

SENATE BILL 110

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SB 430/99 - JPR

2000 Regular Session
0lr0639

By: **Senators Ruben, Forehand, Mitchell, Lawlah, McFadden, and Hughes**
Introduced and read first time: January 17, 2000
Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Task Force to Study Stops for Routine Traffic Violations**

3 FOR the purpose of establishing a Task Force to Study Stops for Routine Traffic
4 Violations; specifying the membership and duties of the Task Force; prohibiting
5 the inclusion of certain information in the data collected by the Task Force;
6 providing for the use of certain data collected by the Task Force; prohibiting
7 certain uses of the data collected by the Task Force; requiring the Task Force to
8 report to the Governor on or before a certain date; and generally relating to the
9 establishment of a Task Force to Study Stops for Routine Traffic Violations.

10 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
11 MARYLAND, That:

12 (a) There is a Task Force to Study Stops for Routine Traffic Violations.

13 (b) The Task Force consists of the following 15 members:

14 (1) Two members appointed by the Governor;

15 (2) Two members appointed by the Attorney General;

16 (3) Two members appointed by the Secretary of the State Police, one of
17 whom shall be a member of the Coalition of Black Maryland State Troopers;

18 (4) Two members who are local law enforcement officers, one nominated
19 by the Maryland Chiefs of Police Association and appointed by the Governor and one
20 nominated by the Maryland Sheriffs Association and appointed by the Governor;

21 (5) One member nominated by the Maryland State Conference of
22 Branches of the National Association for the Advancement of Colored People, and
23 appointed by the Governor;

24 (6) One member nominated by the Maryland Criminal Defense
25 Attorneys' Association, and appointed by the Governor;

26 (7) One member nominated by the Maryland State's Attorneys'
27 Association and appointed by the Governor; and

1 (8) Four citizens who are residents of and registered voters in the State
2 who represent the rich ethnic, gender, and regional diversity that is encompassed
3 within the State, appointed by the Governor.

4 (c) The Governor shall designate the Chairman of the Task Force.

5 (d) The Task Force staff shall be provided by the Attorney General's office.

6 (e) Members of the Task Force shall serve without compensation except that
7 the members may be reimbursed for expenses under the Standard State Travel
8 Regulations, as provided in the State budget.

9 (f) This Task Force shall study:

10 (1) The number of individuals stopped for routine traffic violations;

11 (2) The identifying characteristics of the individual stopped, including
12 age, race, or ethnicity;

13 (3) The traffic violations alleged to have been committed that led to the
14 stop;

15 (4) Whether a search was instituted as a result of the stop;

16 (5) If a search was instituted, how the search was conducted and the
17 probable cause for the search;

18 (6) Whether any contraband was discovered in the course of the search
19 and the nature of the contraband;

20 (7) Whether any warning or citation was issued as a result of the stop;

21 (8) Whether an arrest was made as a result of either the stop or the
22 search;

23 (9) The benefit of traffic stops with regard to the interdiction of drugs
24 and the proceeds of drug trafficking, including the approximate quantity of drugs and
25 value of drug proceeds seized on an annual basis as a result of routine traffic stops;
26 and

27 (10) Any other appropriate issues relating to individuals stopped for
28 routine traffic violations.

29 (g) Data acquired by the Task Force may be used only for research or
30 statistical purposes and may not contain any information that may reveal the identity
31 of any individual who is stopped or any law enforcement officer.

32 (h) Data acquired by the Task Force may not be used in any legal or
33 administrative proceeding to establish an inference of discrimination on the basis of
34 particular identifying characteristics.

1 (i) The Task Force shall report the results of the study conducted under this
2 section to the Governor by October 1, 2001.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2000.