RESOLVED, That the American Bar Association urges federal, state, local and territorial
governments to enact effective legislation, policies, and procedures to ban law
enforcement’s use of racial or ethnic characteristics not justified by specific and
articulable facts suggesting that an individual may be engaged in criminal behavior,
hereinafter termed “racial and ethnic profiling.” Racial and ethnic profiling does not
include the use of racial or ethnic characteristics as part of a physical description of a
particular person observed by police or other witnesses to be a participant in a crime or
other violation of law.

FURTHER RESOLVED, That the American Bar Association urges that such legislation,
policies, and procedures, except when impractical due to the small size or other
characteristics of a law enforcement agency, should require:

1. That law enforcement agencies have written policies, training, and
supervision necessary to effectively implement the ban and funding necessary for
these purposes;

2. Data collection, on all police stops and searches, whether of drivers and their
vehicles or pedestrians.

3. Where feasible, independent analysis of data collected, and publication of both
the data and the analysis; and

4. Funding for police agencies to be made contingent on compliance with these
requirements.