



POSITION ON PROPOSED LEGISLATION

BILL: Senate Bill 292 – Motor Vehicles – Secondary Enforcement and Admissibility of Evidence

FROM: Maryland Equitable Justice Collaborative

POSITION: INFORMATIONAL – SUPPORT IN CONCEPT

DATE: January 28, 2025

The Maryland Equitable Justice Collaborative supports the goal of Senate Bill 292 to reduce unnecessary interactions between the public and law enforcement and address racial disparities within Maryland’s criminal legal system by limiting non-safety related traffic stops by law enforcement.

About the Maryland Equitable Justice Collaborative

The Maryland Equitable Justice Collaborative (MEJC) was established by the Office of the Attorney General (OAG) and the Office of the Public Defender (OPD) to address racial disparities in mass incarceration in Maryland. This initiative is the first of its kind. It was developed based on listening sessions held by the Attorney General and Public Defender with impacted people, advocates, and other community members. Academic partners, including the Judge Alexander Williams Center for Education, Justice & Ethics at the University of Maryland at College Park and the Bowie State University Institute for Restorative Justice, were brought in to ensure the work is evidence-based and data-driven statewide.

The MEJC comprises over 40 representatives from state agencies, community groups, subject matter experts, and people directly impacted by the system. Its initiatives are organized into workgroups focusing on various factors influencing incarceration rates. Each workgroup is led by a staff member from the Office of the Attorney General, a staff member from the Office of the Public Defender, and a community advocate with relevant expertise. Community voices and public input have shaped the recommendations developed under the direction of the OAG and

OPD. In December 2024, the MEJC approved 18 recommendations for legislative and agency reforms, program development, data collection, and other measures designed to reduce the mass incarceration of Black men and women and other marginalized groups in Maryland prisons and jails. Recommendation No. 2 urges the Maryland General Assembly to enact legislation to end non-safety-related traffic stops, enhance data reporting requirements and include data on race and gender, re-examine the use and efficacy of consent searches to reduce unnecessary interactions with police, and allow for more appropriate utilization of law enforcement.

The Scope of Racial Disparities in Maryland

Racial disparities in Maryland's criminal legal system are among the most glaring in the nation. Black Marylanders constitute 30% of the state's population, yet account for 51% of arrests¹, 59% of the jail population², and an alarming 71% of the prison population.³ They also represent 71% of people on parole⁴ and 53% of those on probation.⁵

Traffic stops are one of the most common contact points between civilians and law enforcement, significantly contributing to existing disparities. In Maryland, Black people are nearly twice as likely to be arrested compared to White people.⁶ In 2022, Black Marylanders represented only 30% of the state's population but accounted for over half of all arrests.⁷ The racial disparity is also evident in traffic enforcement; data from 2023 shows that police stopped Black drivers at rates 10% higher than those for White drivers.⁸ Despite legislative reforms, increased oversight, and enhanced data collection requirements aimed at reducing racial profiling, the practice persists, causing significant harm to Black communities and undermining public trust in law enforcement.

¹ FBI [CDE/UCR](#) Data

² Ann Carson, Prisoners in 2022, Bureau of Justice Statistics, November 2023.

³ Ann Carson, Prisoners in 2022, Bureau of Justice Statistics, November 2023

⁴ [DPSCS - DPP Annual Data Dashboard \(maryland.gov\)](#)

⁵ [DPSCS - DPP Annual Data Dashboard \(maryland.gov\)](#)

⁶ Maryland Statistical Analysis Center. "Maryland Crime Rates." Accessed January 23, 2025. <https://storymaps.arcgis.com/stories/ac702edf5391486b9a3e07a4ed1e4dfe>.

⁷ Maryland Statistical Analysis Center. "Maryland Crime Rates." Accessed January 23, 2025. <https://storymaps.arcgis.com/stories/ac702edf5391486b9a3e07a4ed1e4dfe>.

⁸ Maryland Governor's Office of Crime Prevention and Policy, [Race-Based Traffic Stop Data Dashboard](#), 2023.

Traffic Stops and Escalation to Use of Force

Maryland has witnessed a noticeable increase in non-safety-related traffic stops in recent years.⁹ Since 2016, the number of stops related to equipment malfunctions and registration issues has surged by 13%.¹⁰ These non-safety stops account for 44% of all traffic interventions within the state.¹¹ In sharp contrast, stops related to moving violations, including speeding or running red lights, constitute a mere 11.85% of total traffic stops.¹² In addition, reckless driving accounts for only 1.17% of all traffic stops made by officers.¹³

Research demonstrates that non-safety-related traffic stops often lead to unnecessary escalation and use of force, disproportionately affecting Black drivers. A National study found that Black drivers are 2.9 times more likely to experience use-of-force incidents during traffic stops for non-safety-related infractions compared to White drivers.¹⁴ Data from Maryland highlights this significant disparity: Black people account for 43% of all traffic stops and are more likely to be searched or arrested during these encounters than White drivers.¹⁵

In Maryland, the excessive policing of Black communities intensifies this issue, fostering mistrust between these communities and law enforcement. A 2024 study by the University of Maryland found that despite recent reforms, some Black residents continue to perceive the Baltimore Police Department as ineffective and racially biased, contributing to ongoing mistrust between these communities and law enforcement.¹⁶

⁹ Vera Institute of Justice. Low-Level Traffic Stops Too Often Turn Deadly: Some Places Are Trying to Change That. Accessed January 20, 2025. <https://www.vera.org/news/low-level-traffic-stops-too-often-turn-deadly-some-places-are-trying-to-change-that>

¹⁰ Race-Based Traffic Stop Data Dashboard,” Governor’s Office of Crime Prevention and Policy, accessed August 13, 2024. <https://gocpp.maryland.gov/data-dashboards/traffic-stop-data-dashboard/>.

¹¹ “Race-Based Traffic Stop Data Dashboard,” Governor’s Office of Crime Prevention and Policy, accessed August 13, 2024. <https://gocpp.maryland.gov/data-dashboards/traffic-stop-data-dashboard/>.

¹² “Race-Based Traffic Stop Data Dashboard,” Governor’s Office of Crime Prevention and Policy, accessed August 13, 2024. <https://gocpp.maryland.gov/data-dashboards/traffic-stop-data-dashboard/>.

¹³ “Race-Based Traffic Stop Data Dashboard,” Governor’s Office of Crime Prevention and Policy, accessed August 13, 2024. <https://gocpp.maryland.gov/data-dashboards/traffic-stop-data-dashboard/>.

¹⁴ Matthew A. Graham et al., *Racial Disparities in Use of Force at Traffic Stops* (Denver, CO: Center for Policing Equity, 2024), <https://policingequity.org/traffic-safety/83-data-brief-use-of-force-at-traffic-stops/file>.

¹⁵ “Race-Based Traffic Stop Data Dashboard,” Governor’s Office of Crime Prevention and Policy, accessed August 13, 2024. <https://gocpp.maryland.gov/data-dashboards/traffic-stop-data-dashboard/>.

¹⁶ Driscoll, Gina, and Rachael Grahame. “UMD Study: Some Black Residents Still Distrust Baltimore Police Department Even After Reforms.” Maryland Today, May 31, 2024. <https://spp.umd.edu/news/umd-study-some-black-residents-still-distrust-baltimore-police-department-even-after-reforms> and Abell Foundation. “Police-Community Relations in Baltimore.” <https://abell.org/publication/police-community-relations-in-baltimore>

Proven Solutions from Other Jurisdictions

States and cities across the country have implemented reforms that reclassify non-safety-related traffic violations as secondary offenses, demonstrating that such changes reduce racial disparities without compromising public safety. Examples include:

- Philadelphia's Driving Equality Bill reclassified non-safety-related infractions as secondary offenses. This change resulted in a significant reduction in racially biased stops while still maintaining road safety.¹⁷
- Virginia's Traffic Reform Law has limited police authority to initiate stops for non-safety-related violations and has successfully reduced racial disparities in traffic enforcement by 19%.¹⁸
- Minnesota's Lights On! Program replaced citations for equipment-related violations with repair vouchers. This initiative has fostered positive community relations and addressed drivers' economic burdens.¹⁹

These programs illustrate Maryland's potential to enact evidence-based reforms that improve equity in traffic enforcement while maintaining public safety.

Conclusion

Senate Bill 292 presents the Maryland General Assembly with an opportunity to address the racial inequities in traffic enforcement practices and advance MEJC's recommendation to end non-safety traffic stops. We urge the Committee to consider the above information as you assess Senate Bill 292 and this critical issue.

Submitted by: Maryland Equitable Justice Collaborative

**Anthony Brown, Co-Chair
Maryland Attorney General**

**Natasha Dartigue, Co-Chair
Maryland Public Defender**

¹⁷ City of Philadelphia. Executive Order No. 2021-06: Police Enforcement of Motor Vehicle Violations. November 9, 2021. Accessed January 23, 2025. <https://www.phila.gov/media/20211109145453/executive-order-2021-06.pdf>

¹⁸ WTKR News. "Virginia House Bill Would Reverse Law Limiting Minor Traffic Stops." Last modified January 23, 2025. Accessed January 23, 2025. <https://www.wtkr.com/news/politics/virginia-house-bill-would-reverse-law-limiting-minor-traffic-stops#:~:text=RICHMOND%2C%20Va.,for%20a%20minor%20traffic%20violation>.

¹⁹ CBS News Minnesota. "Minnesota Legislature Considers Vouchers Instead of Tickets for Broken Car Lights." Last modified January 23, 2025. Accessed January 23, 2025. <https://www.cbsnews.com/minnesota/news/minnesota-legislature-vouchers-instead-of-tickets-broken-car-lights/>