

Police criticize Conway attempt to limit powers

By DAVID NITKIN

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Baltimore police say a bill backed by several city senators would severely hinder efforts to crack down on problem social clubs and bars that cater to drug dealers and other criminals.

Sen. Joan Carter Conway, a Baltimore Democrat, is lead sponsor of legislation that would prohibit police from conducting investigations "of the type normally conducted by liquor board inspectors."

Conway's husband, Vernon Conway, is deputy chief liquor inspector in Baltimore, and the senator is the recipient of sizable campaign contributions from the liquor industry.

"This would probably more than tie our hands. It would cut our hands off," said Baltimore Police Commissioner Kevin P. Clark, in an interview. "The law-abiding citizen would be at risk even to walk past these places."

Despite objections from Clark and community groups, Conway's bill was approved by the Senate Education, Health and Environmental Affairs Committee last week, and could receive approval of the Senate today. Conway is vice chairwoman of the committee.

The senator said she introduced the bill because of a recent change in police strategy that steps up oversight of stores, social clubs and other locations with liquor licenses. The new police emphasis, she said, was usurping the authority of the city liquor board. The board employs her husband in a \$41,500-a-year supervisor's position.

It was also infringing on the rights of bar owners, she said. "Many people felt harassed. It was on the edge of violating their civil liberties," Conway said, adding that police shouldn't want to get involved in enforcement activities that are best left to liquor inspectors. "Why would you want to waste your time?"

A lawyer representing several store owners has accused police and other inspectors of "Gestapo-like" tactics. Attorney Gary R. Maslan won a court case last June when gun possession charges stemming from a raid

against the owner of Kay's Liquors were dismissed.

But Clark, the police commissioner, said neighborhood groups in Baltimore are asking for and deserve tougher enforcement of laws governing problem establishments.

Some stores, bars and halls have become "social clubs for criminals," the commissioner said. Police have teamed with city fire, health and housing inspectors for a joint approach that is clamping down on crime, he said.

The bill would limit the authority of police to enter clubs for inspections, although they would still be able to conduct traditional law-enforcement work.

In a letter sent to senators last week, Clark said, "No one, other than the bill's sponsor, supported this legislation either via written or personal testimony" at a hearing in late February. The letter was also signed by city Fire Chief William Goodwin, Baltimore Health Commissioner Peter L. Bellenson, Housing Commissioner Paul T. Graziano and city police union chief Daniel Fickus.

Conway said that police officers would not be prevented from doing their jobs if the legislation was approved. They could still arrest underage drinkers, she said. "Most people oppose the bill because they are buying into what the Police Department says about limiting their authority," she said. "All the hoopla about this bill is based on misinformation."

A letter from the attorney general's office, written at Conway's request, clarifies that if the bill passes, "police officers could still enter licensed premises if they first obtained a warrant and could enter those portions of the premises open to the public, during business hours, on the same basis as any member of the public."

The attorney general's office raised technical questions about another portion of the bill, however, which attempts to clarify whether having certain violations of liquor laws are criminal or civil offenses.

Conway said there is no problem with her sponsoring liquor board bills, even though her husband is an agency employee.

"If he was the only person [affected by the legislation], it might be a conflict," she said. "There are four city senators [as sponsors] on that bill. I'll take my name off. I don't perceive it as a conflict. People will come up with all kinds of things when they don't understand."

Conway's bill is also sponsored by three other city senators: Lisa A. Gladden, Nathaniel J. McFadden and Verna L. Jones.

On March 17, about six weeks after her bill was introduced, Conway wrote the Joint Committee on Legislative Ethics to disclose "an apparent or presumed conflict of interest" related to the legislation, noting that her husband was one of the city's 26 liquor inspectors.

In the submission, Conway said she thought the form had been sent on Feb. 9, but never went out because of a mix-up.

"The answer is yes, there is the appearance of a conflict, but there is the appearance of a conflict in an enormous number of things the legislature does," said William G. Somerville, the Assembly's ethics counsel. "In order to make the legislative process work, legislators are not prohibited from voting on bills, unless there is a significant and finely focused financial impact" that effects them directly, Somerville said.

Sun staff writer Ivan Penn contributed to this article.