

To:
Senator Delores Kelley – Chair
Senator Brian Feldman – Vice Chair
Senate Finance Committee

From:
Ronald E. Hampton
Washington, DC, Representative
Blacks in Law Enforcement of America

OPPOSE – SENATE BILL 233 (SB233)

Hearing: Thursday, February 13, 2020

It is our duty as peace officers and members of Blacks in Law enforcement of America to continue the fight for freedom, justice, and equality for all citizens. We will be advocates of law enforcement professionals by establishing continuous training and support. As black law enforcement professionals, we pledge our time, honor, and talent for the uplifting of our communities. We are truly the leaders of the community, in and out of our blue uniform.

As civil service officers, it is our duty to uphold the laws of our local, state, and federal governments. However, as natural leaders it is our moral, ethical, and human duty to reach and teach our families and youth by providing increased involvement and support, thereby enriching lives and enhancing our communities.

Blacks In Law Enforcement of America believes that Law Enforcements' purpose is to protect and serve. Not to contain the poor, the economically disadvantage or to take advantage of those who cannot fight back or have a true voice in the matter at hand.

While the BLEA applauds the intentions of the Senate Finance Committee in attempting to prevent underage tobacco use, a flavor ban that includes menthol cigarettes will be counterproductive to this goal and detrimental to the society at large.

It stands to reason why conscientious policymakers and public health professionals are zealous in their efforts to do whatever it takes to improve the safety, quality of life and health of all Americans, especially those in marginalized communities – even if it means making selected harmful products unavailable by imposing bans and prohibitions.

This proposal seems race-neutral. But over 85% of African Americans who choose to smoke prefer menthol cigarettes while most White tobacco consumers prefer unflavored tobacco. To draw up a ban only against products favored by people of color seems not only unjust but also remarkably insensitive in a city that has long struggled with improving police and black community relations.

Giving officers even more reason to detain and engage on the basis of a flavored tobacco ban, including menthol, would assuredly lead to encounters that are likely to escalate to the unnecessary use of force, arrests, and possibly deadly force.

The more encounters we as police initiate, the more opportunity there is for hostility, and the less likely it is that people will trust us when we need them the most. If people don't trust us, they won't serve as witnesses and they won't come forward with information. That means we can't do our jobs.

Prohibitions and flavor bans, including menthol, will not only lead to overcriminalization, but will result in growing an already robust illicit market and increase the influx of dangerous, unregulated substitutes which negatively impact public health. Illicit marketers and traffickers will not care about age restrictions.

Over the past 30 years, we have reduced tobacco consumption overall across this country by about 40 percent. Education and treatment work. Young people are less likely to smoke if they get open, honest health information and tools to deal with peer pressure. Adults who struggle with smoking addiction are more likely to make healthier decisions when they have access to counseling, treatment, smoking cessation aids and are helped to develop stress management skills. We

The BLEA would welcome the opportunity for positive, realistic, solutions-oriented dialogue with supporters of a menthol ban – public health professionals, law enforcement officials, community leaders, and civil rights activists

As the Senate Finance Committee debates implementing tobacco flavor bans including menthol, it is important to make note of the unintended consequences and past failures of bans and prohibitions.

Failing to consider how prohibitions and bans have had a negative impact on marginalized communities does a disservice to those communities and the police officers tasked with enforcing the law.

The BLEA urges the members of the Maryland Senate Finance Committee to consider the disastrous consequences of past bans and prohibitions, especially on communities of color, as they consider these new proposals.

Respectfully submitted,

**Ronald E. Hampton
February 12, 2020**