



**Environmental Permits - Requirements for Public Participation and Impact and Burden Analyses (Cumulative Harms to Environmental Restoration for Improving Shared Health - CHERISH Our Communities Act)**

TO: Honorable Chair Korman and Members of the Committee

FROM: Trina Selden, Executive Director for Out for Justice

March 7, 2025

Out For Justices sincerely urges the committee to submit a favorable report on HB1484, **The CHERISH ACT**. As an organization that has long advocated for the rights and dignity of individuals impacted by the criminal justice system, **Out For Justice** proudly stands at the intersection of **environmental justice** and **criminal justice reform**. The carceral system and environmental injustice are not separate, isolated issues. They are inextricably linked, particularly for impoverished communities of color, and, more specifically, Black communities. We understand the carceral community is a **frontline environmental justice community**. Black and Brown individuals who have been criminalized—especially those from within Baltimore’s Black Butterfly neighborhoods—often face compounded environmental hazards, both within and outside the prison walls.

For years, we have witnessed how systemic issues of **environmental racism** intersect with **mass incarceration**, perpetuating cycles of harm. Incarcerated individuals and those under supervision are often subjected to living conditions that expose them to dangerous pollutants, poor air and water quality, and inadequate waste management. **For the past 2 years, our fellows learned firsthand how the incinerator, lead, and other EJ concerns impact their daily lives. Their direct experiences and outcomes from the fellowship highlight the intersection between criminal justice and environmental justice.** These conditions not only harm their physical health but also limit their opportunities for rehabilitation and reintegration into society. This intersection is especially prevalent in Maryland, where the overrepresentation of Black people, particularly Black Baltimoreans, in the criminal justice system highlights a persistent racial disparity that cannot be ignored.

The overrepresentation of Black Marylanders—especially Black Baltimoreans—within the criminal justice system compounds the struggles of environmental injustice. Baltimore is home to some of the state's most contaminated areas, with high rates of industrial pollution, inadequate housing, and diminished public health resources. The CHERISH Act does two critical things: allows MDE to reject or alter environmental permits based on an environmental justice (EJ) score, which is based on current pollution levels, community health, and the demographics of a community and requires facilities that are granted permits to pay into a Cumulative Impacts Mitigation Fund Agreement aimed at addressing health issues the facility will cause. Below are some clear examples of communities that should not house anymore polluting facilities and should be remediated as quickly as possible:



Census tract 2504.02 in Baltimore City, which encompasses parts of Brooklyn Park and is adjacent to Cherry Hill, has a total EJ score in the 99.6% and a matching overburdened environmental subscore in the top 99%. The data from these 2 communities explicitly outlines how seriously overburdened some of our communities are. The effects of living in polluted communities can range from cancer, asthma, low birth weights in newborns, to daily discomfort. The BRESKO Trash Incinerator, CSX Terminal, Patapsco Wastewater Treatment, a variety of concrete and asphalt plants, Curtis Bay Energy Medical Waste Incinerator, petroleum terminals, landfills, and other facilities are all located within this strip of land. The communities here are overwhelmingly low-income and the majority of the inhabitants are residents of color. People living in this area are nearly guaranteed to have pollution-burden associated health outcomes.

Out For Justice firmly supports the **CHERISH ACT**. We believe that this act will help protect vulnerable populations and ensure that historically overburdened and underserved communities are no longer disproportionately impacted by both environmental harm and the collateral consequences of criminalization. The **CHERISH ACT** is an important step toward justice and healing for all communities, particularly for those who have long been overlooked and exploited.

We urge you to support this vital piece of legislation and continue to advance policies that reflect the true intersectionality of justice—environmental, racial, and criminal.

Thank you for your attention to this pressing issue.

Sincerely,  
**Trina Seldon**  
**Executive Director**  
*Out For Justice, Inc*