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**Mission:** To improve public health in Maryland through education and advocacy **Vision:** Healthy Marylanders living in Healthy Communities

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**SB 222 Baltimore City – Board of License Commissioners – Licensee Hours of Operation**

**Hearing Date: 3/4/22**

**Committee: EHEA**

**Position: Favorable**

Thank you, Chairman Pinsky, Vice-chair Kagan, and members of the Education, Health, and Environmental Affairs Committee for holding this hearing on SB 222, an emergency bill reducing the hours of sales for certain establishments in an approximately two block area in Baltimore City. The Maryland Public Health Association’s Alcohol, Tobacco & Cannabis Network supports the effort being made through this bill.

This strategy of decreasing hours of sales is not only supported by the scientific literature,<sup>1</sup> but also supported by legislation introduced by Senator Cory McCray and passed in 2020 to reduce the hours of sales in a targeted high crime area from 20 hours per day to 13. They initially saw a 50% reduction in homicides and 200% decrease in violent crime. Read here: <https://afro.com/commentary-want-to-reduce-crime-challenge-the-status-quo/>

Given the city’s success in using a targeted approach to reducing violent crime through a reduction in hours of sales and alignment with the scientific literature, we ask the committee for a favorable report on SB 222.

*The Maryland Public Health Association (MdPHA) is a nonprofit, statewide organization of public health professionals dedicated to improving the lives of all Marylanders through education, advocacy, and collaboration. We support public policies consistent with our vision of healthy Marylanders living in healthy, equitable, communities. MdPHA is the state affiliate of the American Public Health Association, a nearly 145-year-old professional organization dedicated to improving population health and reducing the health disparities that plague our state and our nation.*

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<sup>1</sup> Sherk A et al. Alcohol consumption and the physical availability of take-away alcohol: Systematic reviews and meta-analyses of the days and hours of sale and outlet density. *JSAD*. 2018;79(1): 58-67.

**BFerguson SB 222 - The Block - EHEA Testimony.pdf**

Uploaded by: Senate President Bill Ferguson

Position: FAV



*The Senate of Maryland*  
ANNAPOLIS, MARYLAND 21401-1991

**SB 222 - Baltimore City - Board of License Commissioners - Licensee Hours of Operation**

Testimony of Senate President Bill Ferguson

On March 4, 2022

Before the Education, Health, and Environmental Affairs Committee

I respectfully urge the Committee to support Senate Bill 222, a 46th District Delegation effort to curtail the concentration of violence stemming from establishments operating on “The Block” in Downtown Baltimore City.

As amended, Senate Bill 222 reflects negotiations with the impacted businesses by:

1. Requiring the license holders to install external cameras on the outside of their establishments (including covering entryways and exits) with the stipulation that they provide footage to the Baltimore Police Department (BPD) at their request, like all Class A license holders in the City.
2. Allowing the businesses to resume normal operating hours after submitting a security plan (annually) to the Board of Baltimore City Liquor License Commissioners (BLLC) that they approve in consultation with the BPD and includes:
  - Hiring of security personnel during all hours of operation;
    - If it is a third-party security company, the contractor must have a “guard card.”
    - If it is a direct employee of the club, identifying information on all security personnel must be submitted to the BPD on a quarterly basis.
  - The placement of that security personnel inside and immediately outside of the licensed premises (e.g. at the door);
  - Procedures for securing the establishment and each entryway into the establishment including the use of a metal detector;
  - A plan for communication between that security company and the BPD; and
  - A plan for not exceeding a capacity limit for the premises as determined by the Baltimore City Fire Marshal; and
  - After the first year, an evaluation of adherence to the previous year’s security plan.
3. Removing the provision making it emergency legislation and setting a July 1 enactment date to provide the businesses sufficient time to submit that security plan and have it approved.

4. Requiring the Downtown Partnership of Baltimore (DPOB) to enter into a contract to hire two police officers three (3) nights per week (Th, F, Sa) at peak hours to offset the current deployment by the BPD Central District.

The ongoing violence in Baltimore City must be an urgent priority and Delegates Clippinger, Lewis, Lierman, and I are committed to doing everything in our power to address it. The violence in and emanating from establishments located on “The Block” drastically increased in 2021 and we were approached by the Baltimore Police Department, Councilman Costello, and the Downtown Partnership of Baltimore about taking legislative action to mitigate further violent crime since the State is responsible for regulating liquor and adult entertainment licenses.

In 2021 alone, “The Block,” an area that is approximately 0.01 sq. mi. experienced 9 shootings resulting in 12 victims, 17 robberies, and 19 aggravated assaults. Of those incidents, 64% took place between 10 p.m. and 3 a.m., including 67% of the shootings, 76% of the robberies, and 53% of the aggravated assaults. We know there is a strong correlation between excessive levels of alcohol consumption in that area and the aforementioned violent crime.

Compounding the problem, the businesses operating on “The Block” are taking grossly inadequate precautions and safety measures, including actively allowing individuals with illegal firearms into their establishments. As a result of that uptick in violence, roughly half of the BPD’s Central District deployment is dedicated to “The Block” on any given night. This means an inequitable amount of police resources are dedicated to two square blocks of Baltimore’s Downtown community, depriving the rest of the Central District of vital patrol deployments.

The BPD’s Central District has repeatedly attempted to work with the businesses located on “The Block” in an effort to implement effective violence mitigation strategies, most recently in September of 2021. The potential actions included adhering to an earlier and stricter last call policy so individuals are not ordering multiple drinks per person that exacerbates the issue of excessive intoxication; and equipping security with metal detector wands and screening patrons to ensure firearms and/or knives are not entering the clubs.

None of those measures were implemented and the business owners have demonstrated no willingness to work with the BPD to prevent the repeated and predictable violence. That lack of partnership distinguishes “The Block” from other entertainment districts in Baltimore City (e.g. Fells Point) that have experienced violence and taken proactive measures to protect patrons and staff. Examples of those actions include:

- [Fells Point bars closing early on Halloween in 2017 after violence the preceding year](#);
- [Fells Point bars again closing early on Halloween in 2020 to prevent similar issues](#); and
- Repeated and inclusive meetings with City and State agencies to address the violence resulting from illegal alcohol sales and gatherings in 2021.
  - See these stories from [WJZ13](#), [WBAL TV](#), and [Fox45](#).

The concentration of violent crime in “The Block” further distinguishes it from other entertainment districts. Data provided by the Baltimore Police Department for Fell’s Point and Canton, areas the business owners have stated are more dangerous than “The Block,” demonstrates those assertions to be untrue. In reality, “The Block” has a much higher concentration of violent crime when considering the fact that it’s only 0.01 square miles.

#### **Concentration of Violent Crime in “The Block” vs. Fell’s Point in 2021**

- Shootings: 45x higher
- Aggravated Assaults: 17.6x higher
- Robberies: 17.8x higher
  - \*When adjusting for approximate geographic area (0.01 sq. mi. versus 0.3 sq. mi.)

#### **Concentration of Violent Crime in “The Block” vs. Canton in 2021**

- Shootings: 540x higher
- Aggravated Assaults: 37.8x higher
- Robberies: 71.3x higher
  - \*When adjusting for approximate geographic area (0.01 sq. mi. versus 0.6 sq. mi.)

Thank you for your consideration of Senate Bill 222 and I urge the committee to move this bill with a favorable report as amended.

**SB 222 - Baltimore City - Board of License Commissioners - Licensee Hours of Operation**

Testimony of Alexa Milanytch Downtown Baltimore City Resident

On March 4, 2022

Before the Education, Health, and Environmental Affairs Committee

Thank you for the opportunity to voice my support of Senate Bill 222.

I am a Downtown Baltimore City resident and property owner at 414 Water Street, a 312 unit condominium which borders "The Block." We are the people who are here after the 9-5 rush.

Issues in and stemming from "The Block" make living in the area increasingly unpleasant, undesirable, and unsafe. We want to sleep through the night, take our dogs out for walks, and feel proud of the area where we live.

"The Block's" existence has caused a sharp uptick in violent crime, public nuisance, and lewd behavior. Despite a large deployment of police officers on any given night, the issues have continued unabated and only escalated over the last year, especially after 9:00 p.m.

414 resident Jim Welkos shares that after 8 years, he is considering selling his unit (at a loss) and leaving the city. He points to sleepless nights due to the rowdiness of the Block, including gunshots heard in the early mornings. He has witnessed public urination, defecation, prostitution, and open drug transactions. His family and friends are reluctant to visit him.

My neighbors and I have immense concerns surrounding our safety late at night because of the large crowds that do not adhere to police instructions. 414 resident Robyn Brandenburg said that departing patrons often drive recklessly by speeding and running "STOP" signs at crosswalks and intersections.

The parking garage that we use has also become unpleasant late at night. 414 resident Clement Chan drives to the entrance on Gay Street to avoid any conflict or harassment off of Custom House Avenue. My car has been broken into twice, and while it is hard to create a direct causal link to "The Block," the sense of lawlessness certainly contributes to an environment where crimes of opportunity are only more frequent.

I moved here for the job, and I love this city. I invest my free time in causes to improve downtown, including City Center Residents Association, Historic Charles Street Association, and most recently Downtown Partnership of Baltimore, and the 414 Water Street HOA.

Everyone deserves to feel safe in and around their home. I am in full support of the Block closing at 10pm each night in order to create a pleasant, desirable, and safe place for people who work, live, and visit downtown. We have witnessed the decline of the area, yet imagine the area's potential. I look forward to the day when we enjoy living on OUR block, instead of avoiding THE Block.

Thank you for your time.

Alexa Milanytch  
414 Water Street

**Testimony of Susan Carlin:**

I am in total support of SB 222 (Requiring Establishments On The Block To Close By 10 p.m.).

My main concern is the amount of crime that is happening near our homes at 414 Water St., Baltimore, MD 21202.

My unit overlooks Custom House Ave. and despite living with a hearing loss, I still awaken to the sound of gunshots. With 821 calls for police in just 1 block of the city in 2021, that pulls resources away from other areas within the central district. How many other calls in our district requesting emergency services went unanswered or were seriously delayed due to those resources having to "babysit" The Block?

I know the business owners are asking why this proposed emergency bill is only targeting The Block and not other areas of the city with entertainment and reported crime. The Block business owners have not done a good job of working with the Police whereas business owners in other areas of the city have worked with the Police to lessen violence. In some cases, business owners have chosen to close earlier in the evenings for the safety of their staff and customers. The Block should also.

I do hope this emergency bill is passed in the Senate and a matching bill in the house.

Thank you,

Susan (Sue) Carlin  
Resident at 414 Water St. Condominiums

### **Testimony of Lindsey Lauder:**

I am writing in regards to the proposal by Bill Ferguson to make the closing hours of The Block 10pm. I live on Gay and Lombard Street, and there have been a number of times when I've looked north and seen yellow tape and heard sirens. There is a Fish and Chicken restaurant there that I tried walking to for a friend, and a car kept yelling at me and I had to turn back.

I have also driven for Lyft, and always tell out of town passengers from the airport about the city. I never lie, but knowing the area I always feel bad for the visitors at Staybridge Suites, which is really nice. I tell them to only go toward the Harbor.

As a resident of the area and proponent for reducing violence in the city, I would definitely feel much safer if the hours were reduced to 10pm.

There is national evidence that crime exponentially increases in areas like this. Chez Joey has been known nationwide for being the site of some of the most unbelievably gruesome crimes and a hotbed for drug dealers.

I am fully a proponent of not prosecuting smaller crimes of drug use and prostitution as an avenue for hope and recovery, but fully believe that this area magnifies and enhances the problem at hand, does not guide our city towards it's goals, and does not helps our citizens.

Thank you for your time.

Lindsey Lauder

## Testimony of Ryan Ariosa, Missy Ariosa, and Juanita Mason

Imagine buying your first home (in my case a condo) and not being able to walk in your backyard because of the fear you have of being attacked or mugged. That's my current reality. I am a 6'4", physically fit man, so you can imagine what that means for my wife, 79 year old Mother-in-law and our future adopted child that we will be bringing home this summer. Not only is there human trafficking happening within/around these establishments (eye witness and second hand testimonial accounts) but I have been an eye-witness to numerous drug deals and even walked by a group of individuals smoking crack next to my building recently.

During the warmer months, especially during summer weekends, the scene becomes an illegal block-party where cops can do little but block off in-coming traffic. It's actually quite scary and violent down there with fights and (more recently) gun fire can be heard throughout the night and especially after "closing time" which can be anywhere from 2-4 a.m. I can't count the times I've been woken up at 3am to cars doing donuts or large group fights happening on Custom House Ave. These "businesses" don't care about their community, for example the same event promotion has been running across the marquee of the Hustler club for over two years now.

I've been living at 414 Water for close to 7 years now and my wife has lived here for 13, we have never seen any investment by any of the clubs to improve the facade of their buildings or help promote a clean environment around them. It's the opposite, it's a rat-ridden, trash filled cesspool with homeless addicts and prostitutes wondering freely. It sounds like I'm a crotchety, old complainer but I'm not exaggerating and I ask anyone who doubts me to spend a few nights there and tell me your opinion. The businesses care about making money off of vulnerable individuals and so will want to continue the status quo because it benefits their bottom line. The price you pay for continuing the status quo is a deterioration of the current push to move back to the city and a loss of tourism to the Inner Harbor because of the crime that perpetuates from "The block".

Thank you,  
Ryan Ariosa, Missy Ariosa, and Juanita Mason

## Testimony of Gerold M. Wong:

My name is Gerald Matthew Wong. I am a resident of 414 Water Street in Baltimore City. My condo building is bordered by Custom House Avenue, Water Street, and Gay Street, half a block away from the Block that is the subject of this email. My second bedroom has a window facing north with a partial view of Custom House Avenue and one of the strip joints.

I moved to 414 Water in 2017 knowing fully about what the Block was about, but thought that it was not as bad as what I have heard and read. I was naïve and wrong. While I don't regret moving (for now, the positives of living in Baltimore outweigh the negatives), I am compelled to work to support anything that can improve the situation with the Block.

Over the past four years of living in 414 Water, I have experienced these situations:

- Gun shots and subsequent sirens late at night or just after midnight from or around the intersection of Custom House Avenue and Baltimore Street;
- Fights and police barricades while walking back to my condo building at night (after 10 pm); and
- Noise at night from people shouting, cars and motorcycles revving, and other commotions.

Here is the gist of it:

1. The Block has made me fearful of doing what everyone should be able to do: walk around my neighborhood at night.
2. The issue here is with the safety and crime of Baltimore City's citizens around the Block that is borne out by the statistics and supporting data provided by Police Commissioner Harrison--not to mention my personal experience described above.
3. We all know for certain that the level of crime will increase if nothing is done. Commissioner Harrison has provided evidence of this with his data.
4. The businesses on the Block have forfeited their right to protest the proposed legislation by neglecting to take their own actions to address the crime and safety concerns of their neighborhood/community.

No one should be fearful living in his/her home neighborhood.

Thank you.

Regards,  
Gerald M. Wong

## Testimony of Jim Welkos:

Hi Alexa.

Thank you for participating in the Friday morning meeting on Bill 222 and representing the 414 Water Street Residential Condominiums. As you know, I sold my 3 bedroom home in Carroll County in 2014 to take a try at downtown living. While I knew the location of the block at that time, it didn't sway my decision. I have to say, however, after almost 8 years of living with it literally below me, I'm honestly considering selling my unit (at a loss) and leaving the city. I've had many, many sleepless nights with the extremely loud music, screaming, noise, cars burning rubber in the middle of Baltimore Street, and yes, more times than I care to count, gun shots just below me in the early hours of the morning. There have been numerous occasions of violence and shootings literally right there below us! I also cannot tell you how many times I have witnessed public urination, defecation, prostitution and open drug transactions. My family and friends always have reluctance coming to visit me.

As it gets worse with no end in sight, It angers me to know end that I've lost value on my property in 8 short years, let alone leaving a very safe place where I had more land and square footage for ½ the real estate taxes. I hope this Bill passes or there may be many of us in our building who feel there is no way out but to leave the city.

Thanks again for your support!

Jim Welkos

**Testimony of Carole R. Kassem:**

I am a resident at 414 Water Street, 29th floor. Perhaps you are thinking that 29 floors is peaceful and quiet and easy living. This is 100% not true at all because my condo faces "the block". The noise from the public and vehicles and radios and cars and motorcycles racing is so very loud that it actually reaches my level to the point that when my grandson sleeps over I had to buy a noise cancelling device. So you determine the volume that is on the levels below and the street level. Unbelievable!!

Regarding safety, do I feel safe because of the block...no I do not. I have witnessed many many situations that were scary and dangerous and in addition, the debris that is left all over my street and the surrounding streets attests to this (the smell, the needles, prophylactics, feces, homeless, derelicts). Again, when I have my grandson over, we are limited to staying home as his safety is my first concern and I do not want him to see "the seedy" part of town which unfortunately is right outside of my door.

Thank you ....

Carole R. Kassem

### **Testimony of Clement Chan:**

As many folks in our group had mentioned this before that the BLOCK has as much right as each one of us has – freedom of Entrepreneurship. But this kind of business is affecting the wellness of the residents at 414 Water Street Condominium as below examples:

At late evening or after midnight -

The loud motor-cycle exhaust-pipe noise.

The loud car-radio (or boombox) rap music.

The professional ladies argue/fight with their boyfriends or customers on the street.

Many (more than 30) by-standers are loitering on the street, and at the corner of Baltimore Street and Custom House Avenue, and at the parking lot next to our building's garage entrance.

This is also no respect to the Police Officers at the Police Headquarter which is only few yards away.

At night, even before 10 p.m. Personally, I don't like to drive in to 414 Water Street Condominium through the Custom House Avenue's garage entrance, but to drive around and to use the Gay Street's garage entrance instead in order to avoid any conflict or harassment.

I hope this information is helpful.

Please stay healthy and you take care.

Clement

### **Testimony of James Lee and Robyn Brandenburg:**

Specifically for us, our unit faces directly toward Baltimore St. The Block primarily impacts our quality of life during the warmer weather months when vehicles cruise around the area playing music very loud. Typically it occurs late into the night around 3am. Also, during those months the congregation of people outside, even after the establishments have closed, contribute to the loud noise late at night.

There are also issues on and around Water Street with patrons that attend the businesses on The Block. Street parking becomes very congested during operating business hours. Vehicles are often parked on sidewalks and in spaces that are prohibited. Patrons leaving the area after the businesses have closed often drive recklessly by speeding and running "STOP" signs at crosswalks and intersections. Patrons also end up loitering around the front entrance of the building on Water St. Some have even tried to enter our lobby to use the building restroom.

We have not had any direct issues concerning our safety, but we do find it difficult to feel relaxed and comfortable in our home.

However, we do understand that The Block is comprised of owners that should have a right to operate their business for entrepreneurship. That right should not be limited based on the actions of patrons that exit their establishment. The primary issues stem from the patrons that loiter outside the establishments during and after business hours. We should seek specific solutions that mitigate those problems.

James Lee & Robyn Brandenburg  
414 Water Street

**SB 222 - Baltimore City - Board of License Commissioners - Licensee Hours of Operation**

Testimony of Khaled Said, Owner of Staybridge Suites Inner Harbor Baltimore  
(17 Commerce Street, Baltimore MD 21202)

On March 4, 2022

Before the Education, Health, and Environmental Affairs Committee

Chair Pinsky and members of the Senate Education, Health, and Environmental Affairs Committee:

I am writing in support of Senate Bill 222 to address the violence and community disruptions caused by establishments on "The Block." Here is a brief testimony on what we are facing as a business in the Neighborhood (Staybridge Suites Inner Harbor Baltimore on 17 Commerce Street, Baltimore MD 21202);

1. We bought this seven years abandon building and converted it to state of the art \$23 Million Hotel. We generate jobs, revenues, and Millions in taxes.
2. We are in a time now where the business is slow and it is hard to find employees. We are in jeopardy of losing the business due to the loss of both customers and employees being worried for their life, safety, and comfort (witnessing stabbing, harassments and misbehaving acts) because of the following reasons;
  - The clubs' crowd after 10:00 p.m. is way out of control and the clubs are failing the community and the neighborhood in maintaining decent consideration for the neighborhood minimum requirements of respect, safety and comfort that any neighborhood would seek.
  - Everyday guests complain of the lack of comfort and sleep because of the noise generated by the clubs' crowd, and from drunks yelling to fist fights to car horns during the massive club's check outs at 2:00 a.m.
  - Also, the new trends of having trucks and bikes with huge speakers with loud music and girls dancing on the street in-front of the clubs after 10.00 PM to the early hours.
  - Staff are fed up with cleaning behind the crowd, including human waste (urine & feces) around the hotel witnessing drunks and intoxicated crowds doing this around the hotel, becoming a severe health hazard.
  - The loitering around the hotel that the staff has to clean as well as the walls graffiti on the hotel walls after leaving the clubs.
  - The fist fights in-front of the hotel and selling of drugs in our valet zone cannot be addressed anymore by the hotel staff due to aggressive behaviors from the crowd.

3. The Investors are worried to invest in the City again, observing the fall of the asset value due to continuous drop in business and bad reputation of the surrounding area activities and the lack of regulation to maintain peace, comfort and safety to the neighborhood.
4. If the hotel closed it will hurt 52 families' incomes and will hurt the city in millions in taxes, and the building will go back to be the hub of drugs and prostitution that will hurt as well the image of the inner harbor as a family destination.

Thank you and I respectfully urge the committee to give Senate Bill 222 a favorable report.

**SB 222\_Wirzberger\_favwam.pdf**

Uploaded by: Michelle Wirzberger

Position: FWA



**Brandon M. Scott**  
Mayor

# BALTIMORE POLICE DEPARTMENT



**Michael S. Harrison**  
Police Commissioner

TO: The Honorable Members of the Senate Education, Health and Environmental Affairs Committee

FROM: Michelle Wirzberger, Esq., Director of Government Affairs, Baltimore Police Dept.

RE: **Senate Bill 222 Baltimore City – Board of License Commissioners – Licensee Hours of Operation**

DATE: March 4, 2022

**POSITION: SUPPORT WITH AMENDMENT**

Chair Pinsky, Vice-Chair Kagan and members of the Committee, please be advised that the Baltimore Police Department **supports with amendment** Senate Bill 222.

This bill is for the purpose of mandating that holders of class A, BD-7 and Adult Entertainment licenses within the area known as “The Block” close at 10:00 pm.

The Baltimore Police Department supports this bill with the recognition that it will provide one tool towards accomplishing our public safety goals. Partnership with businesses are critical to Crime Prevention Through Environmental Design and other Community Policing strategies — approaches that are incorporated throughout BPD’s crime plan. Research has shown that policies addressing certain business practices, such as the sale of alcohol or improving facades and camera coverage, can help to reduce crime. For that reason, BPD has previously supported legislation that would improve these types of business practices.

None of those bills were panaceas but we found them to be extremely helpful. Similarly, this bill will not address every or even most issues we as a Department faces. In fact, it won’t even address all of the issues we face on the Block. What it will do is reduce the opportunity for crime to occur by limiting the number of hours in which large amounts of people (some highly intoxicated) are spending in a very dense and congested area. Moreover, it will significantly reduce the amount of police resources that will be required on a daily basis to maintain a minimum amount of safety in that area.

The Central District has for years tried to work with the business owners of the Block to try to create safer conditions. Yet the deployment in this geography continues to be resource intensive. In addition to the disproportionate amount of resources that the Central District must dedicate to the area, often units from other parts of the city must be redeployed to the Block to ensure patrons’ safety as they are exiting the clubs.

It is our understanding that the 46<sup>th</sup> Delegation and the affected business owners have come to an agreement on a series of amendments that will make the bill less onerous for those businesses opting to comply with a series of requirements intended to ensure that they are taking proactive steps to mitigate the amount of negative and/or disruptive activity in and around the establishments. For instance, those who wish to remain open past 10 pm must submit an annual security plan that includes a number of provisions including the hiring of security personnel to be present at the licensed premises during all hours of operation; developing a plan for communication between the establishment and the BPD; providing the BPD with certain information about all of their security personnel on a quarterly basis; installation and maintenance of security cameras that have the capacity to record; retention of video from such cameras for at least 14 days; and production of footage when requested by the Baltimore Police Department. Moreover, the Board of Liquor Licensed Establishments will consider whether the establishment's management/ownership complied with the previous year's security plan when determining whether to approve the subsequent plan.

For these reasons, the BPD respectfully requests a **favorable with amendment report** on SB 222. Thank you for allowing us to comment on this important piece of legislation. If you should have any questions, feel free to reach me at [michelle.wirzberger@baltimorepolice.org](mailto:michelle.wirzberger@baltimorepolice.org) or via telephone at 443-915-3155.