

**Presbyterians for Police Transformation
Takoma Park Presbyterian Church**

**TESTIMONY IN SUPPORT OF BILL 2-24
THE FREEDOM TO LEAVE ACT
February 27, 2024**

Good evening. My name is Ferd Hoefner, and I am here tonight representing the police reform committee of the Takoma Park Presbyterian Church in strong support of the Freedom to Leave Act. Presbyterians for Police Transformation, as the group is known, has been an active advocate for police reform for the past five years at the state, county, and municipal levels.

Our church also has an active [racial justice initiative](#) which helps inform our perspective on policing issues, as does the personal testimony of members of our congregation who are Black and whose families have experienced mistreatment from County police during pretextual traffic stops. We have seen first-hand, in our own community and congregation, that people of color are at greater risk of being stopped and searched, and that low level traffic stops exacerbate that disparity.

Our church's anecdotal but powerful personal evidence is confirmed by the Office of Legislative Oversight's [2021 study](#) showing widely disproportionate racial impact in our County for traffic stops and especially disproportionate when it comes to searches. And as the OLO's [racial equity impact statement](#) for Freedom to Leave Act cites "the experiences of BIPOC with investigatory stops "erodes drivers' overall trust in the police, willingness to call the police for help, sense of their own freedom to drive, and sense of their place in society." Those very outcomes are reflected, sadly, in the experiences of Black members of our congregation.

Last year we testified in support of the STEP Act, and we hope that a way will be found soon, once further action is taken at the state level, for the Council to return to it and adopt its full scope. But in the meantime, we urge you to do what is legally permissible right now –prohibit consent searches and require the collection and publication of traffic stop data to improve transparency and accountability.

We applaud Councilmember Jawando for introducing the bill. We believe it will help build community trust, increase racial equity, and improve public safety. Probable cause is an essential legal standard, protected by the Fourth Amendment, which consent searches sidestep. Given the very real power imbalance present in traffic stops, consent is often not really a choice, especially not for black and brown drivers who know the history of what can sometimes happen in these situations. Too often, so-called informed consent is informed primarily by fear.

According to the [Stanford Open Policing Project](#), on an average day in America there are more 50,000 traffic stops, making it by far the most common way in which the public interacts with police. The extensive Stanford database reveals that officers stop Black drivers at far higher rates than white drivers, even after controlling for age and gender, and, moreover, Black and Hispanic drivers are searched more often than white drivers. Significantly, the Stanford project also

concludes the data shows that police require less suspicion to search Black and Hispanic drivers than white drivers.

Therefore, we urge you to retain the bill's data collection and reporting requirements. These provisions are critical for transparency and public accountability. Importantly, the data can and should also be used improve officer training and refine police policy guidelines.

We urge you to co-sponsor and approve this legislation. It will safeguard the probable cause standard and improve public safety by improving community trust of police and the rule of law, by reducing the harm and trauma of individuals and families who experience pretextual traffic stops and consent searches, and by focusing police time and resources pursuing more serious violations.

Thank you for the opportunity to testify.