



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](mailto:zirkin@civilrights.org) or Lexer Quamie at (202) 466-3648 or email [quamie@civilrights.org](mailto: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)