



Maryland Chiefs of Police Association Maryland Sheriffs' Association



MEMORANDUM

TO: The Honorable William C. Smith, Jr. Chairman and
Members of the Judicial Proceedings Committee

FROM: Chief David Morris, Co-Chair, MCPA, Joint Legislative Committee
Sheriff Darren Popkin, Co-Chair, MSA, Joint Legislative Committee
Andrea Mansfield, Representative, MCPA-MSA Joint Legislative Committee

DATE: February 17, 2021

RE: **SB 589 – Police Officer – Stop Procedures (Know Your Rights Act)**

POSITION: **OPPOSE**

The Maryland Chiefs of Police Association (MCPA) and the Maryland Sheriffs' Association (MSA) **OPPOSE SB 589**. This bill would require a police officer to display proper identification and provide certain information at the commencement of a certain stop, require a police officer to inform passengers and occupants of a right to refuse to provide identification and prohibit a police officer from seizing items without a warrant.

Traffic enforcement is an essential component of public safety, keeping our road and highways safe for the motoring public. Traffic stops are also one of the most inherently dangerous activities in which police officers are involved, unaware of who they are stopping or what other possible criminal activity in which the operator or passengers might be engaged. Timothy McVeigh who was responsible for bombing the Federal Murrah Building was apprehended by an Oklahoma State Trooper for a traffic violation; Ted Bundy was arrested by the Utah Highway Patrol after a vehicle pursuit; in late August 2001, Hani Hanjour, who later was aboard the American Airlines flight that crashed into the Pentagon, was pulled over for speeding in Arlington, Virginia; and on September 9th, 2001, Maryland State Police stopped Ziad S. Jarrah for speeding, just two days before he and 18 compatriots commandeered four planes in the tightly coordinated suicide terrorist attack killing more than 3000 United States citizens. In 1990, a Maryland State Trooper was murdered during a traffic stop involving two subjects with open arrest warrants in New York. As the trooper tried to determine the identities of the driver and occupant, the driver pulled out a gun and shot the Trooper shot twice in the head, killing the trooper instantly. The National Law Enforcement Officers Memorial is filled with the names of fallen law enforcement officers murdered during traffic stops.

SB 589 exceeds Constitutional requirements associated with traffic enforcement and investigations and will only serve to increase the associated risks for both the vehicle operator, passengers, and the officer, deputy and trooper involved in the enforcement activity. For these reasons, MCPA and MSA **OPPOSE SB 589** and urge an **UNFAVORABLE** report.

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