



October 31, 2014

President Barack Obama
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Re: Strengthened Revisions to the Department of Justice's Guidance Regarding the Use of Race by Federal Law Enforcement Agencies

Dear Mr. President,

On behalf of The Leadership Conference on Civil and Human Rights and the undersigned 107 organizations, we respectfully renew our request for strengthened revisions to the Department of Justice's (DOJ) 2003 Guidance Regarding the Use of Race by Federal Law Enforcement Agencies ("the Guidance"). DOJ should revise its June 2003 Guidance to clarify ambiguities, close loopholes, and eliminate provisions that allow for any form of discriminatory profiling.

In 2003, the Guidance was an important step forward in clarifying DOJ's position on racial profiling in law enforcement when it was crafted under President Bush and former Attorney General Ashcroft. The need to address the shortcomings that were present at the time of its drafting is even greater now as a result of the proliferation of new forms of law enforcement tools and techniques, new state laws that target specific communities, and federal programs that involve state and local law enforcement in civil immigration enforcement.

Discriminatory profiling involves the unwarranted screening of certain groups of people, assumed by the police and other law enforcement agents to be predisposed to criminal behavior. Multiple studies have proven that profiling results in the misallocation of law enforcement resources and therefore the failure to identify actual crimes that are planned and committed. In addition, by relying on stereotypes rather than proven investigative procedures, the lives of innocent people are needlessly harmed by law enforcement agencies and officials.

Profiling affects our diverse communities, and in light of the recent high-profile events in Ferguson, Missouri and other areas of the country, we urge you to do everything in your power to support revisions to the Guidance. It is critical that the Guidance: 1) prohibits profiling based on actual or perceived race, ethnicity, religion, national origin, gender, gender identity and expression, or sexual orientation; 2) applies to state and local law enforcement agencies that work in partnership with the federal government or receive federal funding; 3) covers surveillance activities; 4) is enforceable and 5) closes loopholes for border integrity and national security, as these broad exceptions essentially sanction profiling in border communities and anywhere that a national security justification can be invoked. Ending the border integrity and national security exceptions is important to protect groups who may be stopped by border patrol

and immigration enforcement agents for suspected immigration violations for no reason other than their skin color.

As President, you have commented on the pain and humiliation you once experienced as a result of being profiled and during his tenure, Attorney General Holder has expressed his personal commitment to ending racial profiling. For five years, it has been under DOJ review even though its adoption remains as critical as ever. The undersigned organizations ask that DOJ adopt the five recommended revisions to strengthen the existing Guidance. As organizations that support the administration's commitment to equal protection and due process values, we look forward to working with DOJ to ensure that profiling is banned in all forms of law enforcement activity. We look forward to imminent action by this administration to revise the Guidance and to close the loopholes. If you have any questions, please contact Nancy Zirkin at (202) 466-3311 or zirkin@civilrights.org or Lexer Quamie at (202) 466-3648 or email quamie@civilrights.org. Thank you for your consideration. Thank you for your consideration.

Sincerely,

National Organizations

The Leadership Conference on Civil and Human Rights
9to5, National Association of Working Women
Advocates for Youth
African American Ministers in Action
American Association for Access, Equity and Diversity
American Civil Liberties Union
American Humanist Association
American Immigration Lawyers Association
American-Arab Anti-Discrimination Committee (ADC)
Asian Americans Advancing Justice - Los Angeles
Asian Americans Advancing Justice | AAJC
Bend the Arc Jewish Action
Best Practices Policy Project
Blacks in Law Enforcement of America
Brennan Center for Justice
Campaign for Youth Justice
Center for Constitutional Rights (CCR)
Council on American-Islamic Relations
Equality Federation
Family Equality Council
Farmworker Justice
Friends Committee on National Legislation
Gamaliel
Hmong National Development, Inc.

Human Rights Campaign
LATINOJUSTICE PRLDEF
Lawyers' Committee for Civil Rights Under Law
League of United Latin American Citizens
MALDEF
Marriage Equality USA
Muslim Advocates
Muslim Public Affairs Council
NAACP
NAACP Legal Defense and Educational Fund
National Action Network
National African American Drug Policy Coalition Inc.
National Asian Pacific American Bar Association (NAPABA)
National Black Justice Coalition
National Center for Lesbian Rights
National Center for Transgender Equality
National Coalition for Asian Pacific American Community Development
National Coalition of Anti-Violence Programs
National Council of Jewish Women
National Council of La Raza (NCLR)
National Employment Law Project
National Fair Housing Alliance
National Guestworker Alliance (NGA)
National Hispanic Media Coalition
National Immigration Forum
National Immigration Law Center
National Korean American Service and Education Consortium
National Lawyers Guild
National LGBTQ Task Force
National Minority AIDS Council
National Network for Arab American Communities (NNAAC)
National Organization for Women
National Queer Asian Pacific Islander Alliance (NQAPIA)
National Urban League
OCA - Asian Pacific American Advocates
People For the American Way
PFLAG National
PolicyLink
Prison Policy Initiative
Rainbow PUSH Coalition
Rights Working Group
Services and Advocacy for GLBT Elders (SAGE)
Sikh American Legal Defense and Education Fund

South Asian Americans Leading Together (SAALT)
Southern Border Communities Coalition
The Equity Project
The Gay, Lesbian & Straight Education Network (GLSEN)
The Sikh Coalition
Trans People of Color Coalition
Transgender Law Center
True Colors Fund
UNITED SIKHS
Voices for Freedom
YWCA USA

State and Local Organizations

Alliance San Diego (San Diego, California)
Annunciation House, Inc. (El Paso, Texas)
Arab American Association of New York (New York, New York)
Arab Community Center for Economic and Social Services (ACCESS) (Dearborn, Michigan)
Basic Rights Oregon (Eugene, Oregon)
DRUM - South Asian Organizing Center (New York, New York)
El Centro de Igualdad y Derechos (Albuquerque, New Mexico)
Empowerment Temple AME Church (Baltimore, Maryland)
Engaging Latino Communities for Education – Southern (Las Cruces, New Mexico)
Equality New Mexico (Albuquerque, New Mexico)
Equality Ohio (Columbus, Ohio)
Equality South Dakota (Sioux Falls, South Dakota)
Fair Wisconsin (Madison, Wisconsin)
Greater Cleveland Immigrant Support Network (Cleveland, Ohio)
Interfaith Center for Worker Justice (San Diego, California)
Jesuit Social Research Institute (New Orleans, Louisiana)
Los Angeles LGBT Center (Los Angeles, California)
MassEquality (Boston, Massachusetts)
Media Literacy Project (Albuquerque, New Mexico)
New Mexico Voices for Children (Albuquerque, New Mexico)
New York Association for Gender Rights Advocacy (NYAGRA) (New York, New York)
OneAmerica (Seattle, Washington)
Paso del Norte Civil Rights Project (El Paso, Texas)
PROMO (St. Louis, Missouri)
Religious of the Assumption (Chaparral, New Mexico)
Services, Immigrant Rights, and Education Network (SIREN) (San Jose, California)
South Asian American Policy & Research Institute (SAAPRI) (Chicago, Illinois)
Transgender Resource Center of New Mexico (Albuquerque, New Mexico)
Unitarian-Universalist Congregation of the Lowcountry (Bluffton, South Carolina)
Young Women United (Albuquerque, New Mexico)