



September 24, 2019

Speaker Robert A. DeLeo
State House, Room 356
Boston, MA, 02133

Senate President Karen E. Spilka
State House, Room 332
Boston, MA 02133

Re: Racial Data Collection in H.3793 & S.2250

Dear Speaker DeLeo and Senate President Spilka,

As advocates for racial justice and good government, we urge the legislature in the strongest terms to reject the harmful data collection language proposed by the House conferees. Their proposal would do absolutely nothing to advance racial justice. Worse, it would require non-disclosure agreements and destruction of public information, pushing policing practices in the direction of secrecy instead of transparency.

Since 2000, Massachusetts law has required police to collect information about the race and gender of drivers who are pulled over and ticketed. Fifteen years ago, a major study of that data showed significant racial disparities, but there has not been follow-up. To improve the law, we have long advocated for the data collection requirement to be extended to all traffic stops, and for collected data to be published online — without identifying individual drivers. These changes, which were included in the Senate’s version of this bill, would enable independent actors to analyze the data, identify and address disparities, and ensure equitable policing across the Commonwealth.

Unfortunately, the House conferees have refused to expand data collection and, instead of requiring the anonymized data to be published online for all to see, they would require it to be kept secret. In addition, the House conferees seek to have the data destroyed,

thereby preventing longitudinal studies of police practices. Contrary to assertions made by the House Transportation Chair, the law can and should both protect drivers' personal information and ensure public transparency.

The House Chair's regressive proposal is offensive to advocates for racial justice and anathema to principles of open government and professional policing. We are heartbroken and dismayed that a good faith effort to improve public safety, equitable policing, racial justice, and good government has been twisted to have the opposite result.

Several of our organizations have supported the underlying hands-free driving legislation. We do not want to see that well-intentioned bill sullied by the inclusion of the House Chair's regressive language on data collection. At the same time, the issue of racial profiling is too pressing to do nothing. The House should reverse course and embrace robust data collection, full transparency, and online publication — and get this bill done.

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
Elevate Boston
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

Cc:

Rep. William Straus, Co-Chair, Joint Committee on Transportation
Sen. Joseph Boncore, Co-Chair, Joint Committee on Transportation