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Testimony Regarding [HB-5437](#)

Werner Oyanadel

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Hartford, CT

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Good afternoon Senator Coleman, Representative Tong, and distinguished members of the Judiciary Committee; my name is Werner Oyanadel and I am the Executive Director of the Latino and Puerto Rican Affairs Commission (LPRAC). LPRAC has concerns with portions of bill **HB-5437 AN ACT CONCERNING THE ALVIN W. PENN RACIAL PROFILING PROHIBITION ACT**.

LPRAC is fully supportive of the issuance of electronic device print notices in English and Spanish to be given to each person at a traffic stop concerning how all motorists may file a claim under the Alvin W. Penn Racial Prohibition Act. Under current law, all motorists receive a notice from law enforcement during a traffic stop informing them of their right to file a complaint in both English & Spanish. Unfortunately, HB 5437 as currently written, shifts that process to the Department of Motor Vehicles – which under this bill would require the DMV to distribute a copy of the notice of motorists right to file a complaint at the time a motorist's license expires rather than the time of the alleged discrimination is taking place – a process that could take years if such license was recently issued. LPRAC therefore opposes such recommendation as written in HB 5437.

For the record, The Alvin W. Penn Racial Profiling Prohibition Act (Connecticut General Statutes Sections 54-1l and 54-1m) currently prohibits any law enforcement agency from stopping, detaining, or searching any motorist when the stop is motivated solely by considerations of the race, color, ethnicity, age, gender or sexual orientation. Furthermore, this law allows any motor vehicle operator who feels that he or she has been stopped solely due to one of these considerations to file a formal complaint and receive information how to file that complaint during a traffic stop. LPRAC played a significant role making sure this language was included during the last amendment to this law back in 2012.

Again, we at LPRAC strongly oppose the language in the legislation that would require the Department of Motor Vehicles to distribute a copy of the notice of a motorist's right to file a complaint if they believe they were profiled through notifications mailed to drivers by the DMV. Such notice must be given, in our opinion, at the traffic stop when the alleged discrimination is taking place.