



1411 K Street N.W.  
Suite 900  
Washington, D.C. 20005  
202-525-5717

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Testimony from:

Jillian E. Snider, Policy Director of Criminal Justice and Civil Liberties, R Street Institute

Testimony in Support MD HB 687, “Public Safety - Law Enforcement - Quotas (Community-Oriented Policing Act).”

February 25, 2025

Maryland House Judiciary Committee

Chairman Clippinger and members of the committee,

My name is Jillian E. Snider, and I am the policy director of criminal justice and civil liberties at the R Street Institute, a nonprofit, nonpartisan, public policy research organization. Our mission is to engage in policy research and outreach to promote free markets and limited, effective government in many areas, including the criminal justice system. That is why today’s hearing is of special interest to us.

In addition to my current role, I am also a Lecturer at John Jay College of Criminal Justice and a retired police officer from the New York City Police Department. As someone who has dedicated her life to public safety and the rule of law, I recognize that how we enforce laws matter just as much as the laws themselves. Given R Street’s commitment to pragmatic policies that improve fairness, community safety, and government accountability, we have a strong interest in House Bill 687, the Community-Oriented Policing Act.

We support this bipartisan legislation that seeks to prohibit the use of quotas within law enforcement agencies because it addresses critical concerns regarding constitutional rights, the integrity of policing practices, and the overarching goal of fostering genuine community engagement to enhance public safety.

As someone who worked a majority of their career as a police officer, I firmly believe in holding individuals accountable for criminal behavior. Law enforcement must be empowered to address threats to public safety effectively. However, I also know from experience that quota-driven policing is not the right way to do it. Effective policing is about problem-solving, community engagement, and strategic interventions—not simply generating numbers to meet arbitrary targets.

The imposition of quotas on law enforcement officers raises significant constitutional issues. Quotas can lead to capricious stops, searches, and citations, potentially infringing upon citizens' Fourth Amendment rights.<sup>i</sup> When officers are mandated to meet specific numerical targets, there is

an inherent risk of prioritizing quantity over the quality and legitimacy of stops. This practice undermines the foundational principle that law enforcement actions must be based on individualized reasonable suspicion and probable cause, not on fulfilling predetermined numerical goals.

During my tenure with the NYPD, I saw firsthand how quota-driven policies impacted officer discretion. Officers were often pressured to issue a certain number of summonses or make a specified number of stops, even if they did not believe those actions were absolutely necessary.<sup>ii</sup> This led to situations where individuals were stopped for minor infractions simply to meet quotas, rather than because they posed any real threat to public safety. In some cases, officers faced disciplinary action for failing to meet these arbitrary targets, creating an environment where policing became more about numbers than community trust.<sup>iii</sup>

In fact, over the years, multiple lawsuits have been filed against the NYPD regarding enforcement quotas.<sup>iv</sup> These lawsuits have revealed internal documents and testimonies that expose how officers were systematically pressured to meet numerical targets, leading to concerns about unconstitutional policing practices.<sup>v</sup> The legal battles against the NYPD's use of quotas demonstrate the broader national implications of this issue and reinforce the need for legislative changes.

Empirical evidence also indicates that quota-driven policing disproportionately affects racial minorities. A comprehensive analysis of over 60 million state patrol stops across the United States revealed that Black drivers are stopped more frequently than their White counterparts relative to their share of the driving-age population.<sup>vi</sup> Moreover, Black and Hispanic drivers are more likely to be searched and arrested, despite contraband being found at lower rates compared to searches of White drivers.<sup>vii</sup> These disparities suggest that quota systems may exacerbate existing biases, leading to over-policing in minority communities and compromising police legitimacy.

Mandating quotas compels officers to engage in stops and issue citations they might not otherwise deem necessary. This reduces an officer's ability to use discretion, and more importantly, this pressure can divert attention from more pressing public safety concerns, as officers may feel obligated to meet quotas rather than exercise their professional judgment.<sup>viii</sup> Such practices can erode trust between law enforcement and the communities they serve, as policing becomes perceived as revenue-driven rather than focused on genuine safety concerns.<sup>ix</sup> This compromises the future of law enforcement investigations, case clearances, and willing participation in community members to help in a collaborative effort to fight crime.<sup>x</sup>

While existing research found minimal evidence that such laws restricting the use of police quotas reduce coercive behavior by the police, it has indicated that restrictions on quotas may improve the quality of traffic stops and vehicle searches. This suggests that eliminating quotas allows officers to focus on more substantive law enforcement activities, enhancing overall effectiveness.<sup>xi</sup>

Quotas often drive overenforcement of low-level offenses. While these types of violations need to be addressed, this does not necessarily address public safety concerns. Emphasizing minor infractions can lead to the criminalization of behaviors that pose minimal risk. This approach can strain judicial resources and detract from addressing more serious crimes. Research has shown that police quotas can lead to unnecessary stops and arrests for minor offenses, diverting

resources from more serious public safety threats, which ultimately does not make communities safer and can undermine public trust in law enforcement.<sup>xii</sup>

The bipartisan nature of this bill underscores a collective commitment to uphold constitutional rights and promote effective policing. Similar legislative efforts across various states reflect a growing consensus on this issue. State lawmakers across the nation are making legislative changes to discourage the practice of law enforcement agencies pressuring officers to participate in ticket quotas, which signifies a unified recognition of the detrimental effects quotas have on both law enforcement officers and community relations.<sup>xiii</sup>

The enforcement of quotas within law enforcement agencies poses constitutional challenges, exacerbates racial disparities, undermines the discretionary judgment of officers, and detracts from holistic measures of policing success. House Bill 687 takes a decisive step toward preserving constitutional rights, enhancing public safety, and fostering genuine trust between law enforcement and the communities they are sworn to protect.

I urge the committee to grant this legislation a favorable report and take a critical step toward a more transparent and fair system of policing. Thank you for your time and consideration.

Thank you,

Jillian E. Snider  
Policy Director, Criminal Justice and Civil Liberties  
R Street Institute  
[jsnider@rstreet.org](mailto:jsnider@rstreet.org)

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<sup>i</sup> United States Court, “What Does the Fourth Amendment Mean?,” Last accessed February 20, 2025. <https://www.uscourts.gov/about-federal-courts/educational-resources/about-educational-outreach/activity-resources/what-does-fourth-amendment-mean#:~:text=The%20Constitution%2C%20through%20the%20Fourth,deemed%20unreasonable%20under%20the%20law>

<sup>ii</sup> Jennifer Gonnerman, “Officer Serrano’s Hidden Camera,” *New York Magazine*, May 17, 2013. <https://nymag.com/news/features/pedro-serrano-2013-5/index3.html>.

<sup>iii</sup> Carimah Townes, “NYPD Officers Sue Saying They’re Being Punished For Refusing to Discriminate,” *Think Progress*, September 2, 2015. <https://thinkprogress.org/nypd-officers-sue-saying-theyre-being-punished-for-refusing-to-discriminate-e2eab2f93ce1/>.

<sup>iv</sup> Joel Rose, “Despite Law and Lawsuits, Quota-Based Policing Lingers,” *NPR*, April 4, 2015. <https://www.npr.org/2015/04/04/395061810/despite-laws-and-lawsuits-quota-based-policing-lingers>.

<sup>v</sup> *Floyd v. City of New York*, 959 F. Supp. 2d 540 (S.D.N.Y. 2013). <https://casetext.com/case/floyd-v-city-of-ny-2>.

<sup>vi</sup> Emma Pierson et al., “A large-scale analysis of racial disparities in police stops across the United States,” *Nature Human Behaviour* 4 (July 2020), pp. 736-745. <https://5harad.com/papers/100M-stops.pdf>.

<sup>vii</sup> *Ibid.*

<sup>viii</sup> Shaun Ossei-Owusu, “Police Quotas,” *New York University Law Review* 96: 2, (May 2021), pp. 529-605. <https://nyulawreview.org/wp-content/uploads/2021/05/Ossei-Owusu.pdf>.

<sup>ix</sup> Glenn French, “How ticket quotas negatively impact police morale and public trust,” *Police1*, November 21, 2016. <https://www.police1.com/police-products/traffic-enforcement/articles/how-ticket-quotas-negatively-impact-police-morale-and-public-trust-SwfHcZgpnllQhi1B/>.

<sup>x</sup> Rebecca Goldstein et al., “Exploitative Revenues, Law Enforcement, and the Quality of Government Service,” *Urban Affairs Review* 56: 1, (2020), pp. 5-31. [https://www.law.nyu.edu/sites/default/files/upload\\_documents/YOU\\_policing.pdf](https://www.law.nyu.edu/sites/default/files/upload_documents/YOU_policing.pdf).

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<sup>xi</sup> Griffin Edwards and Stephen Rushin, “The Effect of Police Quota Laws,” *Iowa Law Review* 109: 5, (July 2024), pp. 2127-2184. <https://ilr.law.uiowa.edu/sites/ilr.law.uiowa.edu/files/2024-07/ILR-109-Edwards-Rushin.pdf>.

<sup>xii</sup> Jackie Fields, “Outlawing Police Quotas,” Brennan Center for Justice, July 13, 2022. <https://www.brennancenter.org/our-work/analysis-opinion/outlawing-police-quotas>.

<sup>xiii</sup> *Ibid.*