

**Testimony from Father James Manship before Judiciary Committee Public Hearing on March 4, 2014 regarding bill H.B. 5367:**

This Legislature passed Public Act No. 13-89 in 2013 in order to ensure equal access to driver's licenses for all Connecticut residents. On January 1, 2015, the Department of Motor Vehicles will begin to issue driver's licenses to individuals without regard to immigration status. The law mandates that these licenses state, "for driving purposes only." This differentiation necessitates that the Legislature add robust anti-discrimination provisions to prevent discrimination against persons who possess these driver's licenses.

In order for Public Act No. 13-89 to be effective, we need to be able to communicate to Connecticut residents that these new driver's licenses will not be utilized to discriminate against those who apply for and are in possession of them. This is critical in order to ensure smooth and effective implementation of Public Act No. 13-89. Expanding our state's antidiscrimination laws will ensure that (1) individuals who possess these new driver's licenses are not discriminated against and (2) that individuals who are eligible to apply for these new licenses will not hesitate in doing so out of a fear of bias.

The legislation before this committee, H.B. 5367, proposes needed changes to our state's anti-discrimination laws regarding mental illness and gender identity. This bill is the opportunity we need to add specific anti-discrimination language regarding driver's licenses. This language would clearly state that Connecticut driver's licenses cannot be utilized as a tool of discrimination and that state officials will not discriminate against individuals based on the type of state driver's license they have in their possession.

Similar laws passed in California, Colorado, and Nevada seek to minimize the possibility that holders of a driver's license might be discriminated against for possession of the license or because of perceived racial and other similarities in who possesses a particular driver's license. These states have added robust anti-discrimination provisions in order to bolster the laws' core policy goal of enhanced public safety. In fact, yesterday's New York Times included an article regarding the measures that California and Nevada are pursuing in order to combat distrust and encourage their residents to apply for driver's licenses, which I have also submitted for the record.

The Legislature should take steps to ensure that Connecticut residents take advantage of expanded eligibility for driver's licenses and that they do so without fear of discrimination. In order to do so, it is necessary to pass legislation that is consistent with Connecticut law, prohibiting discrimination against a holder of a driver's license for possession of the card and prohibiting law enforcement agencies from conducting a criminal investigation, arresting, or detaining someone for merely possessing a driver's license. For that reason, I would like to submit language for a potential amendment to the record. I urge you to support inclusion of the attached anti-discrimination language related to Connecticut driver's licenses in H.B. 5367.

Father James Manship, pastor, St. Rose of Lima Church, New Haven  
Co-Chair, Congregations Organized for a New Connecticut (CONNECT)  
Co-Chair, Foreign Document Identification Verification Working Group

***AN ACT TO ENSURE ANTI-DISCRIMINATION PROVISIONS RELATED TO MOTOR VEHICLE OPERATOR'S LICENSES***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

SECTION 1. Section 1 of Public Act 13-89 is amended as follows:

1. New subsection (h) shall be added as follows: *(h) The holder of a driver's license issued pursuant to Section (1)(a) shall not by reason of that driver's license be treated in a discriminatory manner as prohibited in sections 46a-63 and 46a-64, or any other law.*
2. New subsection (i) shall be added as follows: *(i) A driver's license issued pursuant to this section shall not be used as a basis for a criminal investigation, arrest, or detention unless a person with a driver's license that was not issued under this section would also be criminally investigated, arrested, or detained under the same circumstances.*

[http://www.nytimes.com/2014/03/05/us/california-drivers-license-program-hits-an-unexpected-snag.html?\\_r=0](http://www.nytimes.com/2014/03/05/us/california-drivers-license-program-hits-an-unexpected-snag.html?_r=0)

## ***California Driver's License Program Hits an Unexpected Hurdle***

By IAN LOVETT MARCH 4, 2014

BELL, Calif. — The auditorium was packed. There were single mothers, day laborers, grandparents pushing infants in strollers and teenagers interpreting for parents. All of them faced a potentially life-changing prospect: Within a year, California will start offering driver's licenses to immigrants who are living in the country illegally. But one person after another stepped to the microphone and expressed fear that the licenses, far from helping them, could instead be used to deport them.

Last year, when California became the most populous state to pass a law permitting undocumented residents to obtain driver's licenses, advocates for immigrant rights were thrilled, saying it would allow people to commute without fear while also decreasing rates of hit-and-run accidents and uninsured drivers on the roads. Now those advocates are confronting another formidable obstacle: the deep and longstanding mistrust of the American government among this population.

It turns out that persuading immigrants who have spent decades avoiding the authorities to willingly hand over their names, addresses and photographs to the government is no easy sell — particularly since the licenses will look different from regular ones, in ways that have yet to be determined.

“I believe this license process is not secure,” one woman, who declined to identify herself, told state officials at an informational hearing here hosted by the Department of Motor Vehicles. “Is this a trap?”

“It's not a trap,” said Ricardo Lara, the state senator who represents this working-class city, where more than 40 percent of the population is foreign born. State law guaranteed that their information would not be shared with other government agencies, like Immigration and Customs Enforcement, he said, adding, “Your information is protected.”

California, home to an estimated 2.5 million immigrants living in the country illegally, has been busy fashioning itself as the [most welcoming](#) state for immigrants, passing measures designed to reduce deportations, offering in-state tuition to all residents, and more. But skepticism among this population has grown since President Obama took office, as deportations have hit [record highs](#) and efforts to reform immigration laws have [stalled in Congress](#).

Combating this mistrust, Mr. Lara said in an interview, is “the most significant challenge” of getting unauthorized residents — many of whom are already behind the wheel without licenses — to take road tests and buy auto insurance.

“People are skeptical, and rightfully so,” Mr. Lara said. “These are people who have been living in the shadows, living in constant fear. We have to work hard to ensure we really protect these folks.”

Atalia Cervantes, a mother of three who came here illegally from Mexico two decades ago, drives every day, despite her lack of a license.

“Every time I buckle my seatbelt, I am afraid,” said Ms. Cervantes, 30, who drove nearly an hour with her oldest daughter to voice her concerns at the hearing. “It’s affecting my girls. My youngest girl said: ‘Mommy, why are you so afraid of the cops? Cops are for protecting us.’”

Still, she was not sure if she would apply for a driver’s license. She worried that with it set to look different from those given to legal residents, it might lead rogue police officers to arrest people like her and call the immigration authorities, even though that is prohibited by law.

“If they write something on the back of the license that says it can’t be used to deport me, then maybe I’ll get one,” she said.

A growing number of states across the country are beginning to face this same challenge of winning illegal immigrants’ trust. Last year, eight states joined New Mexico, Utah and Washington in extending special driving privileges.

Nevada began issuing “driver authorization cards” to immigrants in the country illegally at the start of this year, with the goal of reducing the number of untested and uninsured drivers on the road. Lines at Nevada Department of Motor Vehicles offices in January wrapped around corners. Through Feb. 10, more than 16,000 people had applied for driver authorization cards.

Despite the early rush of applicants, however, many immigrants were not convinced that the cards were safe, said David Fierro, a department spokesman.

“There is a high level of distrust,” Mr. Fierro said. “People were convinced that no matter what we were saying, once we had them in our system, we would pass their information on and someone would be there to round them up.”

“I don’t think that’s been completely dispelled,” he said. “Some are still waiting to see what happens with their friends who apply.”

Overcoming this distrust is essential to making sure the program works, Mr. Fierro said, since the point is to get unlicensed and uninsured drivers off the road. The state is optimistic: Nevada, with about 250,000 undocumented residents, hired 18 people to deal with the influx of immigrants seeking driving privileges.

California, home to about a quarter of all immigrants in the country illegally, is hoping for a much larger rush. State officials here expect 1.4 million people to apply for the

licenses, and the California Department of Motor Vehicles will hire 1,000 new workers and open four temporary offices, which will serve only people seeking new licenses. The agency has also been working with consulates to help people in California get identifying documents from their home countries, a requirement for anyone applying for a driver's license; officials have not yet decided what documents will be accepted. Under the law, the state must begin issuing the licenses by next January.

Identification records can be expensive and difficult to obtain, especially for people who have not returned to their home countries in decades. Mr. Lara said he hoped the state would also accept less formal proofs of identification, like baptismal and marriage records from churches.

At the meeting here, many people came with identification cards from day laborers' associations, immigration rights groups and other local groups they belonged to, hoping that would be enough.

Critics argue that this approach would invite identity fraud. In New Mexico, which has issued driver's licenses to unauthorized residents since 2003, state officials have complained about such fraud, prompting some Republicans to call for ending the program.

"It would be a sham for the state to represent that they're actually able to verify identity looking at things like baptismal records or Sam's Club cards," said Dan Stein, president of the Federation for American Immigration Reform in Washington. "This process is an exercise in providing documentation to people whose legitimate identities cannot be ascertained."

Andrea Guadarrama, a housekeeper and grandmother of eight who lives in Los Angeles and attended the hearing here, said she worried about what the new licenses would look like.

"I'm concerned about the mark that will go on our licenses," she said. "We are already marked by our color and our names, and the police are against us."

Even so, Ms. Guadarrama said she planned to apply for a license as soon as she was able. For now, she takes the bus from her apartment downtown to work in Santa Monica, a ride that can take up to three hours.

She did not know how or where she would get the documents she needed to prove her identity — after 27 years in the United States, she said, she no longer has her birth certificate from Mexico — but said she would do whatever was necessary.

"Oh, my God. If I had a license, I could make more money, see my grandkids more," she said.