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SB177

Senators.

I am writing to oppose Senate Bill 177 to ban all flavored tobacco products.

I encourage you to consider the ACLU's position on tobacco prohibition: "Blanket prohibition on menthol and flavored tobacco products will disproportionately impact minority communities, trigger criminal penalties - prioritizing criminalization over public health and harm reduction, and instigate unconstitutional policing and other negative interactions with law enforcement."

The death of Eric Garner in 2014 generated national attention not only for the brutality he experienced at the hands of NYPD police, but for the reason that led to the encounter with law enforcement. Mr. Garner died from an illegal chokehold having been stopped by police for selling single cigarettes in violation of state law. Gwendolyn Carr, Eric Garner's mother, cautions: "When you ban a product sold mostly in Black communities, you must consider the reality of what will happen to that very same overrepresented community in the criminal justice system."

Recent history shows us that drug prohibitions and bans increase negative interactions between law enforcement and people of color. The New York Police Department's (NYPD) stop and frisk program resulted in nearly 700,000 stops in 2011, with drugs serving as the alleged pretext for most of those stops. Ninety percent of those stops were of Black and Latinx people.

I am concerned that law enforcement's attempts to enforce a menthol and flavored tobacco ban will undoubtedly lead to increased fines, arrests, incarceration, and police brutality against already overrepresented communities within the criminal justice system in Maryland.

Thank you and please vote NO against prohibition and increasing a need for police presence in Maryland.

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