



Legislative Testimony
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Written Testimony on Senate Bill 982, An Act Revising Motor Vehicle Statutes, and Senate Bill 983, An Act Concerning Slowing Down for Service Vehicles

Representative Lemar, Ranking Members Carney and Somers, and distinguished members of the Transportation Committee:

My name is Kelly McConney Moore, and I am the interim senior policy counsel for the American Civil Liberties Union of Connecticut (ACLU-CT). I am submitting this testimony on Senate Bill 982, An Act Revising Motor Vehicle Statutes, and Senate Bill 983, An Act Concerning Slowing Down for Service Vehicles.

The ACLU-CT believes that due to systemic racism in policing across the country, the most effective way to keep communities of color safe from overpolicing and police violence is to reimagine the role of police. That includes reducing the role, responsibilities, and presence of police, especially in Black and Latinx communities. It also requires taking funds currently spent on policing and reallocating them into programs and expenditures that build safe and healthy communities.

The most frequent way that police come into contact with community members is through traffic enforcement.¹ As with many types of policing, traffic enforcement disproportionately impacts Black and brown people.² And far too many encounters that begin as traffic stops end with Black people dead at the hands of police.³ In Connecticut, the concern over disparate traffic enforcement was so great that the

¹ "Traffic Stops." Bureau of Justice Statistics, *available at* <https://www.bjs.gov/index.cfm?ty=tp&tid=702>.

² Erik Ortiz, "Inside 100 million police traffic stops: New evidence of racial bias." NBC News, Mar. 13, 2019, *available at* <https://www.nbcnews.com/news/us-news/inside-100-million-police-traffic-stops-new-evidence-racial-bias-n980556>.

³ *See, e.g.*, Wesley Lowery, "A disproportionate number of black victims in fatal traffic stops." Washington Post, Dec. 24, 2015, *available at* https://www.washingtonpost.com/national/a-disproportionate-number-of-black-victims-in-fatal-traffic-stops/2015/12/24/c29717e2-a344-11e5-9c4e-be37f66848bb_story.html.

Alvin W. Penn Racial Profiling Prohibition Act was enacted in 1999,⁴ leading to many types of relief including annual reporting on traffic stop disparities across the state.⁵ The most recent report from the Connecticut Racial Profiling Prohibition Project, for stops in 2018, indicates that Connecticut has made strides toward reducing racial disparities in traffic stops, but that drivers of color were stopped in disparate numbers and were much more likely to be searched than white drivers, despite being less likely to have contraband discovered during a search.⁶

Because of the disparities in traffic enforcement, and especially because of the unreasonably high danger that traffic stops pose to drivers of color, the legislature should be very careful when making new traffic infractions. Every new law that police enforce through traffic stops creates a new opportunity for police interactions, each of which creates a dangerous situation for a driver of color stopped. Thus, we believe that creating new traffic infractions should be weighed very carefully. If there are already laws on the books which would cover the new infractions, those existing laws should be used. If there is no mechanism for enforcing the contemplated behavior, the legislature should weigh very carefully whether the public safety needs to enforce the traffic regulation outweigh the public safety needs to limit police traffic stops.

Senate Bills 982 and 983 both create new traffic infractions. The ACLU-CT does not take a position on whether the driving behaviors targeted by these laws are important for public safety, but we do strongly urge this Committee to make that assessment. If this behavior can be curbed in other ways, we encourage the Committee to think creatively to come up with policy solutions that do not involve new pathways for overpolicing. If we are ever to end police violence and build communities that make themselves safe, we must stop repeating the same policy

⁴ Conn. Public Act. 99-198 (1999).

⁵ See "Mission Statement," Connecticut Racial Profiling Prohibition Project, *available at* <http://www.ctrp3.org/mission-statement/>.

⁶ See Ken Barone et al., "State of Connecticut Traffic Stop Data Analysis and Findings, 2018" at xii. Connecticut Racial Profiling Prohibition Project, May 2020, *available at* <http://www.ctrp3.org/wp-content/uploads/2020/05/2018-Connecticut-Racial-Profiling-Report.pdf>.

answers that got us to the current moment. We encourage this Committee to make that analysis and to engage in the hard work of creative problem solving as it analyzes SB 983 and 983 and on all bills that create new opportunities for police interactions going forward.