

Resolution on HR 3306 and Other Legislation Affecting Due Process of Law

**To be proposed at the California LULAC
State Convention, May 23, 2010
By LULAC Council 3150**

WHEREAS, the State of California has restricted licensed private investigators from obtaining Department of Motor Vehicles and other data base information necessary to locate victims, witnesses, and parties in both criminal and civil litigation;

AND WHEREAS, the State of California provides these same resources to both law enforcement and public defender investigators;

AND WHEREAS, these aforementioned restrictions violate the rights to equal protection of the law and due process of the law to the clients of licensed private investigators with the most significant impact falling on Latinos because of the significant percentage of the populace comprised of immigrants whose whereabouts cannot be ascertained with other data bases:

AND WHEREAS, HR 3306 and other pending California and Federal legislation would place severe restrictions on the usage of currently available financial data base “credit headers” as a tool to locate witnesses, victims, and parties to both criminal and civil litigation that are currently available to licensed private investigators;

THEREFORE BE IT RESOLVED, that CALIFORNIA LULAC opposes by policy any legislation which restricts and impedes the ability of Latinos to receive equal protection of the law and due process of law by restricting licensed private investigators working on their behalf from obtaining access to any and all data bases they now currently employ for these purposes, and calls for the restoration of access to DMV, Voter Registration rolls, and other data bases available to both law enforcement and public defender investigators;

AND BE IT FURTHER RESOLVED THAT California LULAC calls upon National LULAC to oppose HR 3306 and all other federal legislation that similarly impacts on the equal protection and due process rights of Latinos by restricting licensed investigators working on their behalf to seek and promote justice.