

Jo Shifrin_Bill 2-24_Support
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Jo Shifrin
Bethesda, MD 20817

Testimony in Support of Bill 2-24
The Freedom to Leave Act

To: Council President Friedson, Vice President Stewart, and members of the County Council

My name is Jo Shifrin. I am a resident of Bethesda in County District #1. I am submitting this testimony in support of the Freedom to Leave Act.

My Jewish faith informs my belief in how society should treat its residents. *Tzedek Tzedek Tirdof*, pursue justice justly, means that I must try to repair the community in which I live to be more fair to everyone.

Legally, the police require a search warrant to stop and search someone and their vehicle. If police officers have a reasonable suspicion that a person may be carrying contraband (e.g. illegal drugs or weapons) that suspicion is considered 'probable cause,' which also allows them to stop and search someone. However, when law enforcement officers have neither a search warrant nor probable cause, they may ask the driver for their consent to do a search. When a driver, especially one who is a person of color, agrees to a consensual search, it often is due to fear of the police causing them harm rather than a voluntary choice that they freely make.

It is well documented that traffic stops can be dangerous. Officers are trained to anticipate danger and they act accordingly. The heightened fear demonstrated by the police can cause increased fear in those they stop. That combination can lead to bad outcomes.

Systemic racism in our society has created a disparity in the way people of color are treated. In 2022, in Montgomery County, 80% of all use of force incidents involved people of color. Between FY2018 and FY 2022:

- Black people comprised 18% of the population, yet they accounted for 30% of the stops and 43% of the searches;
- Hispanic people comprised 19% of the population, yet they accounted for 21% of the stops and 31% of the searches; and
- White people comprised 43% of the population, yet they accounted for 35% of the stops and only 21% of the searches.

This suggests that when police officers stop people of color, they appear to be more likely to suspect illegal activity and perform searches than when they stop white people.

Race-based disparities in traffic stops and searches erode confidence and trust in the police. Moreover, traffic stops are not an efficient way to improve the safety of the community.

In Montgomery County in 2022, there were 36,000 traffic stops. However, only 1 out of every 205 searches (0.5%) resulted in the recovery of firearms. Consent searches take up a lot of police resources, yet they don't yield a lot of contraband or improve safety. At the same time, consent searches perpetuate fear and distrust of police in certain communities.

Banning consent searches makes sense in a community as diverse as Montgomery County. I urge the County Council to support the Freedom to Leave Act, Bill #2-24.