



LAW ENFORCEMENT ACTION PARTNERSHIP

ADVANCING JUSTICE AND PUBLIC SAFETY SOLUTIONS

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To: Shane E. Pendergrass, Chair
Joseline A. Pena-Melnyk, Vice Chair, and
Health and Government Operations Committee Members

From: Major Neill Franklin, Ret., on behalf of the
Law Enforcement Action Partnership (LEAP)

Favorable - House Bill 396

Public Health – Overdose and Infectious Disease Prevention Services
Program

Hearing: Thursday, March 11th, 2021, 1:30 p.m.

Distinguished members of the Committee, thank you very much for the opportunity to present the views of the Law Enforcement Action Partnership (LEAP) in support of House Bill 396.

The Law Enforcement Action Partnership's mission is to unite and mobilize the voice of law enforcement in support of drug policy and criminal justice reforms that will make communities safer by focusing law enforcement resources on the greatest threats to public safety, promoting alternatives to arrest and incarceration, addressing the root causes of crime, and working toward healing police-community relations.

“One of the most frustrating things about being in law enforcement is seeing the same people cycle in and out of the system day after day. Many are struggling with drug addiction, yet the police officers called to handle them do not have tools to deal with their root issues. They need support with mental and physical health problems, homelessness, and unemployment to break their addiction, but the criminal justice system's only tools are arrest and incarceration, which often make these problems worse. Though most people relapse repeatedly on their way to quitting for good, failing one drug test can cost them the help they need to quit. As a result, many people cannot stabilize their lives because they lose support right when they need

it the most. The Law Enforcement Action Partnership supports harm reduction programs, which help drug users survive their addictions and stabilize their lives rather than demanding that they quit before receiving any support.”

“In more than 100 locations across Europe, Canada, and Australia, injection-drug users bring their own drugs into Overdose Prevention Sites (OPS) and inject in the presence of medical staff. In more than two decades of OPS operation, no OPS user has ever died of overdose or contracted HIV or Hepatitis C due to needle-sharing in these facilities.”

These are two quotes directly from our website and as you can see, they speak specifically about how policing and incarceration are not the solutions to drug addiction; therefore, extremely problematic for police officers who recognize the medical needs for those addicted. The second quote makes reference to the successes of more than 100 locations across Europe, Canada and Australia. These facilities are one of the many reasons for such low overdose death rates throughout European countries when compared to the United States.

I have served in three Maryland police agencies as a commander; the Maryland State Police as the northeast regional commander for the Bureau of Drug and Criminal Enforcement, the Baltimore Police Department as the Chief of human resources and head of training, and the Maryland Transit Administration as the head of Investigation Services, which included drug enforcement. Over my thirty-four-year career, I was responsible for the arrest and jailing of hundreds, if not thousands, of Maryland citizens for low-level drug possession charges. Undoubtedly, most of these arrests were of people suffering from addiction.

For five decades we have been attempting to solve a public health condition with criminal justice tactics and it should be no surprise that we have failed dramatically. While other countries have turned the corner toward health-centered policies, we continue persecuting drug users, driving them deeper and deeper into the shadows of despair and solitude. It is well beyond time for us to begin removing the stigma of criminalization from those addicted to drugs.

About seven years ago I had the pleasure of visiting Vancouver's Overdose Prevention Site, "Insite." During my day-long visit I toured the facility and the surrounding community, and I was extremely surprised at what I saw and who I met. I saw clean alleys with "Sharps" containers on poles. I saw literature next to those containers advising people of dangerous heroin laced with problematic "cut." And I saw police officers interacting with obvious drug users in a cordial helpful manner.

While touring Insite I met Ms. Pearl. Ms. Pearl was a gentle soul who had been addicted to heroin for many years. Prior to her having access to Insite, she was in and out of the hospital for many health concerns other than addiction overdose, a victim of violent crime many times over, and extremely depressed due to isolation. I spent a good portion of the day with Ms. Pearl, even watching her administer to herself a heroin injection.

Ms. Pearl now has hope. She has hope of one day being admitted to the bed treatment facility overtop of Insite, Onsite. She knows it will be a very difficult task, but she believes that with the support of Insite, she will succeed. It is the love and support from Insite that gives Ms. Pearl connection, and connection is what's needed the most in beating addiction, not incarceration and the isolation of stigma.

As a retired career police officer, I am also deeply concerned about the five decades of distracted policing. With a well-financed drug enforcement agenda, at the courtesy of our federal government, local law enforcement has been pulled away from fighting violent crime and tending to the business of keeping people safe. We have migrated away from community policing principles and relationships, and to a place of fostering enormous rifts between police and community. The recent Department of Justice investigation concluded that the Baltimore Police Department engaged in hundreds of thousands of unconstitutional stops within the measured timeframe of the investigation. These unconstitutional stops were undoubtedly about our misguided thirst for arresting people possessing drugs, no matter how small the amount. The time has come for change.

It is for these reasons that we, members of the Law Enforcement Action Partnership, support HB 396 and ask that you, the members of this committee, give HB 396 a favorable report.

Sincerely,

Major Neill Franklin (Ret.)

Formerly with the Maryland State Police and Baltimore Police Departments
Executive Board Member, Law Enforcement Action Partnership