



RESOLUTION OPPOSING COMMUNITY TARGETED REGISTRIES BASED ON RELIGION, RACE, ETHNICITY, OR NATIONAL ORIGIN

Endorsed February 28, 2017

WHEREAS, the Coalition of Bar Associations of Color (CBAC), organized in 1992, is a coalition created to act as a collective voice for issues of common concern to its member organizations; and

WHEREAS, the member organizations of the CBAC are the Hispanic National Bar Association (HNBA), the National Asian Pacific American Bar Association (NAPABA), the National Bar Association (NBA), and the National Native American Bar Association (NNABA); and

WHEREAS, the member organizations of CBAC are the national voices of their respective legal communities in the United States and its territories and possessions; and

WHEREAS, national security practices that target communities based on religion, race, ethnicity, or national origin profoundly affect communities of color across the country; and

WHEREAS, the diverse legal community is mindful of the harmful legacy of national security programs targeting diverse communities both in the aftermath of the terror attacks of September 11, 2001, and in other contexts such as the forced incarceration of Japanese Americans during World War II following the attack on Pearl Harbor; and

WHEREAS, since September 11th, community targeted registry programs and policies such as the National Security Entry-Exit Registration System (NSEERS)¹ have perpetuated sweeping and aggressive discrimination against members of Muslim, Arab, and South Asian American communities and those who appear to be part of those groups; and

¹ NSEERS was a program started in September 2002 under the Bush Administration requiring special registration of non-citizens entering the United States from 25 countries, disproportionately impacting Arab, South Asian, and Muslim communities. The program was officially rescinded by President Obama in December 2016.

WHEREAS, Community Targeted Registries contribute to a culture that trickles suspicion and animus down from the government to the people, culminating in hate crimes against Asian Pacific Americans, such as the massacre of Sikhs practicing their faith at the gurdwara in Oak Creek, Wisconsin in 2012 and the widespread anti-Muslim animus in contemporary politics; and hate crimes against the same; and

WHEREAS, Community Targeted Registries disrupt law enforcement's relationships with immigrant communities and create mistrust and suspicion from immigrant communities; and

WHEREAS, Government programs that target one group create a social and public animus against that specific group and those who appear to be of that group; and

WHEREAS, Community Targeted Registries are an ineffective law enforcement practice that focus on factors unrelated to criminal activity rather than on particularized suspicion of criminal behavior; and

WHEREAS, Community Targeted Registries divert valuable law enforcement resources from the task of pursuing specific and actual threats to public safety; and

WHEREAS, CBAC maintains strong organizational positions opposing government policies and practices that enable racial profiling and discrimination², and CBAC recognizes the role of discriminatory policies and positions of public figures in provoking or intensifying xenophobia and hate- or bias-motivated acts against Asian Pacific Americans, African Americans, Hispanic Americans, and Native Americans.³

NOW THEREFORE BE IT RESOLVED that CBAC opposes vehemently any proposals by the federal government to create national security registries based on an individual's religion, race, ethnicity, or national origin. These proposals include the creation of a "Muslim registry," the revitalization of NSEERS, or similar programs, including community targeted surveillance, that are motivated by stereotypes and sanction the unjustified profiling of communities; and

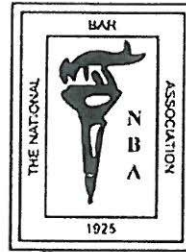
NOW THEREFORE BE IT FINALLY RESOLVED that this resolution shall be the legislative priority of the CBAC until it is withdrawn or modified by subsequent resolution.


² See, e.g., Resolution Supporting Legislative Action to Enact the End Racial Profiling Act (March 2015).

³ See, e.g., Statement Opposing Hate- and Bias-Motivated Acts (March 2016).

CERTIFICATION

WE, the duly-elected Presidents of the Hispanic National Bar Association (HNBA), the National Asian Pacific American Bar Association (NAPABA), the National Bar Association (NBA), and the National Native American Bar Association (NNABA), hereby certify that the foregoing Resolution was duly enacted by a duly noticed meeting of the Board of Directors.





Pedro Torres-Diaz
President, Hispanic National Bar Association

2/28/17

Date



Cyndie Chang
President, National Asian Pacific American Bar Association

2/28/17

Date



Kevin Judd
President, National Bar Association

2/28/17

Date



Jennifer H. Weddle
President, National Native American Bar Association

2/28/17

Date