



**TESTIMONY IN SUPPORT OF HB 81**  
**With Amendment**  
**House Judiciary Committee, February 24, 2026**

My name is Joanna Silver. I am a resident of Silver Spring, in District 18. I submit this testimony on behalf of the Silver Spring Justice Coalition in support of HB 81 - Safer Traffic Stops for All (Motor Vehicles – Police Stops – Secondary Enforcement and Excludable Evidence), with an amendment. Specifically, we ask the Committee to consider applying the “exclusionary rule” to the entire bill, and not just to the subsection requiring officers to record the basis for a stop.

The Silver Spring Justice Coalition is an organization of community members, faith groups, and civil and human rights organizations from throughout Montgomery County that works to reduce the presence of police in our communities; eliminate violence and harm by police; establish transparency and accountability; and redirect public funds toward community needs. Three years ago, we advocated with our County Council, along with many other members of our local community, in support of a bill called the Safety and Traffic Equity in Policing (STEP) Act, which was similar in many respects to HB 81. Last year we proudly supported, through both written and oral testimony, the predecessor to this bill, HB 929.

When Montgomery County introduced the STEP Act, we had a successful public hearing in which 40 people submitted testimony in favor of the bill (and only 9 opposed). However, we were disappointed to learn that state law preempted our County from legislating in this critical area. For this reason, we are grateful to Senator Sydnor for reintroducing Safer Traffic Stops For All, HB 81, which has the same aim as our local bill: to increase racial equity and public safety by prohibiting police from stopping people for certain non-safety-related traffic violations.

This Committee will hear data from many others about traffic stops and their impacts on racial equity and public safety state-wide and nationally, so I will focus my testimony on why this bill is so important for my County. Racial disparities in traffic enforcement have been a long-standing problem in Montgomery County. Over 20 years ago, the NAACP filed a complaint with the US Department of Justice alleging that the Montgomery County Police Department (MCPD) engaged in discriminatory traffic enforcement. That complaint led to [a memorandum of agreement](#) that ordered MCPD to collect and report data so that their discriminatory practices could be tracked.

A [report by our Council's Office of Legislative Oversight](#) (OLO), issued at the end of 2022, revealed that disparities in traffic enforcement persist and have even worsened in recent years. From 2018 to 2022, Black and Hispanic drivers were stopped, cited, searched, and arrested at rates far exceeding their representation in our population, while White and Asian drivers were stopped at rates far below their population numbers. While our police department repeatedly blames race-based disparities in traffic enforcement on interlopers from Washington, D.C. and Prince George's County, this racist trope was disproved by the report's finding that 73% of stops were of County residents, and that race-based disparities were comparable for residents and non-residents.<sup>1</sup>

The OLO report also revealed that the greatest race-based disparities in traffic enforcement were seen for non-safety-related traffic violations. Violations under Titles 22 and 13, which are addressed by this bill, represented two of the four worst areas of race-based disparities in traffic enforcement. In fact, the report concluded that equipment violations had a racial disparity score that was 20 points higher than the racial disparity score for moving violations.

These disparities in traffic enforcement come at a high cost. This includes eroding community trust and compounding already existing race-based economic disparities.<sup>2</sup> Moreover, it is well documented that traffic stops can be dangerous and deadly,<sup>3</sup> with officers trained to anticipate danger and act aggressively to protect themselves. This is of particular concern to us because police use force against our BIPOC community members at far higher rates than White people. For example, in 2024, 81% of use of force incidents in Montgomery County were against Black and Hispanic people.<sup>4</sup>

The risk that force and other harm will be visited upon Black and brown drivers is compounded by the fact that those drivers are far more likely to be detained and searched during a traffic stop. The Office of Legislative Oversight report on traffic stops in Montgomery County revealed that 74% of all searches taking place during a traffic stop were of Black or Hispanic community members.

Significantly, these searches rarely result in finding contraband. While using traffic enforcement to conduct criminal enforcement can occasionally yield results, it is a needle in a haystack approach that is extremely ineffective. In Montgomery County in 2022, 172 guns were seized during

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<sup>1</sup>[OLO Memorandum Report 2022-12](#), pp. 11-12.

<sup>2</sup>The Fines and Fees Justice Center Clearinghouse, <https://finesandfeesjusticecenter.org/>.

<sup>3</sup><https://www.nytimes.com/2021/10/31/us/police-traffic-stops-killings.html>.

<sup>4</sup>Montgomery County Police Department [Annual Use of Force Report](#), 2024 at pg. 10.

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35,000 traffic stops<sup>5</sup> – in other words, less than ½ of 1% of all traffic stops resulted in gun seizures. In years past, that percentage was even smaller.<sup>6</sup> Research from jurisdictions around the country reveals similar data, with contraband being seized during a very small percentage of traffic stops. I will not repeat that data here as I know that many other national experts will be submitting testimony in which they will share that important information.

Instead, I will close by talking about why this bill is so important to public safety in Montgomery County. The Maryland Department of Transportation’s Crash Data Dashboard shows that in 2025 our County lost 43 people to fatal car crashes.<sup>7</sup> The leading causes of those 43 fatalities were speeding and driving impaired. For comparison’s sake, there were 24 homicides in Montgomery County in 2025.<sup>8</sup> HB 81 will ensure that police in my County use their limited time and resources to target drivers engaged in the speeding, impaired, and reckless driving that so greatly increases the risks of traffic fatalities and injuries in our County. While we want police to address gun violence and other crime, we want them to do it through careful and effective investigations, not through racially-biased fishing expeditions.

As you will hear from many others, HB 81 will make Maryland part of a national movement, led in some jurisdictions by law enforcement itself, that recognizes that equity and safety can go hand in hand. My County was unable to join this movement because its legislators were preempted by state law. Given this, we ask you to use the power that state law delegates to you and respectfully urge you to issue a favorable report on HB 81.

### **REQUESTED AMENDMENT**

While the Silver Spring Justice Coalition supports this bill for the reasons stated above, we are concerned that the “exclusionary rule,” which prohibits the admission at trial of evidence seized as a result of an officer’s violation of the bill’s requirements, only applies to an officer’s obligation to document the reasons for a traffic stop. Limiting an officer’s ability to stop someone for a non-safety related reason is at the heart of this bill, and removing the primary incentive for an officer to follow that part of the bill will significantly limit the bill’s effect. We cannot rely solely on administrative penalties if an officer does not follow the law; suppression of evidence at trial must be the consequence of a violation of every part of HB81 in order to achieve all of its goals.

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<sup>5</sup>Briefing to the Transportation/Environment and Public Safety Committees of the Montgomery County Council, February 6, 2023, beginning at approximately minute 1:30:00. [https://montgomerycountymd.granicus.com/player/clip/16676?view\\_id=169&redirect=true&h=3eb410096b7046c63f6e892648d30832](https://montgomerycountymd.granicus.com/player/clip/16676?view_id=169&redirect=true&h=3eb410096b7046c63f6e892648d30832)

<sup>6</sup>Policing Advisory Commission, [Findings and Recommendations for Traffic Enforcement](#), December 2021, at pp. 11-12.

<sup>7</sup><https://zerodeathsmd.gov/resources/crashdata/>

<sup>8</sup>[Montgomery County Saw a Slight Increase in Homicides in 2025](#), The Banner/Montgomery

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