
BILL NO: House Bill 426
TITLE: Vehicle Laws - Policies and Prohibition Against Discriminatory Traffic Stops
COMMITTEE: Judiciary
HEARING DATE: February 8, 2022
POSITION: **SUPPORT**

House Bill 426 would require the Maryland Police Training and Standards Commission to expand their current model policy against race-based traffic stops to include traffic stops based solely on an individual's national origin, religion, gender, gender identity, or sexual orientation. It would further require law enforcement agencies to adopt similar policies. The Women's Law Center of Maryland recognizes that the intersectionality of race and gender, as well as gender-identity, can play a large role in how individuals are perceived by the police. It is clear that an individual's race, gender, religion, or other membership in a protected class should play no role in whether they are stopped by law enforcement.

The experiences of women – especially Black women and other women of color – are often overlooked in conversations about police practices. Yet women are currently being incarcerated at an increasingly higher rate than men and are therefore interacting with law enforcement with greater frequency. In fact, women make up an increasing share of arrests and report much more use of force than they did twenty years ago. Recent studies have shown that women are also subject to racial profiling, use of excessive force, and any number of violations of their rights and dignity by police¹. Women also account for a disproportionately greater share of police initiated interactions than they do actual arrests and Black women experience similar use of force rates as white men. Similarly, among transgender people who interacted with police in the past year and said officers were aware they were transgender, 58% reported some form of mistreatment, 49% reported being repeatedly misgendered, and 6% reported physical or sexual assault². Thus it is clear that an individual's gender or gender identity, can play a critical role in how or how often they interact with police. In order to prevent unlawful arrests, searches, and officer-involved assaults, there must be clear policies in place to ensure those characteristics are not taken into consideration as a sole basis for a police-initiated interaction.

As the number of women involved in our criminal justice system increases, so must our awareness of how and why those interactions arise. Clear policies such as that proposed by HB426 would initiate an important dialogue in understanding the role of women in our carceral systems. Therefore, the WLC urges a favorable report on HB426.

The Women's Law Center operates two legal hotlines, and three direct legal services projects: the Protection Order Advocacy and Representation Projects in Baltimore City, Baltimore County and Carroll County, the Collateral Legal Assistance for Survivors Project, and the Multi-Ethnic Domestic Violence Project.

¹ *Policing Women: Race and gender disparities in police stops, searches, and use of force*, Prison Policy Initiative, 2019, <https://www.prisonpolicy.org/blog/2019/05/14/policingwomen/>

² *The Importance Of Trans-Sensitive Police Policies And Practices*, The Policing Project, 2019, <https://www.policingproject.org/news-main/2019/11/27/the-importance-of-trans-sensitive-police-policies>