



**Connecticut
Racial
Profiling
Prohibition
Project
Advisory
Board**

www.ctrp3.org

**Honorable William
Dyson, Chair**

**Andrew J. Clark, Project
Director**

**James Fazzalano, Project
Manager**

**Ken Barone, Project
Staff**

TESTIMONY

COMMITTEE BILL NO. 5437

AN ACT CONCERNING THE ALVIN W. PENN RACIAL PROFILING ACT

By: Hon. William Dyson, Chair, CT Racial Profiling Advisory Board
Andrew Clark, Ken Barone and James Fazzalano, Institute for
Municipal and Regional Policy, Central Connecticut State
University

Good morning Senator Coleman, Representative Tong, Senator Kissel,
Representative Rebimbas and members of the Judiciary Committee.

As chair and staff of the Racial Profiling Prohibition Advisory Board, we are
here to testify regarding Committee Bill 5437, *AN ACT CONCERNING THE
ALVIN W. PENN RACIAL PROFILING ACT*.

The Racial Profiling Prohibition Project Advisory Board was established in
2012 for the purposes of advising OPM with respect to the adoption of the
standardized methods and guidelines outlined in the law. The Institute for
Municipal and Regional Policy (IMRP) at Central Connecticut State University
was tasked to help oversee the design, evaluation, and management of the
racial profiling study mandated by PA 12-74 and PA 13-75, "An Act
Concerning Traffic Stop Information." The IMRP has worked with the advisory
board and all appropriate parties to enhance the collection and analysis of
traffic stop data in Connecticut. Resources for the project are being made
available through the National Highway Traffic and Safety Administration
(NHTSA) grant, as administered through the Connecticut Department of
Transportation.

The Racial Profiling Prohibition Project Advisory Board and the project staff
have been meeting since May 2012 in an effort to outline a plan to
successfully implement PA 12-74 and PA 13-75. The focus of the early phase
of the project was to better understand traffic stop data collection in other
states. After an extensive review of best practices, working groups were
developed and met monthly to discuss the different aspects of the project.
The full advisory board has met over 20 times and the working groups have
met approximately 50 times.

The advisory board and IMRP also worked with law enforcement to
implement a data collection system that is efficient, not overly burdensome
to the police collecting it, and easily accessible for subsequent analysis. Police
agencies in Connecticut are at various levels of sophistication and technology
with respect to the ways in which they collect and report data. The project
staff worked with the Criminal Justice Information System (CJIS) to develop a
system to universally collect traffic stop information and submit to CJIS

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electronically on a monthly basis.

On October 1, 2013 law enforcement agencies in Connecticut began collecting and electronically submitting traffic stop data into a centralized database developed and maintained by the Connecticut Criminal Justice Information System. This is the first time since the law's inception in 1999 that data is being collected and transmitted in a uniform electronic format. This major improvement in data collection from more than 100 law enforcement agencies has drastically improved access to traffic stop data. The electronic collection and submission of traffic stop information is allowing policymakers and law enforcement administrators to respond to the communities they serve, enabling them to use the information as a powerful tool to enhance relationships between police agencies and their communities.

The Connecticut Criminal Justice Information System (CJIS) is electronically collecting data from all 92 municipal police departments, the Connecticut State Police, all seven University Police departments, the State Capitol Police, Department of Motor Vehicle Inspectors, Department of Revenue Services Inspectors, Department of Energy and Environmental Protection Police, Tribal Police and the Metro North Police. Connecticut has developed an analysis system that is far more advanced than other systems nationally. A full analysis of the first 12 months of data collected will be published in the coming weeks, which includes approximately 600,000 traffic stops and over 12 million pieces of data collected.

Developing a transparent system to view the data by members of the public, policymakers, and law enforcement administrators is an important component of this project. For the first time, the electronic collection system developed by CJIS makes it possible to create a system for public consumption of data. In the fall 2014, the raw data files and summary tables became available online through the Connecticut Data Collaborative portal (<http://ctdata.org/>). The information is updated regularly and allows for more immediate access to data for decision-making.

That being said, the current proposed committee bill has elements that we believe will continue to enhance our efforts, but also includes language that will be problematic to the continued implementation of the law.

One important provision of the current law requires law enforcement agencies to distribute a notice to drivers with instructions on how to file a complaint if they believe they were profiled. Law enforcement officials have been distributing a separate paper notice with the necessary instructions since October 1, 2013. We have long advocated for the notice to be integrated into the warning, infraction or summons. This would ensure that the driver is given the notice and eliminate the need for a separate form to be distributed. The easiest way to facilitate this would be through the electronic citation program. The language in this bill moves us towards the goal of full electronic citation.

Electronic Citation (E-Citation): is an initiative that, when fully implemented, will result in the capability for all police agencies to record and submit all of the traffic citations they issue in a fully electronic form. This initiative promises both to save police significant time in processing traffic stops at the roadside, and to expedite submission of these actions for adjudication. The state police are significantly ahead in the use of E-Citation and have reported significant increases in efficiency as a result. Some local police agencies are participating in the E-Citation program at this time as well.

E-Citation requires the police vehicle to be equipped with a printer and associated mounting hardware at a cost of approximately \$800-\$1000 per vehicle. E-Citation proponents estimate that equipping the remaining police vehicles with E-Citation would cost approximately \$2 million. The rate at which E-Citation propagates through the law enforcement community will depend on provision of that funding. The faster E-Citation can be implemented, the easier it will become to integrate the notice into the printed citation.

In addition to distributing the notice during a traffic stop, we support the language in this bill that requires the Department of Motor Vehicle to distribute a copy of the notice and instructions in motor vehicle notifications.

However, we recommend a modification in the bill that would require law enforcement officers to give to the person stopped a copy of the traffic stop information recorded. In most departments, traffic stop information is recorded by the police officer immediately after the stop is completed through the computer located in the police car. The systems are designed in a manner that requires the officer to complete all the required fields before they can clear their screen. The information is then sent to the CJIS racial profiling database. We believe that there are safeguards in place to ensure that all traffic stop information is recorded and submitted to the state. To require a copy of this information to be provided to the driver would substantially increase the time an officer and driver are on the side of the road, and create a significant cost to the state and police departments to develop systems to copy the material for the driver. All stops are assigned an incident number that is reported to the state. Any member of the public that is interested in seeing the information for their traffic stop can access that information through our website with that number.

We strongly recommend that the committee consider eliminating the language in the bill that requires a copy of traffic stop information to be distributed to the driver. Thank you for your time and continued effort in improving the Alvin W. Penn Act.