

March 3, 2024

Eric Lewitus

Ednor Gardens, Baltimore City

TESTIMONY ON SB894

Baltimore City - Control Over Powers of Police Commissioner

TO: Senator Will Smith, Senator Jeff Waldstreicher, and the Judicial Proceedings Committee

FROM: Eric Lewitus

My name is Eric Lewitus and I am a resident of District 14. I am submitting this testimony on SB894 - Baltimore City - Control Over Powers of Police Commissioner.

I am a Senior Scientist in infectious disease research at a government institute and affiliated with Jews United for Justice. I am testifying for enacting a City Charter amendment to define the basic powers and responsibilities of the Baltimore Police Department in line with local control. As 83% of Baltimore voters asserted, our city has an opportunity to reimagine how it serves its citizens. Any delay in implementing local control wastes that opportunity.

Baltimore City has the highest opioid overdose death rate in the country. It is twice that of the next highest-ranking city. I specialize in HIV-1 research. Substance use is a high risk behavior for HIV-1 acquisition and 10% of new HIV-1 diagnoses in the United States are attributable to injection. As the state of Maryland continues to funnel resources into law-enforcement solutions to substance use, Baltimore is not making streets safer or citizens healthier. Instead, law-enforcement measures serve only to criminalize the behavior of those living with substance use problems in lieu of helping them access treatment. Specifically, BPD inhibits people using controlled substances from accessing harm reduction programs and increases community transmission of HIV and hepatitis. By keeping substance use within the remit of BPD we are reinforcing a targeted war, not against drugs, but against our neighbors — disproportionately our Black neighbors. At best, this is a bad solution. At worst, it creates more problems, which reverberate across generations. This is not just my opinion. The World Health Organization, United Nations Office on Drugs and Crime, and the Joint United Nations Programme on HIV/AIDS have proposed a set of evidence-based intervention strategies to alleviate the health and safety burden of people who inject drugs, including: needle/syringe exchange, opioid substitution treatment, HIV counseling/testing, condom distribution, HIV education campaigns, and hepatitis vaccination/treatment. They propose no police involvement whatsoever. I, like

most Baltimore residents, want access to a local electorate that can act on the wisdom of their constituents. Presently, my local electorate has no control over BPD, which means I and my neighbors have no control over the safety of our city. This is unacceptable.

In November of 2022, voters were faced with two realities: that Baltimore is the only jurisdiction in Maryland that does not have local control of its police department; and there was something they could do about it. Ballot Question H asked voters whether to establish through a Charter Amendment a "Baltimore City Police Department, the head of which is the Police Commissioner", which would transfer the legislative authority to regulate BPD from lawmakers in Annapolis to the Baltimore City Council. We said yes, 83% of us. Voters overwhelmingly supported local control because it allows City Council to regulate surveillance equipment purchases, collect data on use-of-force and arrests, author guidance on the use of chokeholds, no-knock warrants, and policing of First Amendment protests, and, in line with the Maryland Police Accountability Act of 2021, set up civilian Police Accountability Boards. We voted yes on Question H because these are things we want, as do the many counties across Maryland that have implemented police accountability measures through local PD control.

I want the Baltimore City Council to have legislative authority to make changes to BPD policy. The Senate Delegation must finish what we started and expeditiously pass SB894 to fulfill the will of the people and codify local control of the BPD.