



To the Members of the Great and General Court:

We write to urge you to include in any distracted driving legislation a provision requiring data collection on racial profiling for traffic stops.

This would bring Massachusetts in line with nearly 20 other states that require police to record basic information about traffic stops as a matter of course.

As you may know, a Massachusetts law passed in 2000 required data collection for traffic citations and stops. The data was then analyzed by Northeastern University in 2004 and their findings were both profound and disturbing: They found that a majority of police forces in Massachusetts exhibited a significant disparity in traffic stops based on race. Unfortunately, the data collection law contained a ‘sunset’ provision, so there were no further collections of this important information from municipal police departments in subsequent years.

Since that time, we have all seen numerous videos and read countless stories from around the country about police using minor traffic offenses as pretexts to stop Black and brown drivers. Too many of those stories led to unfortunate escalations in the interactions between police and drivers and then ended in terrible and unjust outcomes.

National studies show that police are more likely to stop, have a hostile encounter with, and search the vehicles of Black and Latinx motorists; but less likely to issue a citation or discover contraband in the vehicles of Black and Latinx motorists.

We have also seen the deadly consequences of these pretextual stops, including the killing of Walter Scott in Charleston, SC, stopped for a non-functioning brake light; Samuel DuBose in Cincinnati, OH, stopped for a missing front license plate; and Philando Castile, who was stopped 52 times for various motor vehicle infractions before his last fateful encounter pursuant to a motor vehicle stop outside of St. Paul, MN. To end or reduce the kinds of racial profiling that lead to these tragedies, it is essential that data be collected and analyzed about the race of the drivers.

In Massachusetts, the 2004 statewide report showed that over two thirds of police departments disproportionately pulled over Black and Latinx drivers and searched their vehicles, while giving disproportionately more white drivers a written warning. Unfortunately, the state stopped requiring – and municipal police departments stopped collecting – race data after the report was released. Fourteen years later, in 2018, another independent analysis showed strong evidence of racial disparities in traffic citations issued by the state police.

Legislation to collect racial traffic stop information has languished in the legislature for more than a decade. We now have a unique opportunity to address Massachusetts’s documented history of wide-ranging racial disparities in how our police conduct traffic stops.

Massachusetts residents entrust law enforcement officers with a great responsibility to keep them safe. Expanding any police authority to justify stopping motorists must include corresponding oversight in the form of racial data collection. It is critical that any new traffic enforcement laws address the over-policing that disproportionately impacts Black and Latinx people across the Commonwealth.

We cannot manage what we don’t measure. The disparities in traffic stops have not disappeared between 2004 and 2018, and they will not disappear moving forward unless we know more about who is being stopped, where and why.

Our neighbors in Connecticut, Rhode Island, and Vermont are among the nearly 20 other states that routinely collect and analyze traffic stop data. Massachusetts should join them.

Sincerely,

American Civil Liberties Union of Massachusetts  
Anti-Defamation League New England  
Charles Hamilton Houston Institute for Race and Justice  
Citizens for Juvenile Justice  
Committee for Public Counsel Services  
Greater Boston Interfaith Organization  
Greater Boston Legal Services  
Jewish Alliance for Law and Social Action  
Lawyers for Civil Rights  
League of Women Voters of Massachusetts  
Massachusetts Communities Action Network  
Massachusetts Law Reform Institute  
NAACP New England Area Conference  
National Association of Social Workers, MA Chapter  
Urban League of Eastern Massachusetts