

State University of New York At Buffalo

PHI 579 – Religion, Revolution, Terrorism, and War

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Racial, Religious, and Gender Profiling

Position Paper

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For the purpose of this discussion Racial, Religious, and Gender Profiling is defined as: The law enforcement or security practice of taking the race, religion, sex or any combination thereof, of an individual *into account* in making screening and/or investigation decisions regarding said individual.

Americans are schizophrenic about using race, religion, and/or gender to make inferences about groups. Statistics abound that are based solely on one of these criteria or a combination thereof. This, in spite of the fact that race and gender are immutable and religion is most often an ascribed characteristic as well. Some “profiling” examples are:

- The rate of imprisonment for black men was 8.5 times that of white men in 1996. (The Sentencing Project)
- Two to four million women of all races and classes are battered each year in the U.S. (Violence Against Women in the United States)
- 23% of Arab-Americans are Muslim. (www.prospect.org)
- In 1996 53% of Catholics and only 34% of Protestants voted for Bill Clinton. (www.americapress.org)

We tabulate these statistics for a reason, we know they give us valuable information and can aid us in achieving specific goals for a targeted group. For example, NOW may use domestic violence statistics to garner support for the Violence Against Women Act. Academics, Social

Scientists, and Political organizations conduct and use this type of research regularly and no one argues that it is wrong to do so.

However, when law enforcement agencies use similar data in their efforts to control crime many people become incensed and claim that is discriminatory and a violation of individual civil rights. This is why I say Americans are schizophrenic about racial, religious, and/or gender profiling. Perhaps hypocritical is a better characterization.

In the domestic arena racial profiling most often refers to the profiling of African-American males by police departments. The following are crime statistics based on race:

- Blacks Compose 13% of the U.S. population
- Blacks commit more than 50% of murders, 40 % of Rapes, and almost 60% of robberies.
- Young Black Men ages 15 to 24 while only 1% of the population, commit up to 20% of all violent crime.

“Demise of the Racial Profiling Debate” Front Page Magazine November 21, 2001 *Jennifer Kannaby*

Because of statistics such as this, Bernard Parks, the Black chief of the Los Angeles police department in 1999, called Racial Profiling “playing the numbers”. And, in spite of these statistics, Carl Williams, then New Jersey State Police Superintendent, who said it was naïve to think that race was not an issue in policing, was fired by governor Christine Whitman within 24 hours of making that statement during the same year.

The most common argument against racial, religious, and/or gender profiling is that it is a violation of the equal protection clause of the 14th amendment and as such violates the civil rights of “targeted” groups. This is absurd. In attempts to bolster their argument and create fear those who oppose racial and other profiling liken it to the internment of Japanese Nationals as well as Japanese-Americans during World War II. Subjecting a young, male, Saudi National to extra scrutiny before allowing him to board a flight is NOT analogous to imprisoning an entire race of people. It is simply making proper use of limited resources in an effort to protect the entire citizenry from violent terrorist acts. This person is not deprived of life, liberty or property based on race or other factors. He is merely inconvenienced because of these factors.

I was recently randomly chosen at random to undergo extra security measures at the BWI airport. I was “wanded”, my carry-on bag was searched and yes I suffered the great indignity of having to take my shoes off (Read Sarcasm). As a white female of American birth I am statistically non-existent as a prospective flight hijacker. I am also a non-threat legally as I cannot claim to have been targeted for any suspect reason. A man of Middle Eastern descent,

however, could use the same experience to claim discrimination. We are petrified of the race card in this country to the point of risking national security because of it. To apply extra security measures randomly is a waste of resources. Are we to be more concerned with political correctness than safety?

This applies to the INS as well. They cannot possibly investigate every case of an alien overstaying their visa in the U.S. Are they to choose cases randomly or perhaps by the length of the overstay? Of course not, they must focus on cases involving countries that are known to “export” terrorism and terrorists. There is no equal protection issue in these cases because, contrary to what many lawyers claim, the 14th amendment does not apply to non-citizens. It is dangerous to insist that our government ignore race, religion, sex or *any* other pertinent characteristic in immigration matters or criminal investigations and hypocritical to ask them to *pretend* to do so.

All of the terrorists involved in the 9/11 attacks fit the following profile:

- Sex - Male
- Age – 20 to 40
- Religion – Islam
- National Origin - Middle Eastern Countries

We also know that this combination of characteristics is *relevant* to the crimes committed. It is not likely that Al Quida will be recruiting White, Christian American-Born women for terrorist attacks any time soon. One could argue that they are intelligent people and will indeed do such recruiting to catch us off guard. If they *only* wanted to kill people and create fear in the U.S. population, I would agree that this could be a viable option. However, the political and religious message they *claim* to be sending is incompatible with using a female infidel in their terrorist attacks.

In summary, my thesis is as follows: Racial, Religious, and/or Gender Profiling is acceptable, useful, and necessary in law enforcement and security and is not in violation of the U.S. constitution if:

- There is a known positive correlation between one or more of these characteristics and likelihood to engage in particular criminal activities as compared to individuals who do not possess said characteristic(s).
- Said profiling is used solely for the purpose of focusing attention and/or investigations on particular individuals.

- During the course of such investigations, due process is not denied to any citizen of the United States.

To those who believe that anyone who advocates this practice is a racist, sexist, xenophobe I ask them to honestly examine the profiling they do in their own lives. I, and I believe most women, “gender profile” regularly. I’m often on campus after dark and must walk to my car alone. If I hear someone walking behind me I take note of certain things: Are they walking in the same direction I am? If so, are they walking fast enough to overtake me? And I always turn around to see if it is a man or a woman. If it is a woman I relax. If it is a man I keep an eye on him. This does NOT mean that I believe that another woman cannot victimize me, nor does it mean that I believe all men are rapists and muggers. It simply means that I **correctly** assesses that a man is *far more likely* to pose a threat to me than a woman is because men commit a far greater number of violent crimes than women do and a woman walking alone at night is a likely target. It’s just common sense.

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