

TESTIMONY OF THE POLICING PROJECT AT NYU SCHOOL OF LAW IN SUPPORT OF H. 7099

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One of the best ways to ensure transparent, effective, and ethical policing is for the public to be democratically involved in setting expectations for police practices *before* police act, instead of *after* something has gone wrong.¹ This kind of inclusive, forward-looking policymaking is only possible, however, when policymakers and the public are fully informed about current police practices and their results. Rhode Island’s passage of the Comprehensive Police-Community Relationship Act of 2015 (CCPRA), which required the collection and reporting of traffic stop and search data, represented an enormous step toward this kind of democratic accountability in policing. It helped provide policymakers and the public—in addition to law enforcement agencies themselves—with the kind of meaningful data on traffic encounters that can lead to better, more informed policing and policymaking. Unfortunately, this statute expired after 2019, jeopardizing the continued collection and availability of this vital stream of information. We commend the legislature for considering H. 7099, which would reauthorize this valuable program and create additional mechanisms for ensuring that the data it promotes is utilized to the greatest extent possible to improve police practices in Rhode Island.

We thus submit this testimony in support of H. 7099.

Data On Traffic Encounters Is Crucial

Traffic stops are one of the most common ways in which members of the public encounter law enforcement officers. In 2019, for example, law enforcement officers conducted 243,431 traffic stops in Rhode Island—a figure that is only known to us because of the now-lapsed requirements of CCPRA.² For a significant number of people, the stop itself is also only the beginning. Law enforcement officers search thousands of stopped cars each year in Rhode Island, conduct thousands of arrests following a traffic stop, and issue many tens of thousands more citations. Even

¹ As part of its mission to advance democratic accountability in policing, the Policing Project has aided numerous states across the country in establishing and strengthening their law enforcement data collection and reporting statutes and regulations. We have vetted our positions on data collection and transparency with an advisory committee consisting of law enforcement officials, academics, policing experts, and affected community members. We have also created a number of model statutes, all of which are informed by best practices in existing legislation and vetted by our advisory committee. One of those statutes is our [comprehensive data collection and transparency statute](#).

² “Traffic Stop Data Analysis and Findings, 2019,” The Institute for Municipal and Regional Policy (February 2021), available at https://www.dot.ri.gov/safety/docs/CCPRA/2019_Rhode_Island_Traffic_Stop_Study.pdf.

those fortunate enough to never be stopped by law enforcement officers still feel the impact of traffic stops through the taxpayer-borne costs of such stops and the erosion of community relationships with law enforcement that comes from overreliance on low-level stops.

Data on all of these encounters is necessary for understanding the full impact of existing traffic enforcement policies in Rhode Island. It can help pinpoint persistent racial disparities, for example, or whether vehicle searches are discovering as much contraband as expected. In other words, this information can show whether traffic enforcement is equitable and effective. Of course, the data can only tell us anything if it is made accessible to policymakers and the public in an intelligible and useful format. Data collection is merely the first step; without accompanying transparency measures, data is little more than wasted potential. Rhode Island's original CCPRA statute successfully coupled data with transparency; H. 7099 not only continues this tradition but also bolsters it through small alterations to the reporting requirements that will improve the usability of the information it covers. This, in turn, will ensure that lawmakers and other stakeholders in the legislative process have more comprehensive information in hand when considering future traffic enforcement or policing issues.

Data Collection Is Not Enough, It Must Spur Action

Data collection and transparency can begin driving change on their own as relevant actors engage in an element of self-correction, but without additional actions, this only scratches the surface of possible benefits. Policymakers and law enforcement leaders need to respond quickly and effectively to what the data are showing. In Rhode Island, as with practically every jurisdiction, this means first and foremost doing more to address the persistent racial disparities in traffic stops and searches. The latest available data reveal that law enforcement officers were much more likely to stop Black and Hispanic motorists than white motorists.³ This is why provisions requiring regular review of traffic stop data, analysis of disparities and other problem areas, and ultimately real policy change or consequences for individual officers (including possible discipline) are critical to improving traffic enforcement. H. 7099 once again works to address many of these issues through its additional reporting requirements, which include these kinds of regular reviews and action items.

In addition to spurring law enforcement leaders to address any issues revealed by the data, H. 7099 takes the laudable step of requiring greater community input into traffic enforcement policy more broadly. Through the CCPRA advisory committee, which includes appointees of the executive and legislative branches, individuals with a law enforcement background, and members able to represent heavily policed communities, H. 7099 makes the policy setting and review process a more collaborative enterprise. This represents a best practice in policing; changes to law enforcement policies should be done in an inclusive manner that takes into account the concerns

³ Id.

and priorities of members of the community and other stakeholders. This can lead to more effective and equitable policies as well as stronger relationships between law enforcement and their communities—another potential boon to public safety.

Conclusion

H. 7099 would restore traffic stop and search data collection and reporting requirements, along with a handful of valuable additions for traffic enforcement policy in Rhode Island. Policymakers and the public would once again receive regular updates about traffic enforcement in the state, and would gain another formal means of influencing related policy. Ultimately, this bill would provide the legislature itself with more of the information it needs to develop laws that put Rhode Island on the path toward more equitable and effective traffic enforcement. As such, we support H. 7099.

Thank you for considering our testimony.