



## What a Good Racial Profiling Law Would Look Like

For a racial profiling law to be effective, it must include the following components:

- Includes a comprehensive effective ban on racial profiling. Such a ban would prohibit the profiling of individuals and groups by law enforcement agencies even partially on the basis of race, ethnicity, national origin, or religion, except when there is trustworthy information, relevant to the locality and time frame, which links person(s) belonging to one of the aforementioned groups to an identified criminal incident.
- Bans pre-textual stops (those instances in which police use minor/common traffic violations to inquire about drugs, guns, or other breaches of the law) of pedestrians and motorists.
- Criminalizes violations of the racial profiling ban and specify penalties for officers who repeatedly engage in racial profiling.
- Requires mandatory data collection for all stops and all searches (traffic and pedestrian) in all circumstances (citations and warnings given). Such data would include perceived race, perceived gender, perceived age and whether immigration status was inquired about during the stop.
- Requires data analysis and publication of the data collected to complaints of racial profiling and regularly publish results of racial profiling investigations.
- Creates an independent commission to review and respond to complaints of racial profiling and regularly publish results of racial profiling investigations.
- Allows for individuals to seek court orders to stop individual departments from continuing to engage in racial profiling.
- Provide funds for periodically retraining officers and installing in-car video cameras for monitoring traffic stops.

**Note:** From *Threat and Humiliation: Racial Profiling, Domestic Security, and Human Rights in the United States*. Amnesty International USA, 2004. To download, go to:

<http://www.amnestyusa.org/us-human-rights/other/rp-report---threat-and-humiliation/page.do?id=1106664>