



TESTIMONY FOR HB0081
Motor Vehicles – Police Stops - Secondary Enforcement and
Excludable Evidence

Bill Sponsor: Delegate Phillips

Committee: Judiciary

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Cecilia Plante, co-chair

Position: FAVORABLE

I am submitting this testimony in favor of HB0081 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of activists - individuals and grassroots groups in every district in the state. We are unpaid citizen lobbyists and our Coalition supports well over 30,000 members.

As legislators, the General Assembly is asked to problem solve. Finding a good solution to a pervasive problem is a critical element of serving the people of Maryland.

We have seen video of police stops of people with brown skin for no reason other than the fact that they are brown. It frightens everyone when enforcement is random. This bill strives to put guardrails around the process of police stops to ensure that they are 'for cause'. This is an excellent way to resolve a problem without creating new problems.

The first thing required here is a simple documentation of the reason for the stop on the citation or police report resulting from the stop. Failure to comply with this simple reporting requirement may be grounds for administrative disciplinary action and may serve as the basis for exclusion

of evidence under the exclusionary rule. It also prohibits the officer from preventing a citizen from recording the stop.

Finally, it takes away a lot of the small things that could be used as 'reasons' for the stop, such as littering, non-working headlamps or tail lights unless those reasons are secondary to the main purpose of the stop. Additionally, expired registrations (unless they are more than 4 months expired) can't be used as the main purpose of the stop.

In other words, the stop must be made for a more important reason, such as a moving violation or a suspended or cancelled registration.

We support this bill and recommend a **FAVORABLE** report in committee.