



**Testimony for the Senate Education, Health, and Environmental
Affairs Committee**

February 28, 2020

**SB 69 Baltimore City - Alcoholic Beverages - Class A-7 Licenses -
Surveillance System**

OPPOSE IN PART

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The ACLU of Maryland opposes the provisions in SB 69 which require certain alcohol outlets to operate digital surveillance systems and develop rules governing the surveillance systems in consultation with the Baltimore Police Department. We take no position on the other provisions of the bill governing liquor, beer, and wine licensing.

Should the bill be amended to strike the language starting on page 2, line 21 through page 3, line 7, we will withdraw our opposition.

**SB 69 will result in disproportionate surveillance and policing of
Black and low-wage earning communities, who are already over-
surveilled and overpoliced**

Studies show that alcohol outlets are concentrated in low-wage earning communities and are overwhelmingly represented in Black communities, regardless of wealth.¹ As a result of that existing reality, requiring alcohol outlets to surveil their premises necessarily places poor communities and Black communities under heightened surveillance, as compared with wealthy white neighborhoods.

Even worse, the surveillance systems proposed in SB 69 are to be regulated in conjunction with the Baltimore Police Department, which means these communities—who are already subject to heightened surveillance and over-

¹ Understanding the relationship between alcohol outlet density and life expectancy in Baltimore City: The role of community violence and community disadvantage, Debra Furr-Holden, et al., Journal of Community Psychology (July 2018), available at https://www.researchgate.net/publication/326325840_Understanding_the_relationship_between_alcohol_outlet_density_and_life_expectancy_in_Baltimore_City_The_role_of_community_violence_and_community_disadvantage.



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policed—will experience even greater scrutiny of law enforcement. This will likely cause more police interactions, arrests, and imprisonment—none of which have proven to actually alleviate safety concerns in the City.

Alcohol outlets are correlated with crime, there is no evidence that they cause crime

While there are studies showing that a density of alcohol outlets is associated with crime, we are aware of no study showing that alcohol outlets cause crime. In fact, it seems more likely that communities with many alcohol outlets are simultaneously facing under-resourced schools, unemployment, poor air quality, over-incarceration, and other factors that themselves drive up crime, independent of the presence of alcohol outlets.

SB 69 is the beginning of a surveillance state, when alternatives exist to address safety

The ACLU of Maryland is concerned with the privacy of everyday Marylanders. SB 69 starts our communities down the road of being surveilled—by private entities and the government—at every moment in their public lives. If alcohol outlets are required to surveil their premises, which establishments will be next—shopping malls, restaurants?

While the General Assembly certainly has a responsibility to address safety, we urge the body to consider alternative, effective, approaches to addressing crime. Perhaps requiring alcohol outlets to invest in community recreation programs, substance use disorder resources, or schools.

The Baltimore Police Department is an improper source of guidance

Finally, the Baltimore Police Department is undergoing what we all hope is a radical transformation. However, until that transformation occurs, we strongly oppose further empowering a broken system of unconstitutional and abusive policing by allowing the department to play a role in the regulatory framework of the proposed surveillance systems.

For the foregoing reasons, we oppose SB 69.