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Racial profiling bill dies on final day of Alabama legislative session



The death of a bill to measure racial profiling in Alabama wasn't a surprise Thursday.

But what angered supporters was how they found out.

The legislation, sponsored by Sen. Rodger Smitherman, D-Birmingham, took its last breath Thursday after the Senate adjourned for the year. The legislation passed the upper chamber earlier this year but still needed a vote in the House.

"I really feel like there was a concerted effort for it to die," Rep. Merika Coleman, D-Pleasant Grove, said Thursday morning. "That there was a plan all the time for it to never come up."

House Speaker Mac McCutcheon, R-Monrovia, said Thursday that wasn't the case, and insisted the bill failed to come to a vote because the Senate abruptly adjourned Thursday night. Had the legislation passed the House, the Senate would need to concur in it.

"There was never any orchestrated maneuvering or strategy to not bring that up," he said. "That bill was ready to go Thursday."

Whatever the case, both Smitherman and Coleman criticized McCutcheon for pronouncing the bill dead to reporters without contacting them first. Smitherman said he only learned the bill's fate Thursday morning.

"That's totally disrespectful, not just for me personally but the institution of the Senate," Smitherman said. "It's obvious there's not any coordination, not any of the guidance that's being used in the House. Frankly, I've never seen the House this scattered, the way it is now."

In its final form, the bill would have prohibited racial profiling — though it did not provide penalties for those who engage in it — and would have directed the attorney general's office to develop processes for law enforcement agencies to gather data to determine the extent of racial profiling.

Supporters said the bill would give legislators an understanding of the issue, and also draw clear distinctions between law enforcement that engages in it and officers who do not.

Opponents wanted to strip out the data collection part of the bill. Rep. Randy Wood, R-Saks, [said Wednesday](#) that opponents did not want anything that could "hinder" law enforcement. But Smitherman and Coleman said that section was key.

"There are logs if a stop results in a citation, warning or an arrest," Coleman said. "But right now, we don't have the means to log every single stop. So to say that someone does feel like they've been racially profiled. Where's the data that's going to back that up?"

The bill [failed a procedural motion](#) on March 22, but Smitherman said supporters believed at 6 p.m. Wednesday they had the votes to get it to the floor.

"I don't know what happened, but from 6 to 8, when 8 came around, they didn't take up the bill," Smitherman said.

McCutcheon said the votes were present to get the bill on the floor, and that the chamber put in "a lot of energy and work into that bill at a late hour in the session" because they recognized the need, noting hundreds of other bills died on Thursday as well. The speaker, a retired law enforcement officer, said he wanted to come back to the issue next year.

"Law enforcement is no better than the community it serves," he said. "If you cannot have respect from the community you serve, there's not enough officers to solve the crimes."

Smitherman said he was working on prefiling a bill for the 2019 session. Coleman said the rejection of the bill could confirm national stereotypes of Alabama.

"We get painted with that broad brush of 1955 and 1963 in the state of Alabama," she said. "I wish we could have done something to paint this image that we're trying to do something in the state of Alabama to prevent racial profiling."