protocols that discourage profiling.**
- 4. Require the Attorney General to provide periodic reports to assess the nature of any ongoing discriminatory profiling practices.**