

Hearing on Montgomery County, MD, Bill 12-23, The Freedom to Leave Act

Oral Testimony of Daniel Bodah

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February 27, 2024

Good evening. My name is Daniel Bodah, and I am a senior program associate at the Vera Institute of Justice. Vera is a national organization that partners with impacted communities and government leaders to end mass incarceration, protect immigrants' rights, and build safe, thriving communities.

Vera has extensively studied traffic stops from a standpoint of safety and racial justice, including recent work with Ramsey County, Minnesota that saw [reduced racial disparities](#) in traffic enforcement with no associated increase in crime.

Everybody in Montgomery County deserves to be safe. This means ensuring that police are deterring dangerous driving and getting illegal guns and drugs out of the community. It also means ensuring Black drivers are not unnecessarily subject to the harms of overpolicing and low-level traffic enforcement. The Freedom to Leave Act supports all these goals, advancing safety *and* justice.

Ending consent searches can accomplish three important things. First, it can spare drivers—especially Black drivers, [who are disproportionately stopped](#) and [searched](#)—from the indignity and risks that accompany requests for searches. Second, it can [improve](#) the [quality](#) of searches by focusing them where specific facts objectively suggest guns, drugs, or other contraband may be found. And third, without unfounded searches that are often mere “[fishing expeditions](#),” police have less incentive to stop drivers for non-safety related infractions and can focus on hazardous driving, which [improves road safety](#).

Critics often argue that consent searches during traffic stops promote public safety. However, these stops [very rarely result in the recovery of guns](#) or other contraband—Montgomery County's own numbers confirm this, with [less than one percent of stops](#) yielding weapons. Instead, these stops increase the risk of [physical](#), [psychological](#), and [economic harm](#), especially in Black communities.

Consent searches are neither just nor effective. Officers [should](#) have an independent reason to ask to search a car—[more](#) than just a minor infraction. Car

stops for equipment and administrative infractions are [not effective in fighting crime](#), and can mask implicit bias and hunches that are not a legal basis for suspicion. And while drivers are [not required to agree](#) to search requests, many people either do not know this or, as [studies show](#), are afraid to say no.

The Freedom to Leave Act is a good policy that will deliver safety *and* justice, in line with recent policy change in [San Francisco](#) and [Minneapolis](#) as well as [Connecticut](#) and [Rhode Island](#).

For all these reasons, Vera supports the Freedom to Leave Act and encourages the council to pass it.

Thank you.