



July 27, 2023

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The Honorable Marc Elrich
Montgomery County Executive
101 Monroe Street
Rockville, Maryland 20850

The Honorable Evan Glass
President, Montgomery County Council
100 Maryland Avenue
Rockville, Maryland 20850

Dear County Executive Elrich and President Glass:

The Membership of the Police Accountability Board of Montgomery County (PAB) is writing to communicate our support of Bill 12-23 (hereinafter, the STEP Act) with amendments. It is our statutory mission and responsibility to advise on policing matters. It is crucial to address the balance between public safety and community relations and we believe the STEP Act presents an opportunity to achieve that goal.

We understand the aim of the STEP Act is not to punish bad actors in law enforcement but rather to address a real concern among County residents who feel threatened and unsafe because of traffic stops. The stops heighten anxiety and fear in interactions with police, which is ultimately detrimental to the report and investigation of crimes. We believe that County police want better relationships and higher levels of trust with County residents. We are hopeful that this bill will help.

First, we would like to draw attention to the traffic stop data and crime statistics for Montgomery County from 2016 to 2023, specifically highlighting the lack of a substantial increase in crime despite a decrease in traffic stops. This is particularly evident after the significant 59% drop in traffic stops since the onset of the COVID-19 pandemic, as supported by the data from the Montgomery Traffic Violations Dataset.

For more information on Montgomery County's Police Accountability Board, please visit:

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Furthermore, it is worth noting that the rate at which contraband or illicit activity is discovered during traffic stops amounts to less than 1% of the total stops. While any recovery of contraband could potentially save lives, it is important to recognize that this statistic indicates the need for more efficiency in the allocation of Law Enforcement agencies (LEAs) resources. We are advocating for a more efficient and effective use of LEA resources.ⁱ

The data strongly supports the argument that reducing the number of traffic stops will lead to a decrease in non-essential encounters with law enforcement, some of which can escalate into negative interactions with members of the community. Additionally, concerns about potential increases in accidents from the implementation of this proposed bill can be addressed by referencing the experience of Takoma Park, MD, which enacted a similar policy in 2018 and has since experienced an 80% reduction in traffic stops as well as a decline in accidents during the same time period.

In expressing support for the bill, we would like to propose the following amendments that aim to enhance its effectiveness and to educate the community as to its provisions:

- The first amendment is related to vehicle registrations. Currently, the bill prohibits LEAs from stopping a vehicle solely due to an expired registration. While we understand the intention behind this provision, we believe it would be reasonable to insert a time-bound limit of 60 days for expired registrations, after which a traffic stop could be initiated as a primary violation. A similar consideration was enacted in Philadelphia, a jurisdiction mentioned as a model for the STEP Act. Such an amendment has already garnered support from the bill's lead sponsor (see the response of Councilmember Jawando in a letter to the PAB dated 6/13/23) and is a sensible approach that encourages compliance with vehicle registrations while providing low-income and vulnerable communities with additional flexibility to meet these requirements.
- The second amendment is to exclude window tinting from the bill's scope. We do not believe the issue of window tinting aligns with the intention of the bill. Additionally, windows with tinting beyond the legal Visible Light Transmission (VLT) limit may potentially pose a safety threat to an officer conducting a permitted stop under the proposed bill.
- The third amendment is to require that all police departments within the county develop an Operational Policy Guide/Manual specific to the STEP Act and that the manual is kept within all patrol vehicles.
- The fourth amendment would require all officers to undergo formal in-service training specific to the STEP Act as it relates to racial disparities in police stops and that such training be documented in their personnel file upon completion.
- The fifth amendment would mandate public education concerning the STEP Act, including the prohibition on police conducting a traffic stop for certain offenses, the right of residents under law to refuse to consent to a vehicle search, and encouragement to report infractions.
- The sixth amendment would require reports prior to enactment of the STEP Act and two years after its implementation, analyzing the Act's impact on public safety and trust in law enforcement.

We firmly believe that these amendments will further strengthen the STEP Act, ensuring a balanced approach to law enforcement practices while addressing the concerns of the community. By incorporating these amendments, we can work towards a more equitable and effective system that respects the rights of all residents while promoting public safety.

Thank you for considering our perspective and recommendations. We appreciate the opportunity to contribute to the legislative process, and we hope that together we can create positive change for Montgomery County.

Sincerely yours,

A handwritten signature in blue ink, consisting of a stylized 'P' and 'W' followed by a long horizontal line.

Bishop Paul L. Walker, Sr., Chair
Montgomery County Police Accountability Board

¹ ([Suspect Citizens: What 20 Million Traffic Stops Tells Us about Policing and Race](#), Baumgartner FR, Epp DA, Shoub K. United Kingdom; New York, NY: Cambridge University Press; 2018b) ([Re-prioritizing traffic stops to reduce motor vehicle crash outcomes and racial disparities](#), Mike Dolan Fliss, Et al, Inj Epidemiol. 2020 Jan 20;7(1):3. doi: 10.1186/s40621-019-0227-6.)