

LOCAL CIVIL RIGHTS RESTORATION ACT

Why municipal legislatures should impose limits on local law enforcement agencies

The Bill of Rights Defense Committee's proposed reforms include essentially four elements:

1. **Transparency:** a requirement that local police record, track, analyze, and disclose aggregate data about the demographics of people stopped, searched, arrested, charged, and subjected to force.
2. **Accountability:** a right of action in state court to seek injunctive relief or damages, as well as attorneys' fees, as a remedy for biased policing (as indicated by statistical evidence).
3. **Constitutional rights:** a series of simple requirements to reiterate longstanding Fourth Amendment protections eroded by the post-9/11 domestic spying regime.
4. **Local autonomy:** limits on local authorities' cooperation with federal counterparts on immigration enforcement and intelligence collection.

Limits on local law enforcement authorities enhance public safety. Federal mandates (such as immigration enforcement or intelligence collection) distract local law enforcement and divert scarce resources from the core public safety mission. In addition, pervasive surveillance does not actually enhance security, but in fact undermines it: our law enforcement agencies are searching for needles, and throwing hay on the stack does not help. Further, local immigration enforcement and domestic intelligence collection undermine the community trust necessary for effective investigations.

Profiling according to race, religion, national origin, or political speech wastes taxpayer dollars by scrutinizing law-abiding people rather than focusing investigative attention on real criminal activity. As police chiefs across the country have argued, law enforcement agencies must focus their resources on investigating individuals whose behavior indicates potential criminal activity to catch criminals and protect national security.

Profiling affects all vulnerable communities (Latinos, African Americans, Muslims, Arabs, South Asians, political activists, and more). Accordingly, these proposed reforms offer a vehicle for broad coalition-building among civil rights, immigrant rights, and civil liberties advocates at the local level—and leadership opportunities for officeholders seeking support from those communities.

The federal surveillance system remains cloaked in secrecy, preventing checks and balances—yet it relies increasingly on state and local law enforcement agencies. Our Constitution carefully guards the sovereignty of states, which (along with municipalities) play a crucial role in defending constitutional rights. As long as Congress continues to ignore proposals to curb law enforcement abuses, only local legislative limits can restore the rights of your community's residents.

Measures requiring data collection ensure transparency and can support a law enforcement agency's claims that its agents do not profile according to race, country of origin, religion, or political speech.

Learn more at <http://www.constitutioncampaign.org/ordinances/lawenforcement>

