



January 25, 2021

Maryland Senate Finance Committee  
SB 0177

Unfavorable: Written Testimony

Dear Senate Finance Committee Members:

I am writing to address my concerns in reference to Senate Bill 0177: Business Regulation- Flavored Tobacco Products- Prohibition being considered which includes menthol cigarettes in the proposed ban on flavored tobacco products, which supposedly focuses on youth tobacco use (vaping) especially, but lumps menthol cigarettes into this array of regulations.

As Pastor of a congregation and a community leader, it is my moral duty to examine prospective laws to ensure they will serve the greater good for my congregation and the rest of the communities where they are enforced. As Martin Luther King, Jr. once said, "In the end, for laws to be obeyed, men must believe they are right."

I fully support Senator Mary Washington's efforts to reduce the use of tobacco, by our children, however, I am concerned that the proposed ban is currently written broadly and could impose unintentional consequences that disproportionately criminalize African American adults, other people of color, mentally ill and the homeless in my community.

The inclusion of menthol cigarettes in the proposed ban disproportionately criminalizes African Americans, other people of color, the poor and includes some obvious, but hopefully unintended consequences. Menthol cigarettes only make up 1/3 of the current market, **yet 80% of African Americans in the U.S. along with large numbers of people of color and the poor who smoke cigarettes, smoke menthol cigarettes.** Thus, the proposed ban of menthol cigarettes disproportionately punishes and stigmatizes African American smokers, other people of color and the poor. As a Pastor of a congregation that believes and practices healthy living and healthy lifestyles I am by no means condoning the use of cigarettes for Health concerns.

A menthol ban would also create increased interaction between law enforcement and members of our community. You must understand, my genuine concern as we continue to fight for police accountability when working with the African American community, other people of color and the poor, **if you don't ban all cigarettes you really shouldn't ban any.**

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With high profile cases such as Eric Gardner who died at the hands of an officer for selling a loose cigarette, it is imperative that we do not support laws that may increase police interaction. AGAIN, *I in no way support the use of tobacco*. I do however, ask you to carefully review the proposed ban so that it does not create more problems than it solves. We must educate our children and provide examples for them to follow. As a former smoker I know the burden of this habit and it was my family's prayers and support that enabled me to overcome this habit before it destroyed my health. Education is important to reduce tobacco use, but criminalizing it is also not healthy for the community.

Walking In Kingdom Destiny,

***Regina M. Clay***

Pastor Regina M. Clay  
Life Change AME Church