



**National Association for the Advancement of Colored People NAACP
Montgomery County Branch
Testimony on Bill 12-23
The Safety and Traffic Equity in Policing (STEP) Act.
Tuesday, April 25, 2023**

Good evening, Council President Glass and Members of the County Council.

My name is Faith Blackburne Proctor. I am Political Action Chair of the Montgomery County Branch of the NAACP. I am here to testify on behalf of the NAACP in support of Bill 12-23 would prohibit a police officer from conducting a traffic stop for certain offenses under the Maryland Vehicle Law; prohibit consent searches of a vehicle by a police officer; require the collection of data and information related to traffic stops; exclude the limitations on traffic stops from collective bargaining; and generally, amend the County law regarding motor vehicle traffic policing.

We believe that Bill 12-23 is a necessary step to change over 20 years of policing that has placed Black and Brown communities at risk of racially disparate traffic enforcement practices.

In January 2000, the U.S. Department of Justice [DOJ] and the Montgomery County Department of Police [MCPD] entered into a Memorandum of Agreement to resolve a complaint filed by the Montgomery County chapter of the NAACP. The complaint alleged that MCPD engaged in the unconstitutional practice of racial profiling in traffic stops. The MOA remained in effect for five years.

In 2001, Maryland law required police officers to compile and report data about traffic stops.

In 2007, the County Executive and the Fraternal Order of Police signed an agreement that allowed an officer who makes a traffic stop but does not issue a ticket to provide a business card and a verbal explanation of the reasons for the stop. This arrangement made gathering data on the number, reason, identity of the driver, or any other information in traffic stops unlikely.

In 2019, data found that 27% of Black adults experienced a traffic stop compared to 14-17% of White and Latinx adults, and 7% of Asian adults; and Black men were three times as likely as White men to receive any citation for a traffic violation (46% v. 17%) and Latino men were nearly twice as likely (32% v. 17%).

It has been over 20 years since the NAACP first raised the issue of racial profiling in traffic stops in this county. Despite many platitudes and promises, nothing has changed.

Driving remains an undertaking unfairly and unnecessarily fraught with risk for Black and Brown people in this county. This situation requires a policy which will eliminate the likelihood of racially discriminatory unconstitutional policing practices.

Further, we note that public safety is not enhanced by continuing the current practice of policing in traffic stops. In its 2022 analysis of Montgomery County Traffic violations, the Office of Legislative Oversight (OLO) found that Black and Latinx drivers are disproportionately stopped and searched during traffic stops for lower-level traffic violations such as minor traffic violations, expired registrations or equipment issues (OLO Memorandum Report 2022-12).

We support the STEP Act because we believe that its passage will allow MCPS to focus on the type of traffic enforcement that will make the roads safer for everyone. In a county where the traffic fatality rate involving both pedestrians and motor vehicle occupants exceeds our homicide rate, the focus on expired tags or broken tail lights takes time and energy from the necessary focus on moving violations that endanger all of us. Traffic enforcement practices must focus on aggressive, reckless, distracted, or impaired driving.

The current traffic enforcement policies have not only failed to make the drivers and pedestrians in this county safe but have placed all residents of this county under a system that produces disparate and racially biased outcomes. The people of this county deserve the kind of policing that protects and serves each one of us.

We urge this Council to pass the STEP Act and we stand ready to work with you.