

107TH CONGRESS  
2D SESSION

# S. 2114

To authorize the Attorney General to carry out a racial profiling education and awareness program within the Department of Justice and to assist state and local law enforcement agencies in implementing such programs.

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## IN THE SENATE OF THE UNITED STATES

APRIL 11, 2002

Mr. VOINOVICH (for himself and Mr. DEWINE) introduced the following bill;  
which was read twice and referred to the Committee on the Judiciary

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## A BILL

To authorize the Attorney General to carry out a racial profiling education and awareness program within the Department of Justice and to assist state and local law enforcement agencies in implementing such programs.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Racial Profiling Edu-  
5       cation and Awareness Act of 2002”.

1 **SEC. 2. FINDINGS.**

2       Whereas the overwhelming majority of state and local  
3 law enforcement agents throughout the nation discharge  
4 their duties professionally and without bias.

5       Whereas a large majority of individuals subjected to  
6 stops and other enforcement activities based on race, eth-  
7 nicity, or national origin are found to be law-abiding and  
8 therefore racial profiling is not an effective means to un-  
9 cover criminal activity.

10       Whereas racial profiling should not be confused with  
11 criminal profiling, which is a legitimate tool in fighting  
12 crime.

13       Whereas racial profiling violates the Equal Protection  
14 Clause of the Constitution. Using race, ethnicity, or na-  
15 tional origin as a proxy for criminal suspicion violates the  
16 constitutional requirement that police and other govern-  
17 ment officials accord to all citizens the equal protection  
18 of the law. *Arlington Heights v. Metropolitan Housing De-*  
19 *velopment Corporation*, 429 U.S. 252 (1977).

20 **SEC. 3. AUTHORIZATION OF PROGRAM.**

21       (a) IN GENERAL.—The Attorney General, in con-  
22 sultation with law enforcement agencies and civil rights  
23 organizations, shall establish an education and awareness  
24 program on racial profiling and the negative effects of ra-  
25 cial profiling on individuals and law enforcement.

1 (b) PURPOSES OF PROGRAM.—The purposes of this  
2 new educational program are to (1) encourage state and  
3 local law enforcement agencies to cease existing practices  
4 that may promote racial profiling, (2) encourage involve-  
5 ment with the community to address the problem of racial  
6 profiling, (3) assist state and local law enforcement agen-  
7 cies in developing and maintaining adequate policies and  
8 procedures to prevent racial profiling, and (4) assist state  
9 and local law enforcement agencies in developing and im-  
10 plementing internal training programs to combat racial  
11 profiling and to foster enhanced community relations.

12 (c) PROGRAM FOR LOCAL LAW ENFORCEMENT  
13 AGENCIES.—The education and awareness program and  
14 materials developed pursuant to subsections (a) and (b)  
15 shall be offered to state and local law enforcement agen-  
16 cies.

17 (d) REGIONAL PROGRAMS.—The education and  
18 awareness program developed pursuant to subsections (a)  
19 and (b) shall be offered at various regional centers across  
20 the country to ensure that all law enforcement agencies  
21 have reasonable access to the program.

22 **SEC. 4. EVALUATION OF BEST PRACTICES.**

23 (a) PERFORMANCE MEASURES.—The Department of  
24 Justice shall develop measures to evaluate the perform-  
25 ance of programs implemented under Section 3(b)(4).

1 (b) EVALUATION ACCORDING TO PERFORMANCE

2 MEASURES.—Applying the performance measures devel-

3 oped under subsection (a), the Department of Justice shall

4 evaluate programs implemented under section 3(b)(4)—

5 (1) to judge their performance and effective-

6 ness;

7 (2) to identify which of the programs represents

8 the best practices to combat racial profiling; and

9 (3) to identify which of the programs may be

10 replicated and used to provide assistance to other

11 law enforcement agencies.

12 (c) Applying the performance measures developed

13 under subsection (a), the Department of Justice shall

14 work with those state and local law enforcement agencies

15 that would most benefit from the education program and

16 materials developed under section three in order to assist

17 them in implementing a plan for the prevention of racial

18 profiling within their agency.

19 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

20 There are authorized to be appropriated such sums

21 as are necessary to carry out this Act.

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