

SB0055_RichardKaplowitz_FWA

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**TESTIMONY ON SB#0055 - POSITION: FAVORABLE WITH AMENDMENTS
Motor Vehicles - Police Stops - Secondary Enforcement and Excludable Evidence**

TO: Chair Bartlett, Vice Chair Davis, and members of the Judiciary Committee

FROM: Richard Keith Kaplowitz

My name is Richard Kaplowitz. I am a resident of District 3, Frederick County. I am submitting this testimony in support of SB#/0055, **Motor Vehicles - Police Stops - Secondary Enforcement and Excludable Evidence**

The purpose of this bill is to requiring a police officer to document all reasons for a traffic stop or other stop on a citation or police report resulting from the stop; establishing that certain evidence obtained from a traffic stop or other stop in violation of certain provisions of law may be excluded as evidence in certain proceedings; authorizing a police officer to enforce certain provisions of the Maryland Vehicle Law only as a secondary action; and applying certain provisions of the Act retroactively.

It should be possible to create a form with a drop-down menu of reasons, especially those that have historically been used overwhelmingly against African Americans, to efficiently and quickly document reasons for a police officer stop, especially if it can be documented as a safety concern by the officer. Data collected can then be analyzed to determine patterns of police actions taken.

Based on the deprivations we see from ICE where people's papers are demanded and cars are broken into and persons seized I believe an amendment that includes DHS actions during a stop must be added to the bill. The collection of that data may permit prosecution of those agents who fail to protect constitutional and other legal rights of drivers from being violated.

These illegal stops are fully documented with information on what is and is not legal and actions a driver should take at https://www.immigrantdefenseproject.org/wp-content/uploads/IDP_car_stops-FINAL-2.pdf

I respectfully urge this committee to return a favorable with amendments report on SB0055.