

Captain Jonas Written Testimony on Fair and Impartial Policing:

Regarding current wording of 20 VSA 2366 we do have concerns that, with current data collection efforts, officers are only able to document their actions with operators (current law states we collect race/reason for stop/ search/no search/contraband/outcome with operator). No data is collected on subsequent actions and outcomes that may occur with passengers in the car. This skews current data outcomes in the category of searches and contraband hits, i.e. an officer can have probable cause to search a car because she smells marijuana, but when the officer finds the contraband it is only associated with a passenger. In that case, the officer would indicate for data collection purposes: "Search conducted with PC/No contraband found" because the current search categories apply only to actions taken with the operator of the vehicle. There are other issues that skew outcomes which stem from limiting the collection to just the officer's actions with the operator.

Also we are concerned that officers statewide are erroneously collecting data in scenarios other than "discretionary roadside stops," but where the same ticket/warning is used for other purposes-- Tickets issued at accidents, tickets issued in marijuana cases, tickets issued in under-aged drinking cases, and when multiple tickets/warnings are issued to one operator at one car stop.