



OLR RESEARCH REPORT

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RACIAL PROFILING LAW

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You want to know what penalties the state's racial profiling law provides for police officers who violate it.

State law (the "Alvin W. Penn Racial Profiling Prohibition Act") prohibits police officers and law enforcement agencies from engaging in racial profiling ([CGS § 54-11](#) *et. seq.*). This means they cannot stop, search, detain, interdict, or treat people differently solely because of their race or ethnicity. And they may not use a person's race or ethnicity as the sole factor (1) in determining probable cause for an arrest or (2) constituting reasonable suspicion that an offense was, or is being committed, so as to justify the detention of an individual or an investigatory motor vehicle stop. The law prohibiting racial profiling contains no penalties for police or law enforcement agencies that violate it. (But under [CGS § 54-195](#), anyone convicted of violating a statute that provides no specific penalty may be fined up to \$100.)

The law requires police departments to (1) adopt written policies prohibiting discriminatory stops, searches, and detentions and (2) collect and provide annual data on traffic stops, offenses, dispositions, and complaints of discriminatory stops to the African American Affairs Commission and chief state's attorney. Since 2003, the law has also required the commission to review the data and submit annual reports to the governor and legislature on the prevalence and disposition of discriminatory traffic stops and related complaints. The AAAC, citing inadequate resources, has never submitted a report.

For a more detailed discussion of the law, including the history of the law, see OLR Report [2011-R-0182](#).

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