

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

Good evening members of the County Council and fellow community members. My name is Michael Rubin, a resident of Takoma Park. I am here this evening representing IMPACT Silver Spring, an organization working for racial and economic equity in this county and a proud organizational member of the MORE Network and the Silver Spring Justice Coalition. We encourage your complete support of the Freedom to Leave Act. This act is an important step toward making policing in our county more equitable.

In preparing these remarks, I reviewed past testimony I gave over 5 years ago where I described the discriminatory practices of the Montgomery County Police Department in traffic stops of black and brown drivers in comparison to their white co-residents. Since that time this Council has passed the Racial Equity and Social Justice Act in late 2019 by a 9-0 vote, including 5 of you still serving on this Council. Imagine my dismay in reviewing current statistics of racial disparities in traffic stops and seeing that over 4 years later, nothing has really changed. This is entirely unacceptable. All who serve on this Council should also find this unacceptable. If that 9-0 vote for the Racial Equity and Social Justice Act means anything, then you should feel compelled to review the Racial Equity Impact Assessments prepared by the Office of Legislative Oversight and take them to heart when grappling with all bills such as the Freedom to Leave Act. Since I am here once again giving very similar testimony, I must assume that you do not do so. I will keep coming back as long it takes until we have a racially equitable county.

It is also not surprising that the Racial Equity Impact Assessment for the Freedom to Leave Act found that it would have a positive impact on increasing equity in our community. That alone should garner your support for bill 2-24. Overlay that with all the strong testimony that you have received and are receiving about this bill from SSJC, Young People for Progress and other advocates who know that fewer police interactions with community increase public safety and potentially build trust in our police force.

A recent study in the Journal of Empirical Legal Studies looked at 25 police departments and their search procedures. The authors “analyzed the consequences of using driver consent as a basis for initializing a traffic stop-and-search compared to those searches based on probable cause.” They found that consent searches are less likely than probable cause stops to result in contraband recovery and that “police agencies with a relatively higher reliance on consent searches find similar amounts of contraband and make a similar number of arrests as agencies doing much less searching but with a greater reliance on probable cause.” They found that “these patterns are amplified along racial lines and that there is no discernable relationship between the use of consent and crime.”^[1]

I close with imploring you to pass this bill with no weakening amendments so that we can work toward building a Montgomery County that works for all of our residents. I look forward to the day when all residents of this community can wake up, go about their days, feeling safe and secure, and be confident that they will have no unpleasant interactions with a police officer. Thank you.

Michael Rubin, Managing Director

IMPACT Silver Spring

^[1] Journal of Empirical Legal Studies 2024;21:35-91