



State of Connecticut
Latino and Puerto Rican
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Testimony of LPRAC Chairman Isaias T. Diaz, Esq., in support of
S.B. No. 364 "An Act Concerning Traffic Stop Information"
March 12, 2012 at 11:00 A.M. in Room 2C of the LOB

Good morning Senator Coleman, State Representative Fox and honorable members of the Judiciary Committee. My name is Isaias T. Diaz, Chairman of the Latino and Puerto Rican Affairs Commission I am here to speak in support of S.B. No. 364 "An Act Concerning Traffic Stop Information" which aims at enhancing compliance with data collection and reporting required under the Alvin W. Penn Racial Profiling Prohibition Act.

We commend our lawmakers for their endeavors to strengthen enforcement of the current anti-racial profiling law to ensure the civil rights of all individuals in their communities are protected. Nobody would disagree that the effectiveness of our law enforcement agencies depends on the trust and confidence of the communities they serve. Unfortunately, recent developments in our state that have resulted in federal investigations to "patterns or practices" of civil rights violations in the towns of East Haven and more recently a report by the Hartford Courant alleging discrimination during traffic stops by law enforcement officers across our state is seriously undermining that credibility and therefore we are here to ask you to intervene.

Under the current act, Connecticut police departments are: (1) not to use race or ethnicity "*of an individual as the sole factor in determining the existence of probable cause to place in custody or arrest an individual.*"¹ And (2) are required to submit annual traffic stop reports and complaints of alleged discriminatory stops to the African-American Affairs Commission (AAAC) for further review and reporting requirements. However, only a small percentage of police departments have forwarded traffic stop data to the state and lack of funding and personnel have delayed the production of reports as required by state law in more than a decade.

S.B. No. 364 endeavors to correct these deficiencies by requiring the development of a new standardized data collection form for police officers to use to record traffic stop information and also shifts the responsibility of reviewing the prevalence and disposition of traffic stops data and complaints to the Office of Policy and Management (OPM) and the Criminal Justice Information System Governing (CJIS) Board, which in our opinion is better suited to adopt guidelines to train officers to complete the forms and evaluate information collected for counseling and officer training – Particularly since OPM continues to expand a new criminal justice information system that aims at streamlining data from police departments and related agency computers and is about to rollout an advisory group to oversee data

¹ Sec. 54-11(d)

collection issues in Connecticut. Furthermore, the bill allows OPM and the CJIS board, instead of the chief state's attorney, to recommend that the OPM secretary withhold state funds as a penalty for a department that does not comply with the traffic stop provisions of the Penn Act.

In closing, the investigative report entitled 'Ticket Inequality' released by the Hartford Courant a few weeks ago, which found widespread disparity in how racial and ethnic minorities are treated lends support to the recommendations listed herewith. We, at LPRAC are confident that this issue can be cured, but there must also be a significant commitment by our state leaders to train police against bias-free policing. Let this new amendment be the one that enacts the enforcement the original Act called for on behalf of Connecticut citizens who deserve, under the protections and rights guaranteed by the U.S. Constitution, no less from those in a position to protect them.

Your favorable action on this bill would benefit Connecticut's residents by ensuring that every traffic stop performed by law enforcement agents both the individual and the officer are protected from racial profiling or the accusation thereof.

LPRAC, for the record, is a nonpartisan policy agency within the Legislative branch of government created in 1994 by an Act of the Connecticut Legislature. Under Public Act 09-07, the LPRAC consists of 21 appointed volunteers who are mandated to advise the General Assembly and the Governor on policies that foster progress in the Puerto Rican and Latino communities residing in Connecticut.