

## FACT SHEET: RACIAL PROFILING

Racial profiling refers to the practice of a law enforcement agent or agency relying, to any degree, on race, ethnicity, religion, or national origin in selecting which individuals to subject to routine or investigatory activities, such as traffic stops, searches, and seizures. African Americans, Native Americans, Latinos, and Asians (particularly South and Southeast Asians) have reported being unfairly targeted by police. In many border-states and communities with high immigrant populations, it has been documented that law enforcement use racial profiling as a method of border security and enforcement. This institutional discrimination contributes to disproportionate surveillance, excessive use of force, and the escalation of violence within communities of color.

### YWCA USA POSITION

The intersection of race, gender, and violence is often unexplored in discussions of racial profiling. While recent high profile incidents of racial profiling focus on black males, women of color are also at risk. The YWCA USA supports legislation that bans the practice of racial profiling at the federal, state, and local levels. The YWCA firmly believes that all individuals, regardless of race, ethnicity, religion, national origin or gender should be ensured justice and protected equally under the law. This includes policies that eradicate racial profiling, increase immigrant rights, retain and strengthen affirmative action, reduce hate crimes, and that result in increased education about race and the elimination of racism.

### FACTS

- **Racial profiling is a common practice carried out by law enforcement agents conducting traffic and pedestrian stops.** A U.S. Department of Justice report on police contact with the public found that African Americans were 20 percent more likely than Whites to be stopped and 50 percent more likely to have experienced more than one stop. This report also revealed that although African Americans and Hispanics were more likely to be stopped and searched, they were less likely to be in possession of contraband. On average, searches and seizures of African American drivers yielded evidence only 8 percent of the time, searches and seizures of Hispanic drivers yielded evidence only 10 percent of the time, and searches and seizures of white drivers yielded evidence 17 percent of the time.
- **A 2000 [General Accounting Office report](#) found that during fiscal year 1998, U.S. Black women airline passengers were nine times more likely than U.S. White women airline passengers to be X-rayed or stripped searched after being frisked.** Yet, Black women were less than half likely as white women to be found carrying contraband.
- **The International Associations of Chiefs of Police issued a [report and recommendations in June of 2011](#) addressing sexual misconduct by law enforcement officers who sexually assault women.** Women such as sex workers, undocumented immigrants, or limited English proficiency are at greater risk.
- **A 2013 [report](#) released by the Missouri Attorney General Office, unveiled that black women in Ferguson were stopped by police more than anyone.**

for every woman

- **In the aftermath of September 11, 2001, profiling of Arabs and South Asians has increased.** Arabs, Muslims, South Asians, and Sikhs have been subjected to unwarranted traffic stops and searches and have experienced rampant discrimination at U.S. airports.
- **Data from across the country demonstrate that racial profiling is an ineffective crime detection tactic.** In November 2013, a Federal Appeals court upheld a ruling that New York's controversial "stop and frisk" policy is unconstitutional.
- **For example, New York Police Department (NYPD) "stop-and-frisk" data revealed that in 2011, a record 684,330 people were stopped, 87 percent of whom were Black and Hispanic individuals**—although they comprise approximately 25 percent and 28 percent of New York City's total population respectively. Of those stopped, nine out of ten were not arrested nor did they receive summonses.<sup>[1]</sup>
- **A 2008 report by the ACLU of Arizona found that Native Americans were 3.25 times more likely, and African Americans and Hispanics were each 2.5 times more likely, to be searched during traffic stops than whites.** It also found that whites were more likely to be carrying contraband than Native Americans, Middle Easterners, Hispanics and Asians on all major Arizona highways.<sup>[2]</sup>
- **A 2009 report by the ACLU and the Rights Working Group documented racial and ethnic profiling in 22 states and under a variety of federal programs.**<sup>[3]</sup>
- **In recent years, over 20 states have enacted laws against racial profiling.** These states (AR, CO, CT, FL, IL, KY, LA, MD, MA, MN, MO, MT, NE, NV, NJ, NC, OK, TX, UT, VA, WA, WV) typically require law enforcement agencies to develop and enforce policies to prevent racial profiling. Twelve states (CO, CT, IL, MD, MO, NE, NC, OK, TX, UT, WA, WV) also require law enforcement officials to collect information, including the race and gender of each driver stopped by police, and what actions were taken.
- **Increases in border patrol measures targeting immigrant communities deputize local law enforcement agents to act as immigration officers, giving them jurisdiction to enforce immigration laws at the local level rather than at a federal level.** This has resulted in more complaints by ethnic, religious, and immigrant communities of color about incidences where their citizenship is questioned or challenged solely by virtue of their outward appearance.

## REFERENCES

[1] Rivas, Jorge, "NYPD 2011 Data Reveals Highest Number of Stop-and-Frisks Ever," Colorlines.com, February 14, 2012 *available at* [http://colorlines.com/archives/2012/02/nypd\\_2011\\_data\\_reveals\\_highest\\_number\\_of\\_stop-and-frisks\\_ever.html](http://colorlines.com/archives/2012/02/nypd_2011_data_reveals_highest_number_of_stop-and-frisks_ever.html)

[2] ACLU of Arizona, *Driving While Black or Brown 3* (2008), *available at* <http://www.acluaz.org/DrivingWhileBlackorBrown.pdf>.

[3] ACLU and Rights Working Group, *The Persistence Of Racial And Ethnic Profiling In The United States: A Follow-Up Report To The U.N. Committee On The Elimination Of Racial Discrimination* (2009), *available at* [http://www.aclu.org/pdfs/humanrights/cerd\\_finalreport.pdf](http://www.aclu.org/pdfs/humanrights/cerd_finalreport.pdf).

[4] ACLU of Southern California, *Racial Profiling & The LAPD: A Study of Racially Disparate Outcomes in the Los Angeles Police Department I* (2008), *available at* <http://www.aclu-sc.org/documents/view/47>.

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