

## Testimony in OPPOSITION to Proposal

As a former County prosecutor from one of America's largest cities, as a long-term resident of Montgomery County, and as a parent, I find the proposed "legislation" to be beyond counter-productive, and harmful to the residents of this County. This is simply another proposal from the "progressive left" that will make our County less safe, and could not come at a worse time in the history of this crime-ridden region and country.

- The proposed legislation would: *Prohibit consent search of motor vehicle or person by a police officer during a traffic stop line...*
- This proposal is fundamentally flawed and misconceived; and will further undermine public safety;
- The U.S. Supreme Court, and Maryland courts have already carefully weighed the protections of the Fourth Amendment "and the constitutional parameters of "consent searches" as they apply to automobile consent searches;
- Consent searches are a tried-and-true technique that violent and drug offenders will often "agree to" in an effort to "bluff" investigating officers;
- Indeed some of the most prolific killers, kidnappers, sexual predators, and pedophiles, were stopped in their tracks due to "consent searches" in the course of automobile stops;
- The use of consent searches have saved many lives including those of kidnapped children, domestic violence victims, and other victims of violent crimes;
- Notwithstanding the "claims," this ordinance is not necessary as all it will do is support and enable criminals;
- There is no need to "reinvent the wheel" and "handcuff" the police by **disarming** our highly trained Montgomery County Police (MCPD) from doing their job to protect us ! ;

- Indeed, notwithstanding the alleged “cited statistics” it is unclear why such a prohibition is even necessary when MCPD officers are already required to inform the driver of their right to refuse consent. Indeed, this proposal begs the question of what is next ? Prohibiting the police from conducting other consent to searches and/or custodial interrogations ?
- It would also result in a “get out of jail” or an “evade-prosecution” for “free card..” As were a police officer to violate it may render all otherwise admissible evidence to be suppressed and excluded...
- Traffic stops, and searches are one of the greatest “filters” for identifying criminal activity ... Why in God’s name would anyone ever consider hampering our police !?
- Instead of “handcuffing criminals” Montgomery County would be “handcuffing its police...”
- *Require the collection of certain data and information related to traffic stops...*
  - Police are already overloaded with paperwork, creating additional red-tape and disincentivizing officers, and raising administrative costs is ridiculous;
- *Require annual reporting of traffic stop status in the county...*
  - Same as above;
- Exclude the limitations on traffic stops from collective bargaining;
  - See above; and
- Generally amend the county law regarding the policing of motor vehicles
  - See above.

*H. Peterson*

Montgomery County Resident, since April 1997

But for the fact I will be out of the country I would be testifying in person. Having have served as both a police officer and state prosecutor I cannot overemphasize the harm to public safety the adoption this proposal would cause.