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Committee

Chair  
Government Operations and  
Health Facilities Subcommittee

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Testimony of Delegate Samuel I. Rosenberg  
Before the House Judiciary Committee  
In Support Of  
**House Bill 426**  
**Vehicle Laws - Policies and Prohibition**  
**Against Discriminatory Traffic Stops**

*“Meaningful federal legislation to broadly transform policing should have been swiftly enacted in response [to protests of the death and brutality exacted upon Black and Brown people by law enforcement in this country]. Instead, despite the passage of the George Floyd Justice in Policing Act by the [U.S.] House of Representatives . . . the bill has now officially stalled in the [U.S.] Senate. The failure of this legislation to move forward is a failure for our democracy.”*

*“Fortunately, despite the refusal of too many members of Congress to confront the truths of our current system of policing, a number of states and localities have recognized the urgency of this moment and have taken steps to address police violence and egregious misconduct through landmark accountability legislation, and bold, creative interventions to transform public safety, such as in Maryland, Colorado, and San Francisco.”*

Sherrilyn Ifill, Former President and Director-Counsel of the NAACP Legal Defense and Educational Fund, Inc. (LDF), in response to the Senate failing to reach an agreement on the George Floyd Justice in Policing Act of 2021.

- September 22, 2021

We must continue the work of creating a system of policing that is equitable to all Marylanders.

House Bill 426 would require the Maryland Police Training and Standards Commission to update its model policy against discriminatory traffic stops. Currently, that policy prohibits the initiation of a traffic stop based on race.

This legislation would also prohibit stops based on ethnicity, national origin, religion, gender, gender identity, and sexual orientation. These are the protected classifications in Maryland's civil rights law. This revision would ensure that law enforcement officers are trained in and follow policies against stopping vehicles based on the immutable characteristics of the individuals inside of the car.

Senator Ben Cardin's comparable legislation, the End Racial and Religious Profiling Act of 2021, was incorporated by House and Senate leadership into the George Floyd Justice in Policing Act, which passed the House with the support of the White House and civil rights groups.

The Leadership Conference on Civil and Human Rights, in its letter of support for the Cardin bill, declared:

*“When law enforcement targets communities based on stereotypes, they undermine their ability to correctly identify true threats to a community, and to see the actual needs of the individuals in front of them. Moreover, this lack of trust has ripple effects throughout the criminal-legal system.”*

HB 426 would also mandate that police collect data about the national origin, religion, gender identity and sexual orientation of the driver during traffic stops. This data collection would allow us to ensure that the model policies that we implement are being followed by officers in the field.

This data will allow further study of how often police stop different groups of people, relative to their share of the driving population. It could also clarify which groups are more likely to be ticketed, and which are more likely to be given a warning.

Police officers should not be initiating traffic stops based on the immutable traits of the people in a car. This bill would not only prevent such discriminatory stops. It would require that data be collected to ensure that these policies are having their intended effect.

I urge a favorable report on this bill.

February 8, 2022