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Race-Based Traffic Stop Data No Longer Required

Since January 2002, law enforcement agencies in Maryland have been required to adopt policies against race-based traffic stops and to collect data relating to traffic stops. Maryland law required law enforcement officers to record specific information in connection with each traffic stop, including the driver's race and ethnicity, in order to facilitate evaluation of the manner in which vehicle laws were being enforced. Each agency was required to compile the data collected by its officers and to submit an annual report to the Maryland Justice Analysis Center at the University of Maryland at College Park (MJAC) by March 1 of each year. The MJAC analyzed the data and reported the results annually to the Governor and the Maryland General Assembly.

Under the law, which appears in the Transportation Article, Section 25-113, of the Annotated Code of Maryland, the data was to be collected through December 31, 2009. MJAC was to issue its final report on or before August 31, 2010. Because the law was not renewed by the General Assembly, the collection, compilation and reporting of traffic stop data are no longer required.

Some local agencies have decided to continue collecting the statistical information on a voluntary basis. If an agency continues to collect such data, it will be subject to disclosure under the Maryland Public Information Act. Note further that Maryland's electronic traffic ticket system - the E-citation program - is currently in the process of being rolled out and will automatically collect this type of information.

If you have questions about the abrogation of the subject statute or need other assistance involving law enforcement matters, please contact Karen J. Kruger at Funk & Bolton, P.A. Ms. Kruger can be reached at 410-659-8322 or kkruger@fbllaw.com.

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