

Circuit Court for Baltimore City

# Report of the Grand Jury



**May 2011 Term**

May 9, 2011 through September 9, 2011

# CIRCUIT COURT FOR BALTIMORE CITY

## Grand Jury Report May 2011 Term

The Honorable Martin P. Welch, Chief Judge  
The Honorable Marcella A. Holland, Administrative Judge  
The Honorable Althea M. Handy, Grand Jury Judge

Nancy M. Dennis, Jury Commissioner

### OFFICERS

Stewart Walker, Foreperson

Carolyn Della, Assistant Foreperson

Jean Smith, Secretary

Bradley Roth, Oath Clerk

Aaron Morris, Doorkeeper

Alisha Horowitz, Charge Committee Chairperson

Cedric Butler, Penal Committee Chairperson

### MEMBERS

Marylee Barnes

Erin Hatcher

Joyce Batty

Kelly Jarrett

Teya Boulware

Lawrence Kolankiewicz

Ellwood Brown

Kimberly Redditt

Rosanne Carey

Leslie Rowlett

Jerome Cohen

Christine Stewart

Sharon Crowder

Roberta Tunstall

Erin Halferty

## TABLE OF CONTENTS

<b>Statement of Grand Jury Foreperson</b> .....	1
<b>Charge to the Grand Jury</b> .....	8
<b>Charge Committee Report</b>	
Introduction .....	10
Description of Charge .....	11
Charge Committee's Approach .....	12
Challenges .....	13
Interview Observations and Findings .....	15
Fairness/Balance of the Media in Baltimore City .....	16
Discrepancy in Coverage of Crime .....	20
Impact of Media Coverage on Solving Crimes.....	21
Increasing Public Awareness.....	23
Observations of Television and Print News Coverage in Baltimore City .....	23
Recommendations .....	26
Conclusion .....	28
<b>Penal Committee Report</b>	
Legislative Empowerment of the Grand Jury.....	31
Charter Statement .....	31
Committee's Plan .....	31
Overview and Charge .....	31
Method Used to Refine Scope of Report .....	32
Resources Available to the Committee .....	32
Baltimore City Detention Center and Central Booking Intake Facility.....	33
Metropolitan Transition Center .....	34
Dismas House-West, Inc. ....	35
Recommendations and Closing .....	36

## Statement of Grand Jury Foreperson

As the end of this eventful four-month term of grand jury service approaches, one thing that each and every member of this body can wholeheartedly agree, is that this experience was a unique privilege. This assignment has been a most memorable and rewarding one and we were all fortunate to have been chosen for a task that afforded both an opportunity to gain rare insight into the workings of Baltimore City's criminal justice system, and an opportunity to serve a vital service to the citizens of Baltimore. None of us leaves here unchanged by this rather eye-opening experience and there's no doubt as we take our leave that serving the city in this capacity has been a distinct honor.

For some of us, being summonsed to serve our day on petit jury duty was something that inspired varying degrees of apprehension. With that in mind, you would think that the very idea of serving a term of 4 whole months on a grand jury would be one that would strike all but a few of us as rather an alarming proposition. Very few of us were even aware of the function of the grand jury prior to being selected for this task. Still, as we near the end of our term, what is striking is that so few of those who served are looking forward to its approaching conclusion.

At the outset of our term the members of this term's grand jury were informed that we were to become a vital part of an age old and constitutionally guaranteed process whereby prosecutors for the state would bring what evidence they have gathered against an individual to the 23 member grand jury for our consideration. As the impaneled representatives of the citizens of Baltimore City we would then have to weigh the evidence in each case presented and vote to determine whether there was enough probable cause for the state to indict each suspect so that the state could proceed to the prosecution of that individual.

We were also taught that the part we played in this process was a necessary protection against unlawful prosecution by the state and that we represented an essential step in assuring the passage of any indictment. The importance of this task was not one that was lost on any member of our panel as that importance was one that was stressed by each and every person with whom we dealt, from the assistant states attorneys, the police officers, witnesses and even the judges with whom we interacted during our term. One can think of very few instances where such an important public trust is afforded to ordinary citizens.

As our training commenced, senior representatives of the various units of the Baltimore City States Attorney's office prepared our group for what was ahead by introducing us to the elements of the law we would have to apply in executing our duties. Over the ensuing month, Grand Jury members were also given the opportunity to interact with and learn the functions and procedures of several other branches of the criminal justice system whose activities play important roles in the criminal cases that would be presented to us.

We were treated to outings that were part adventure, part learning opportunity through which we were all able to gain a great deal of valuable knowledge about the complexities of the system. The tours and lectures, while highly informative, were also the most exciting and memorable part of our term as we were given what can be considered rare access to areas normally unavailable to the public.

We were given a night tour of several precincts of Baltimore City, a visit to Police headquarters Watch Center where we were educated on the use of the city's numerous cameras in fighting crime in the Downtown Baltimore area as well as in other high crime areas. We also visited the police department's gun range where we were given instruction on police procedure regarding department regulation firearm use, and we were given an extensive lecture from the police narcotics detectives on everything to know about narcotics from the street terminology, to appearance, packaging, pricing, concealment, CDS arrest statistics, etc. Numerous questions arose during the narcotics lecture about the large volume of CDS arrests being made in this city on a monthly basis but it was also learned that many of the individuals arrested are often almost immediately returned to the streets where they are frequently rearrested on similar charges in what seemed a routine for both the police and individuals that are arrested.

Our group also toured the Baltimore City Detention Center and Central Booking and Facility and a tour of the State medical Examiner's office where we even got to observe the autopsies of those who died under questionable circumstances. We were also instructed by members of the police Forensic Lab (DNA, Firearms, Serology, Arson and Chemical/Drug Analysis) on their procedures and qualifications. We also enjoyed a rather informative presentation by members of the police department Gang Taskforce who are involved in combating the city's gang activity.

Perhaps our most interesting stop was our opportunity to meet with the City's top Cop and to discuss his department's ongoing efforts to turn the tide in the city's war on crime.

Baltimore City Police Commissioner Frederick Bealefeld, who met with the group and shared with us his plans to focus the department's efforts on targeting those criminals with guns who are responsible for the majority of the violence that plagues this city. His obvious passion for this campaign to make Baltimore City a safer place to live was not something that was lost on our group. Nor was the fact that he took the time from his undoubtedly busy schedule to be available to us as he emphasized that the grand jury played an important role in the changes his department hoped to achieve.

The fact that these representatives of the Police department, Medical Examiners' Office, Central Booking, States Attorney's office and Police Crime lab take the time to teach/entertain the grand jury in addition to the day to day requirements of each of those representative's respective duties (a task those departments undoubtedly must repeat 3 times each year to new grand juries) also brought home to us the importance of the role we played in the scheme of things.

Our sincere gratitude is therefore extended to the ladies and gentlemen of each of those departments and agencies for their dedication and service to the citizens of Baltimore City and for making time in their schedules to accommodate us. While there were no complaints and while we all found these activities to have been rewarding and informative, our Grand Jury members did suggest that one change for future juries should be a move to a more interactive, less lecture oriented tour of the Baltimore City Police Crime Lab as our members found the 3 and a half hour series of presentations could have been made much shorter. A simple walk through tour of each department accompanied by descriptions of their procedures, functions and accreditations was suggested by our members.

As foreperson of this term's grand jury, I feel that I was particularly fortunate to have been blessed to have been with such a charming group. Our members remained respectful of each other and maintained a considerate manner that made the experience one that was always enjoyable (I'm sure that our neighbor, the always genial Judge Shar, could attest to just how boisterous this group got at times). Our members dutifully braved 100 plus degree days and the inconvenience of downtown parking with no noticeable effect on their overall dispositions.

While we started out strangers, everyone quickly bonded and came to function as a courteous and responsible group. This helped to facilitate a smooth comfortable term that most of us seem to agree, went by far too quickly. This cross section of the city was also

representative of our city as it should work. Each member a hard working, contributing member of the community concerned with contributing to the city's proper functioning and continued health. Each individual's experiences and beliefs were represented and respected and contributed to the overall process. I would therefore extend my sincere gratitude to the other 22 members of this grand jury for their service. You each represent the best of Baltimore's citizenry and your willingness to be present, punctual and so pleasant was essential in ensuring that everything remained professional.

I am particularly pleased that, in carrying out our duties, each member of the May 2011 always acted with the necessary level of decorum. They chose to treat each matter brought before them with the gravity and degree of attention that each case warranted. The fact that the members were fully engaged and attentive was constantly demonstrated by the incisive and intelligent questions asked of the presenters. No case that was presented to our panel was ever treated as simply routine. Everyone present attempted to give each matter their full consideration before voting whether to indict. This amount of diligent, conscientious attitude towards our charge was one that we all believed any citizen deserved and should rightly be afforded when any charges are brought against them in court.

I would also note that despite the rather limited scope of our task (determining probable cause), our group's discussions between presentations reflected the concern that each member held for the continued well-being of our community. The fact that we could constructively discuss the complex issues brought up by the city's war on drugs, whether it was the concerns we all shared for the city's future with such pervasive drugs and violence, or conversely, concerns about issues of questionable search and seizure or the large numbers of the city's population routinely rounded up on narcotics distribution charges, demonstrated that each jury member considered the farther reaching ramifications of each case on our community.

To our officers who served in their respective posts so well during our term: Mr. Morris (Door Keeper), Mrs. Della (Asst foreperson), Mr. Roth(Oath Clerk) Mrs. Smith (Secretary) and Mrs.Tunstall(Asst. Secretary), your all essential in ensuring that things worked so smoothly everyday. I would also like to thank those members who stepped up and took it upon themselves to act in the capacity of our officers during those times that any of our officers were unavailable.

I would like to extend special thanks to Ms. Horowitz, chairperson of the Charge Committee, and to each and every one of the members of that committee for your efforts in

researching what turned out to be the most difficult of charges. At the outset of this term, the grand jury was charged with researching and composing a report on a particular issue of concern to the citizens of Baltimore. In this case, it was the unbalanced amount of attention often given by the news media to segments of the city's more affluent population while granting seemingly only passing mention to others in their reports on the murders and crime in Baltimore city. The charge committee was tasked with examining the practices that are responsible for these inequities, to come up with recommendations for correcting the perceived imbalances, and to clarify how these imbalances tend to affect the victims, families and the community's perception of the importance of what was reported based on the depth or dearth of information provided in those reports.

This report was almost derailed from the outset as members of the news media closed ranks fearing that this inquiry represented an attempt by the courts to infringe upon the constitutionally guaranteed independence of the fourth estate. Never mind the fact that this inquiry was being made by members of the selfsame citizenry our news media has always professed to represent. Whether they declined our invitations based on genuine concerns of constitutional issues or just concerns that any inquiries might unfavorably highlight inconsistencies in their practices, will remain unresolved questions. What we learned is that it is the job of the media to be the examiner and that there are very few avenues whereby the media and their practices can themselves be reviewed even under the guise a routine dialogue. For better or for worst, they are answerable solely to themselves and we are left only the hope that they chose to remain responsible in their charge.

Faced with this roadblock, and forced to work without the input of the very entity whose practices they were charged to study, Ms. Horowitz and her committee were have, none-the-less, done a fantastic job. Coming up with what perspective they could gather on this issue by exploring numerous other avenues. Their attached report and recommendations illustrates that while the news media may enjoy certain protections, it is up to those citizens concerned with their practices to not just be passive consumers who are accepting of everything that is being fed to them, but to exercise discernment and demand more of their print and broadcast media. The public must be the ones who continue to keeps them on point, holding them to task for any practices they find to be unfair.

The grand jury is also responsible for looking into the functioning of the local jails and detention centers. We are tasked with ensuring that they function in a manner that is humane to those who are entrusted to their care and reporting our observations of those facilities at the end of our term via the report. Our thanks are extended to the esteemed Mr. Butler (head of the ) and the members who visited several of our local facilities and have written a report on their observations in the attached report.

Before closing, I am told that this report, as with previous reports of the Grand Jury's that preceded our own dating as far back as the 1920's have been kept for posterity and that those reports have encompassed the concerns and observations of the respective eras of each of those grand juries. I would therefore be remiss if I did not use this opportunity to address an issue that is of importance to this term's grand jury.

The fact that Baltimore City has been plagued by an epidemic of drugs and violence isn't exactly secret. Twenty plus years of news coverage of the violence have spread this city's reputation rather far a-field. While recent reports indicate that there have been marked declines in both the crime and murder rate in this city (we currently stand at a twenty year low), what has been particularly disturbing during this grand jury's term is an image of our city painted and refined over months of cases that shows that there continues to exist a large number of individuals who exhibit a depraved lack of regard for human life, property, and the rule of law. These individuals are content to live and operate outside of society's laws, committing brazen crimes without thought of or fear of consequence and often in the presence of numerous witnesses and even in front of city watch cameras. What's worst is that these people are no strangers to this city's criminal justice system (their photo's are often available for witness identification) and have been emboldened over the years by the shortcomings that system.

I know that this information isn't exactly new, but it does highlight what needs to be done to correct the problem and clean up our city's image. The perspective I've gained over the past 4 month's endless parade of narcotics cases, drug cases where prohibited felons are caught in possession of firearms (doubtlessly) used in the facilitation of their illicit acts, armed robberies, senseless murders or attempted murders, etc, is that these crimes are for the most part committed by a few people who have no regard for anything but their own short sighted goals. These criminals prey on anyone they perceive as threats to their activities and any of those who were just unfortunate enough to cross their paths when they were in need of quick cash. They lack any

interest in contributing to society (outside of paying sales tax) and are content with a lifestyle whose only foreseeable outcome is death or imprisonment.

Even the most enlightened society must realize that the incarceration and removal of such individuals from our midst is necessary to ensure the safety and well-being of the majority. It is the fact that criminals in this city can continue to operate with such a selfish, self-serving and anti-social mindset and face little or no penalty for what should be reason for their expulsion, that causes the good, decent and productive people of this city to be held hostage and in fear for their safety. These individuals need to be made accountable for the crimes they perpetrate. To commit numerous crimes and to be returned to the street without facing sanction and long term incarceration for those crimes, rewards this behavior and will allow these few to continue to cause harm and continue to overshadow everything that is good in this city. Mass arrests make very little sense, but for those who are convicted of repeated crimes and have histories of violence to remain free to continue to cause harm, is dangerous to the fabric of our society.

Fortunately, the image of Baltimore's criminal justice system is balanced out by a few of the more positive things that were encountered in this term of service. The Assistant States Attorney's and police officers (undercover narcotics, homicide detectives etc) who remain dedicated and undaunted by what can sometimes appear a pointless, repetitive and sometimes fruitless quest in a city that seems determined to remain unchanged. The brave witnesses, citizens who surprisingly, come forward despite the risks to themselves and family in order to identify those responsible for so much of the suffering that afflicts this city. That witnesses are willing to come forward and identify someone when the victim of said crime won't is something that shows Baltimore is moving in a direction away from collective silence while murders roam committing their crimes with impunity.

For making this experience so very pleasant, I would like to thank both Ms. Diane Walker for her guidance and Mrs. Lillian Cannon for her patience with this term's Grand Jury. Also thanks to Commissioner Nancy Dennis for being available to the members of the Charge Committee during their interviews.

Sincerely,  
Stewart Walker  
Foreperson

# **Baltimore City Grand Jury**

**May 2011 Term**

## **Charge Committee**

Alisha Horowitz, Chairperson

Marylee Barnes

Joyce Batty

Teya Boulware

Ellwood Brown

Sharon McLean

Leslie Rowlett

Kimberly Redditt

Roberta Tunstall

**GRAND JURY CHARGE**  
**MAY 9, 2011**  
**JUDGE KENDRA Y. AUSBY**  
**CIRCUIT COURT FOR BALTIMORE CITY**

Your service is one of the most critical constitutional duties in the entire criminal justice system. You are embarking upon a role that constitutes one of the great traditions in our legal system. Deciding whether there is probable cause to charge someone with a crime must be done in a careful and conscientious manner. As such, the Grand Jury has merited and won the confidence of the public, and today I commend you for serving as a Grand Juror.

In addition to your role in determining who should be charged with criminal offenses, as Judge Handy explained, it is the tradition in Baltimore City that the Grand Jury studies and makes recommendations when requested to do so on a particular issue given to you at the beginning of the term.

Prior Grand Juries have explored a variety of issues and developed recommendations regarding varying topics, the effectiveness of child support enforcement methods, the benefits of the Baltimore City Juvenile Drug Program, and issues that affect our community's level of confidence in law enforcement to give you some examples.

The issue to which I commend to you this morning is the seemingly disparate media coverage of crimes involving victims in our city and the impact it may have on citywide efforts to decrease violence and injury. It appears that the amount of media coverage afforded to a particular case may be affected by the demographic of the victim. In many cases we read and hear media coverage of an incident multiple times per day, for several days, week, months and sometimes years. There is coverage from the scene of the crime, coverage of the victims' background, his or her family, colleagues, classmates, their community and neighborhood. There's coverage of the community where the crime occurred, the search for the defendant, his or her criminal history or background and often continued coverage of the ensuing criminal trial. This often spawns local politicians to speak publicly on the issues of safety in our city. This in turn unifies the citizens of the city to gather in efforts to forge change. The ultimate result is often, changes made in the community sometimes new legislation.

However, there are far many more cases where the media coverage is cursory at best. We often hear things like “two men were shot last night in the 100 block of Main Street, one was pronounced dead and the other is in critical condition at a local hospital, police are searching for the suspects.” And then we never hear anything else about the story, the victims, their families, their neighborhood, their colleagues or classmates, the suspects or the ensuing criminal trial.

Today, I charge you with investigating ways in which media coverage of crimes involving victims impacts the ability of the city to make address crime in the community. Specifically, I encourage you to investigate why certain cases are given so much coverage and others are not. I also charge you to investigate the impact each level of coverage on the community. For example, does more coverage tend to make the community care more and does less coverage tend to make the community care less. I encourage you to speak to each of the four major local television news outfits, the Baltimore Sun and the State’s Attorney’s Office’s Victim/Witness Unit. During your investigation, if I can be of any assistance, please contact me. Finally, I would ask that you report your findings and any recommendations that you may have. Thank you again for your service and I wish you much success in this important endeavor.

## CHARGE COMMITTEE REPORT

### Introduction/Overview

“They’re dead where it doesn’t count,” a quote from the fictional HBO series *The Wire* when a murder story is pulled from the *Baltimore Sun*’s front page. Many would argue that this statement reflects the current state of Baltimore’s print and television media coverage on crime. A person’s race, economic status and neighborhood all seem to play a part in whether a crime receives significant coverage, a mere mention or whether it makes the news at all. Little seems to have changed in the local media’s coverage of crime in Baltimore City since the publication in 1998 of the study “It’s a Crime: The Economic Impact of the Local TV News in Baltimore—A Study of Attitudes and Economics.” In fact, perhaps things are even more dire now with the increasingly fast-paced, deadline-driven environment, with print and television reporters scrambling to get a story out first. In the report, which was funded partially by the Abell Foundation, author Mark Crispin Miller wrote, “It is the desperate drive for ever-higher ratings that has transformed our every local newscast into a police gazette on video—a bad development for Baltimore, as it is for many other U.S. cities. There is a vast imbalance in our TV newscasts, which is itself far more alarming than those many crimes that local TV magnifies.”

An article by Justin Fenton appeared in the *Baltimore Sun* on Thursday, August 18, 2011, titled “MD Crime Rate Hits Record Low: Number fell 6.3% in 2010; violent crime down by 7.2%.” Fenton provides a well-researched look at the decrease in Maryland’s crime rate, which reached “a new low in the state’s per-capita incidence of violent and property offenses and mirroring a national trend.” Specifically for Baltimore City, the 2010 crime rate showed a decrease of 3.4%. Despite the findings in this article, citizens of Baltimore City would not know that crime is down based on the nightly television news reports or the daily newspaper articles.

In fact, one might come away with just the opposite sense based on the daily barrage of crime stories in both the local television and print media.

Following in the tradition of past Baltimore City grand juries, the May 2011 Charge Committee received a charge to study and to make relevant recommendations for change. In this term, the committee was asked to study the seemingly disparate media coverage of crimes involving victims in Baltimore City, and the impact it may have on citywide efforts to decrease violence and injury. The committee faced significant challenges in obtaining interviews for this study, which limited the scope of our findings. However, based on the interviews we did conduct, we found that media coverage of crime in Baltimore City is not balanced or fair, often giving a distorted view of crime in the city, and that changes need to be made to the current media landscape of our city.

The content of this report is organized as follows: a detailed description of the charge; an overview of the committee's planned approach; the challenges faced; observations and findings from interviews, broken down by specific questions raised; a summary of observations made by committee members of local television and print media coverage of crime; specific recommendations; and a conclusion.

## **Description of Charge**

In her charge, Judge Kendra Y. Ausby, Circuit Court for Baltimore City, stated that the amount of media coverage afforded to a particular case may be affected by the demographic of the victim. She described how in some cases, media coverage is extensive and may include significant information about the scene of the crime, the victim's background, his or her family, colleagues, classmates, community and neighborhood. Media may also cover the community

where the crime occurred, the search for the defendant, his or her criminal history or background and often continued coverage of the ensuing criminal trial. Such coverage may even inspire local politicians in certain instances to speak publicly on issues of safety in Baltimore City, which in turn may unify the citizens of the city to gather in efforts to forge change. The ultimate result is often changes made in the community, including new legislation in some cases.

However, the judge also stated that there are many more cases where media coverage is cursory at best, offering only minimal details about the crime with very little, if anything, about the victims, their families, neighborhood, colleagues or classmates, the suspects or ensuing criminal trial.

Judge Ausby encouraged the committee to investigate why certain cases are given so much coverage and others are not. She also charged the committee to investigate the impact each level of coverage has on the community. For example, does more coverage tend to make the community care more and does less coverage tend to make the community care less. She specifically encouraged committee members to speak to each of the four major local television news outfits, the *Baltimore Sun* and the State's Attorney's Office's Victim/Witness Unit.

### **Charge Committee's Approach**

With the above charge in mind, committee members met to determine its approach. As a group of nine members of Baltimore City, our Charge Committee reflects the city itself in its range of educational backgrounds, socioeconomic status and professional experience. Our committee was made up of a retired postmaster, a corrections officer, an MTA employee, two FBI employees, a postal employee, an employee of Maryland's unemployment benefits office, a marine pipefitter and an employee of Johns Hopkins University.

As an initial step, we identified appropriate entities to interview, which included the following: members of the media, including television and print; community members; State's Attorney's Victim/Witness Unit; community liaisons; staff from local foundations; a media expert from a local academic institution; Senators Mikulski and Cardin; Baltimore City Mayor; local politicians from city neighborhoods affected by crimes that have received significant media coverage; and the Police Department.

We contacted the news directors and crime reporters from the following local news stations: ABC2 News, FOX 45, WBAL-TV and WJZ. We also requested meetings with editors and reporters from print media, specifically from the *Baltimore Sun*, the *Baltimore Afro-American* and *City Paper*. In addition to these potential interviews—which we anticipated would form the core of our report—we decided to record our observations about local television and print media coverage of crime stories in Baltimore City over a specific time period.

Through the relevant interviews and our observations and findings from watching local news coverage, we expected to learn more about why some cases received significant media coverage and others did not—and to glean some of the reasons for this disparity. In addition, we planned through our interviews to explore the specific ways media coverage or lack of media coverage may have made a difference in reaching resolutions on particular cases. We also aimed to make recommendations to improve media coverage in Baltimore City based on what we learned.

## **Challenges**

The committee sent out requests for meetings with the following media: *City Paper*; the *Baltimore Afro-American*; the *Baltimore Sun*; ABC2 News, FOX 45, WBAL-TV and WJZ; a former newscaster for a local television affiliate; and a former reporter for the *Baltimore Sun*.

While a news editor and crime reporter from ABC2 News initially agreed to meet with the committee, the station's corporate counsel advised them against it so they rescinded. News of the Grand Jury's charge spread quickly among the media outlets and nearly all of the other media soon followed suit, declining our requests to meet.

At the same time, the Charge Committee found that it had become part of the local news itself when the *Baltimore Sun* published an article on June 17, 2011 by Tricia Bishop titled "Grand jury invites journalists to appear, Request causes stir among news media." The article discussed the Grand Jury's charge to "spend the next few months analyzing the impact of crime coverage on efforts to end violence." Bishop described the reaction of local media, which seemed to be scrambling to determine how to respond to the Grand Jury's request. "Reporters typically seek information from the government, not the other way around. And juries in particular can make the breed nervous, bringing to mind images of jailed journalists who refuse to reveal a story's source," Bishop wrote. Jury Commissioner Nancy Dennis was quoted in the article, and explained that the committee was interested in gaining a better understanding of how stories are run and selected.

In the end, all of the media, with the exception of the *Baltimore Afro-American*, either declined the committee's invitation to meet or did not respond at all, despite repeated requests. Those who did respond cited a conflict of interest as the main reason for declining to meet. A former reporter for the *Baltimore Sun* stated that he was not opposed to having such a discussion, but not with the government. A representative from the *Baltimore Sun* said, "We have significant concerns about the constitutionality of a grand jury undertaking such a study and believe our participation would impair the public's perception of our impartiality. We have a long history of covering grand jury proceedings and we would almost certainly cover this inquiry as well." The

vice president/general manager of one television station thanked the Grand Jury for its invitation, but wrote, "However, we feel government entities, such as the grand jury, are not the appropriate forum for such a discussion of news coverage. Discussion at the grand jury presents a conflict of interest in that our news organization regularly covers the judicial system and raises constitutional issues as well."

In light of the nearly overwhelming negative response from the media to meet with the committee, Judge Ausby met with committee members. To accommodate this new reality, the Judge recommended that the committee focus on meeting with the Police Department, State's Attorney's Office and the State's Attorney for Baltimore City's Victim and Witness Division to look into whether crimes are solved more quickly when highlighted in the media. While the committee added this new element to its charge, it did not abandon the original scope presented at the outset of its term despite the lack of media participation.

The committee continued to reach out to other individuals for meetings. We contacted editors from two other local publications and several other journalists with experience in reporting on crime in Baltimore City. One declined, stating a potential conflict of interest and the others did not respond at all. Although not formal interviews, we were also able to ask some relevant questions of attorneys and detectives we met throughout our work as grand jurors.

## **Interview Observations and Findings**

Teams of three to four committee members met with the following individuals: Talibah Chikwendu, Executive Editor of the *Baltimore Afro-American*, the Committee's only meeting with a member of the media; Robert Embry, President of the Abell Foundation; Victoria Kent, founder of the organization Remember Me; and Monique Dixon, Deputy Director, Open Society Institute-Baltimore/Director - Criminal and Juvenile Justice Program. The entire Grand Jury met

with Police Commissioner Fred Bealefeld. The Charge Committee requested a follow-up discussion with the Police Commissioner, but he was not available to meet with us. We also met with Mark Cheshire, Director of Communications and Community Affairs for the Office of the State's Attorney. Pamela Widgeon, Director of the State's Attorney for Baltimore City's Victim and Witness Division, gave a presentation to the entire Grand Jury. However, she referred all media-related questions to Mr. Cheshire. While Mr. Cheshire and Ms. Widgeon provided the Grand Jury with informative background information about their respective offices, our discussions with them did not provide information directly relevant to the charge. Therefore, we have not included their input as part of our observations and findings.

In the following sections of the report, we discuss our findings in the following categories: fairness/balance of media coverage in Baltimore City, discrepancy in coverage of crime, impact of media coverage on solving crimes, increasing public awareness, and committee observations of television and print news coverage in Baltimore City.

### ***Fairness/Balance of the Media in Baltimore City***

During its interviews, the committee explored the question of whether media coverage of crime in Baltimore City is fair or balanced. Ms. Chikwendu, Executive Editor of the *Baltimore Afro-American*, an independent, family-owned newspaper, which has been in business for 119 years, offered her personal perspective. She does not think that media coverage is fair or balanced and she is not sure why. She said that how a writer or a newspaper covers crime is often related to one's world-view. "My view is that there are more good people than bad. I want them to know that someone bad did something bad," she said. Others may cover crime as if it's some big epidemic and you create a wide brush on how he or she paints it. She is personally offended

by the view that if a person is unemployed or poor, then he or she is more likely to be a criminal.

“It leads to coverage that isn’t fair,” she said.

Ms. Chikwendu explained that her paper’s content is driven by its readership and tries to offer more of a balance in covering the news, with less of an emphasis on crime. Regarding why certain cases are given so much coverage, she quoted the often-heard mantra of “If it bleeds, it leads” that most media seem to follow. The *Baltimore Afro-American* is unique in its approach, and when it does cover a crime, its reporters seek out a different angle, going into the community and trying to determine why certain crimes are so prevalent or offering another perspective. “We cover stories that impact the lives of our readers. We want to distinguish ourselves,” Ms. Chikwendu explained.

She went on to say that because her paper is a weekly, it gives their reporters more time to investigate a story compared to a daily paper or television news, which have quicker turnaround times. Such an approach often allows the paper to focus on the victim, especially at the beginning of its coverage of a particular story, and not necessarily on the criminal. Ms. Chikwendu gave the example of Mr. Bowman, a security guard for the *Baltimore Afro-American*, who was shot and killed at a take-out eatery. Reporters from the paper focused on Mr. Bowman’s story, later following up on the criminals, making sure there was follow-through.

Ms. Chikwendu said that some of the lack of balance seems to be about the media trying to beat others to the story and not always verifying their information. She gave the example of reporting on the indictment of Baltimore City’s former mayor, Sheila Dixon, when one television station—so eager to get the plea agreement information out—got it wrong when they first reported it.

Regarding the seemingly disparate media coverage in Baltimore City, Mr. Robert Embry, President of the Abell Foundation, believes that some of the motivation lies in what's easiest to report, instead of covering more substantive issues. Reporters generally do not need to do in-depth investigations to report on crime. A television reporter simply has to stand on location in front of a crime scene and describe the incident. It's easy for viewers to understand a crime, which is why local television leads with it. "It spills into our society," he said. The required time and effort are minimal, which affects a media outlet's bottom line. He believes that the *Baltimore Sun* is trending toward television stations with fewer reporters. The conglomerates that own the stations and print media are focused on maximizing profits and increasing ratings—which does not lead to fair or balanced coverage.

Ms. Victoria Kent, a young African American woman, founded the organization "Remember Me" to bring attention to the cases of missing or murdered women of color. She was inspired to start her organization in light of the case of Phylicia Barnes, a teenage African American who went missing while visiting family in Baltimore City and was eventually found murdered months later. While the Barnes case received extensive media coverage, Ms. Kent realized that other women of color who had disappeared or been murdered received little if any media coverage. Ms. Kent features one missing or murdered woman each month to bring awareness, through vigils and other means, to the prevalence of violence against women. Ms. Kent does not believe that there is balance in media coverage of crime in Baltimore City, and finds that the lack of media coverage for women of color is often due to economic, educational and racial status.

Ms. Monique Dixon, Director of the Criminal and Juvenile Justice Program, Open Society Institute, also does not think media coverage in Baltimore City is balanced. In particular,

she spoke about the media coverage of juvenile crimes, a topic close to her heart. "It's always disturbing to me that they say juvenile crime is decreasing, but you wouldn't know it based on [media] coverage," she said. In fact, according to a July 2010 report by the National Council on Crime and Delinquency, "Critique of Maryland's Population Forecast: No Call for a New Youth Detention Facility," there are fewer juvenile arrests in Baltimore City and nationwide. However, current media coverage makes it appear that juvenile crime is increasing rather than decreasing. Ms. Dixon spoke of her concern that when a juvenile is charged as an adult, his or her identity is not protected. However, if the case of a juvenile who has been charged as an adult is then sent back to the juvenile court system, their records are sealed from the public and the media cannot provide any follow-up on the case. She explained that it's a disservice to do media coverage on juvenile cases because there can't be follow-up on a case.

Ms. Dixon recommended that if a youth is under the age of 18 years and is charged as an adult, his or her identity should be protected from the public. "Often the charges can be reduced, but the damage is already done," she explained. Once a juvenile's name and photograph have been publicized, it is hard to find a job after he or she has served time. She would like to see the media report regularly on more positive images of our youth, such as their scholastic, artistic and music achievements. "I would challenge the media to do a positive story about a poor black boy. It would change the way we feel about Baltimore City," she said.

Ms. Dixon also stated that some crimes may not get much coverage because of budget cuts and fewer reporters on staff at newspapers and television. She went on to say that investigative coverage just doesn't exist now. She attributes this shift to a shortage of staff. While she acknowledged that there are some investigative reporters, there aren't as many now

and more have moved online, which not everyone can access. "Everyone looks at television, which is why it's so important that it be balanced," she explained.

### ***Discrepancy in Coverage of Crime***

"A lot of stories we'd like to cover, but we cover ones where we think we can make a difference," Ms. Chikwendu of the *Baltimore Afro-American* explained. She gave the example of a party that took place in an African American neighborhood where 11 people were shot. The paper covered the incident because it had such a broad and personal impact on the community. For the paper, it's often a question of resources and space. "We can't ignore crime in the black community. If we cover crime, we try to cover what's important about the crime," Ms. Chikwendu said.

Mr. Embry of the Abell Foundation believes that certain crimes are given more coverage than others, depending on a person's race and class. He said that the way crime is reported reflects the inequalities of our society in terms of race and income. Mr. Embry elaborated by saying that white crimes get more coverage than black crimes, and the middle class gets more coverage than the poor. Such reporting of crime in Baltimore City encourages people not to live in the city, which in turn hurts the people living in the city by decreasing the city's tax base. Crimes against white, affluent victims are often covered more in-depth because they are more unusual occurrences in the city. For example, the case of Stephen Pitcairn, a white, 23-year-old Johns Hopkins researcher, received significant media attention after the crime, throughout the investigation and during the trial this summer. This crime was more unusual because most of the killings in Baltimore City are black-on-black, and often the person who kills has a criminal record as does the person who is killed, making it a challenge to report on such cases. Mr. Embry

was pleased to see that the case of Phylicia Barnes, the African American teenager, was covered so intently by the media, but said, "Again, it's human interest. It's different from [your] average shooting." He gave another example in the recent murder of a 91-year-old African American woman in her home. This story did make the headlines, again because it was an unusual story.

Ms. Dixon of the Open Society Institute said that the media focuses more on crimes perpetrated by black people than by other races.

In the opinion of Ms. Kent, of "Remember Me," economic status is the reason why certain cases are given coverage and others are not.

### ***Impact of Media Coverage on Solving Crimes***

Ms. Chikwendu does not think that cases that receive more media coverage are solved more quickly, although she said that one would think there would be a straight-line correlation. She offered the examples of the Phylicia Barnes case, which still took six months for the missing teenager's body to be found, and Mr. Bowman's case, which was covered by print and television media. In the end, police found one of the perpetrators of Mr. Bowman's murder because his mother made him turn himself in.

"Our mandate as journalists is to search for the truth. We find and report on the facts of a situation without crossing the line and being considered an agent of the government," Ms. Chikwendu said. "They [the police] have an obligation. They're in the habit of staying close to the vest," she went on to say. She explained that while her newspaper's goal is not necessarily to help the police, but to provide verification for a story, the paper's reporters sometimes have more of a feel on the street and have called the police to say they have heard something that might be relevant to the case.

From a personal perspective, Ms. Chikwendu said that she wants the police to do the best possible job to find the perpetrator of a crime and doesn't want to impede their ability to do their job. However, she expressed frustration at the Police Department's organizational structure, with official statements generally coming from the department's spokesperson, who is not always readily available to speak with reporters. Anything else outside of these official statements is considered unsubstantiated.

When asked the question, during a meeting with the entire Grand Jury, of whether crimes are solved more quickly when there is media coverage, Police Commissioner Fred Bealefeld responded by saying, "Television rarely spurs people to action. The people who are going to help us were standing outside that church. I think the media fuels those prejudices against us." One homicide detective concurred with this view, and said that he believes that media coverage generally hurts their investigation of a case, citing the difficulty of witnesses looking at photo arrays of possible suspects when the suspect's photograph has already appeared on the news. Any defense attorney can then link the image from the news with the testimony, further hindering prosecution of a case, the detective explained.

There are notable exceptions, however, where media coverage has helped to identify potential witnesses or located the victim of a crime. For example, the woman who noticed an 8-year-old boy outside of a vacant home recognized him as the victim of a kidnapping and said that it was thanks to the media coverage that she recognized the child. In this case, one detective directly involved said, "One of the first things we do once we identify a missing person, is to alert the media, especially in the case of missing children, media coverage on this [case of 8-year-old boy] was really instrumental in recovery of the child unharmed." When the Grand Jury met with representatives at Police Headquarters, one presenter mentioned that a lot of cases that

receive extensive media attention get pulled to the front, which ultimately could lead to a quicker resolution of a crime.

Ms. Kent believes that media coverage is helpful in solving crime because it can spark community interest in the case. In some cases, such coverage may even help in identifying new leads. However, she stressed the importance of the media following up on these stories.

### ***Increasing Public Awareness—Getting Public Officials and the Community to Take Action***

Although the committee was not able to meet with any elected officials to explore the question of whether media coverage helps persuade them to act, we discussed this topic with some of our interviewees. Ms. Chikwendu is not persuaded that media coverage can move public officials to act. Instead, she believes her paper's impact is to encourage the public to act—which ultimately could then inspire politicians to respond to their constituents. For example, she wrote an article about a homeless group, but the piece didn't have any impact with public officials. On the other hand, the paper ran four or five stories about the disappearance of Phylicia Barnes. Such articles helped inspire Victoria Kent (another one of the committee's interviewees) to bring attention to the plight of women of color who have disappeared or been murdered. Her work with communities could eventually inspire politicians to act.

### ***Committee Observations of Television and Print News Coverage in Baltimore City***

Members of the Charge Committee watched the local 11:00 p.m. news on ABC, CBS, FOX and NBC over a period of five nights (from July 13 through July 19, not including Saturday

and Sunday nights) to track the coverage of Baltimore City crime. We took notes on the news stories related to crime in the city and surrounding areas, tracking the time of the story, the type of crime, location, and the names, ages and ethnicities of the victims and suspects if provided. We also noted any statements from community and family members or police officers or police representatives.

We found that crime stories dominated nearly the entire first half of the evening broadcast. The crimes covered by most of the stations each night were similar, and included crimes in both Baltimore City and the surrounding counties. The stories were delivered in basically the same style, with the anchor rapidly describing the event and then breaking to the newscaster on location at the crime scene or in front of another backdrop, such as police headquarters, providing what information was available about the crime. Occasionally, a member of the community would comment or, depending on the nature of the crime, a police official would comment on the crime or what the public could do to help.

Covering crime in this manner is very cost-effective for the television stations. No in-depth investigation is necessary, which would require additional time and effort. A particularly newsworthy crime story might get an update on the following evening news, but in general we found that there was little if any follow-up on the next evening news about a story. They were on to new crime stories. Advertising teasers for the nightly news generally boasted breaking news on crime to entice viewers to stay tuned for the news. We found that in general only extremely bad weather or breaking national news coverage topped the crime story as the lead story. While breaking crime news is easy to report and easy to understand, it does not give viewers an accurate picture of what is occurring in the city.

In addition to television news, we also followed crime coverage over this same period in the *Baltimore Sun*. We found that while similar stories were covered by the paper, there seemed to be less attention given to crimes such as shootings, stabbings and murders compared to television news coverage. When the same story was covered by the paper, it generally provided somewhat more details than the television coverage. For example, the story about a cardiologist's license being revoked led most of the nighttime news coverage on the night of July 13 and was on the front page of the paper the following day. Other crime stories on the same day was that of a Baltimore judge's decision to dismiss the most serious charges against City Councilwoman Helen Holton, the ongoing investigation after the arrest of two individuals at the Maryland Historical Society, and a story about a 34-year-old man shot by police during a traffic stop. In the section called "Around the Region," there were eight brief summaries of a fire, a killing and assault, a murder, two accidental killings, an accident that injured two teens and a trial suit.

A similar pattern emerged in the paper on the following day, which featured the carjacking of a woman and her toddler on the front page, and a story about four charged in tavern gambling raid and a friar charged with inappropriate child contact on page two. Again, in the "Around the Region" section, there were seven brief stories or summaries, with one about a fifth officer pleading guilty in towing case and a 30-year-old man who died after a West Baltimore shooting. In the latter story, the public was asked to contact the police with any information. We found that this same pattern continued on the following days, with very little in-depth or investigative coverage of crimes such as shootings or murders. Instead, the more unusual and sensationalist types of crimes received more in-depth coverage.

## **Recommendations to Improve Media Coverage in Baltimore City**

During its interviews, the committee asked for specific recommendations on how to improve media coverage in Baltimore City. Ms. Chikwendu emphasized that media coverage of crime can improve with better access to information. While she thinks that most media personnel understand the need for information to be held back by police in an ongoing investigation and for prosecutors not to taint a potential jury pool, there are often “roadblocks to accessing information that are not necessary, hurdles that cost time and money.” She illustrated this point by saying that it’s hard to write a balanced story on a police brutality case, for example, when the only person who can speak to the press is the lead spokesperson for the Police Department and he is unavailable by phone. The spokesperson often may only speak at press conferences, called with short notice, which puts media at a disadvantage to accessing credible information needed to provide balanced coverage.

Ms. Chikwendu gave credit to the Baltimore City Police Department in its work to improve access to information through the use of social media tools such as Skype for holding press conferences and Twitter and Facebook for sending out information. However, she emphasized that there is more that can be done. She recommends that the department use its website in a timely fashion to provide access to police reports and other information they normally supply to the press by phone. In addition, making more than one person available to answer questions about a case would help.

Ms. Chikwendu gave similar recommendations for the State’s Attorney’s Office. In particular, she proposed that they issue timely press releases and provide online access to indictments, charging documents, finalized pleas and other public or press-accessible documents, which would increase the ability of the media to provide more balanced coverage. She went on

to say that the same is true for access to statistics from the police, the State's Attorney's Office and from the medical examiner.

While implementing these recommendations would increase the ability for balanced crime coverage, Ms. Chikwendu stressed that they will not guarantee it. "Ultimately that will come from journalists and organizations that follow the highest ethical standards for journalism and maintain the highest respect for the needs of their readers," she said.

Ms. Dixon recommended that the religious and community leaders in Baltimore City should get involved in the discussion about media coverage of crime in the city, and how it is affecting their neighborhoods. Such discussions could have a direct impact on how the media covers crime.

Ms. Kent urged the media to increase its coverage of victims of crimes and emphasized the importance of the media providing follow-up coverage of crime stories. She believes that such coverage would help engage the community more.

Mr. Embry believes that there is a need for more paid reporters who have the time and expertise to expose things that need reporting—both in the government and private sectors. He also said that the problem with Baltimore is the disproportionate concentration of poor, which leads to a high crime rate and a low tax base. "It matters what portion of them are poor. To the extent that you can change proportion so more evenly balanced between poor and middle classed," he said. Mr. Embry referenced a study that came out, with the average wealth of white people compared to black people at a ratio of 20 to 1 now. While 10 years ago the ratio was 10:1.

In addition, Mr. Embry stated that the recommendations in the 1998 study mentioned previously, which the Abell Foundation helped to fund, are still relevant today. Specifically, the following recommendations were made.

Encourage public action and promote a grassroots drive to “shaming both the stations’ management and parent companies into doing a better job.” In the report, it was recommended that people petition the FCC to track exactly how much time the stations spend on local crime to show that “local TV stations, which are owned by some of the most important and prestigious news companies in America, are among the worst offenders against journalistic quality, with their daily broadcasts of murder, mayhem, celebrity gossip and self promotion. National publication of such information might finally shine a light into this darkness.”

In addition, residents of Baltimore City could consider a campaign “to petition the FCC to deny license renewals to the offending TV stations.”

For the longer-term, “Baltimoreans might mount a public drive to set up a local—i.e., state or municipal version of the FCC.” Such a commission could potentially “impose public service obligations far more stringent than those currently required by the FCC.”

## **Conclusion**

Through our committee’s interviews, observations of the television and print media coverage of crime in Baltimore City, experience as grand jurors and our personal experiences, we have found that media coverage promotes an imbalanced view of crime in the city and of the communities that are affected. We would like to see more balanced coverage in television and print media, with a mixture of stories, including positive ones. We strongly recommend that reporters and news directors provide more in-depth and investigative reporting in its coverage to provide viewers and readers with a more well-rounded perspective.

In summary, our recommendations are as follows:

- Urge the media to cover victims of crime, regardless of race, economic status and neighborhood, and provide follow-up coverage.

- Encourage public action and promote a grassroots drive through a petition to the FCC to track how much time local media is spending on crime reporting.
- Consider a campaign “to petition the FCC to deny license renewals to the offending TV stations.”
- Advocate for a local state or municipal version of the FCC to impose strict public service obligations.
- Convene discussions among religious and community leaders, through neighborhood associations and other local groups, in Baltimore City regarding the impact crime coverage is having on their neighborhoods, and work with the media toward positive change.
- Encourage the media to report regularly on more positive images of Baltimore City’s youth, such as their scholastic, artistic and music achievements, as well as other positive images of our city.
- Advocate that the media outlets hire additional staff to provide more in-depth, investigative journalism.
- Through social media outlets, such as Facebook and Twitter, organize citizens to demand more balanced and responsible journalism in Baltimore City.

While the committee understands the importance of the First Amendment and would not want to compromise this critical freedom, we believe that an opportunity was missed for a fruitful discussion of a worthy topic with the media. We understand that most of the media are under the weighty thumbs of the conglomerates who own the stations and newspapers, and that decisions are often geared toward what will bring in the most revenue. However, we would like to see news people take a stand and demand changes within their own profession so that they are

allowed to do a better job for their viewers and readers. We are not suggesting that media ignore crime in the city, but rather to provide more balanced and responsible journalism. We also call upon the citizens of Baltimore City to take a stand and demand change in how the media covers crime in our city—ultimately by working together, we can improve its future.

**Baltimore City Grand Jury**  
**May 2011 Term**

**Penal Committee**

Cedric Butler, Chairperson

Rosanne Carey

Jerome Cohen

Erin Halferty

Gregory Hatcher

Kelly Jarrett

Lawrence Kolankiewicz

## **LEGISLATIVE EMPOWERMENT OF THE GRAND JURY**

The Baltimore City Grand Jury is in accordance with Maryland Code 89-608.

### **CHARTER STATEMENT**

The Penal Committee will visit, investigate, and report on conditions in penal institutions according to the schedule designated by the Jury Commissioner so that every penal institution located in Baltimore City receives an annual visit by the Grand Jury.

### **COMMITTEE PLAN**

The penal institutions are constantly evolving and complicated entities; it would be disingenuous to suggest that a committee of citizens could, in a four-month term, adequately suggest solutions to the myriad of issues facing these institutions. If the committee is able to make any positive recommendations, it will be successful.

### **OVERVIEW AND CHARGE**

The Penal Committee had its initial meeting on June 15, 2011. The Committee is fortunate enough to have amongst its members a transit police officer. This enabled the committee a measure of tangible insight of the penal system. The law enforcement member of the Committee was able to shed a broad light on the plethora of issues the penal system is combating on a daily basis with other members of the committee and the Grand Jury as a whole. Given the wide scope of issues involved in the penal institution, the Committee was unable to narrow down its focus on any one particular facet of the penal system that we would suggest improvements in.

The main concern of the committee is that given the large size of the penal system and the time constraints placed on not only the Grand Jury Term but also the time constraints placed on the visits to penal institutions that we would not be able to narrow our focus to any one particular issue.

Faced with these constraints, the committee decided to address its charge by formulating its questions only after our initial visit to a penal institution and questioning the officials of that institution on issues that they felt were of the utmost importance to the safety and well being of their officers and those charged or convicted of crimes who are housed in penal institutions.

## **METHOD THE COMMITTEE USED TO REFINE THE SCOPE OF ITS REPORT**

The Committee is aware of the fiscal constraints of the penal institutions. For that reason, we decided it would be best to focus on an issue that required a change in policy/policies for improvement instead of an issue that more finances would resolve. Although this Committee is mindful that matters of policy and fiscal concerns frequently overlap, we would still like to seek improvement in current penal policies and not just address programs/policies that are merely under-funded.

After our initial visit to the Central Booking Intake Facility and conversations with correctional officials in employ there, the committee met on June 16, 2011. At that meeting, a consensus was reached that this Committee would focus its attention on the subject of contraband in penal institutions.

## **RESOURCES AVAILABLE TO THE COMMITTEE**

For its work, the Committee made use of the following resources:

- The aforementioned internal Committee discussions
- Questions to the Jury Commissioner
- Visits to penal institutions: Baltimore City Detention Center, The Central Booking Intake Facility, The Metropolitan Transition Center, and Dismas House, Baltimore, Inc.
- Online Documents and reports from the Maryland Department of Corrections
- Previous Grand Jury Penal Reports
- Written materials provided by corrections officials at the Baltimore City Detention Center, The Central Booking Intake Facility, The Metropolitan Transition Center, and Dismas House West Baltimore, Inc.
- Maryland Commission on Correctional Standards Manual

## **BALTIMORE CITY DETENTION CENTER AND CENTRAL BOOKING INTAKE FACILITY – (BCDC) and (CBIF)**

The Baltimore City Grand Jury (GJPC), in accordance with Maryland Code 89-608, visited The Baltimore City Detention Center (BCDC) and The Baltimore Central Booking and Intake Facility (CBIF) On Wednesday June 15, 2011. The Committee was met and received by Lieutenant Melvin M. Easley, Jr. and other corrections officials. At this time, the Lieutenant and other corrections officials graciously answered a multitude of questions posed by the Grand Jury as a whole.

Question: What are the biggest problems facing the facility?

Answer: The biggest problem facing the facility the increase of younger and more violent gang affiliated offenders into the facility.

Question: How are gang affiliations of inmates classified by corrections officials?

Answer: Some inmates readily self-identify gang affiliations to corrections officials. Other inmates are identified through gang tattoos, arrest records and intelligence gathered by corrections officials.

Question: What are the most prominent gangs known to be housed in BCDC and CBIF?

Answer: The Black Guerilla Family, Dead Man Inc, numerous subsets The Bloods, and The Crips were mentioned as the most prominent gangs inside of the facility.

Question: Are there any corrections officials known have any gang affiliation?

Answer: No corrections official currently in the employ of this institution has any official gang affiliations.

Question: What is the minimum age requirement to be a corrections officer?

Answer: The minimum age requirement to be a corrections officer is twenty-one years of age,

Question: Is gang membership an automatic disqualifier for a corrections official to be in the employ of the corrections facility?

Answer: All hiring decisions are made by the state.

Question: Are the tattoos of corrections officials photographed as well?

Answer: No. Although the State does extensive criminal and personal background checks on each applicant, tattoos of corrections officers are not photographed or classified.

Question: What problems does widespread gang affiliation pose to the security and safety of the institution?

Answer: Gangs are responsible for violence against, and extortion of corrections officials and other persons housed in the facility as well as marketing and the consumption of illegal contraband inside of the facility.

Question: How is contraband introduced into the facility?

Answer: Contraband is introduced into BCDC and CBIF via visits, correctional staff and various other ways.

Question: Which contraband item(s) poses the greatest threat to the institution?

Answer: Weapons, narcotics, and cellular phones pose the greatest threat to the safety and security of the institution.

### **METROPOLITAN TRANSITIONAL CENTER (MTC)**

The Baltimore City Grand Jury (GJPC), in accordance with Maryland Code 89-608, visited The Metropolitan Transitional Center on Friday June 10, 2011. Members of the Penal Committee visited The Metropolitan Transitional Center (MTC) on Friday June 10, 2011 and were met by the Warden and Captain of the institution.

Question: What are the biggest problems facing the facility?

Answer: The biggest problem facing the facility was also the increase of younger and more violent gang affiliated offenders into the facility.

Question: What unique challenges face this particular corrections institution?

Answer: Because of the close proximity of the penal institution and the neighboring residential areas, contraband to this facility; including drugs, weapons, and cell phones can and has been introduced into the penal institution by merely throwing an object over a fence that is approximately forty feet in height.

Question: Is the perimeter of the institution patrolled by corrections officials?

Answer: corrections officials and The Baltimore City Police Department patrol the perimeter of the institution jointly.

#### **DISMAS HOUSE WEST, BALTIMORE, INC. (DH-W)**

The Baltimore City Grand Jury (GJPC), in accordance with Maryland Code 89-608, visited The Dismas House West Baltimore, Inc. on Tuesday June 21, 2011 and was received by Rev. Joseph R. Wenderoth, Executive Director Emeritus.

Question: As a work release/pre-release program, does your institution face any unique problems with contraband?

Answer: No.

Question: How does Dismas House West Baltimore, Inc. guard against illegal contraband being introduced into the facility?

Answer: Persons in the custody of Dismas House West are wanded by a metal detector upon every re-entry into the institution. In addition to this, persons in Dismas House West, Inc. are routinely drug tested and the facility is searched once a week.

## **RECOMMENDATIONS OF THE PENAL COMMITTEE**

- State Human Resources practices should increase scrutiny to identify and weed out correctional staff (new and current correction facility staff) with gang membership or affiliations. This would help improve the safety and security of inmates, staff, and visitors of all statewide penal institutions, not just the penal institutions of Baltimore City. Documentation and classification of Correction Officer's tattoos may also help in the prevention of the introduction of contraband into the penal institutions and, by extension, limit the powers of gangs inside these penal institutions.
- Dismas House West Baltimore, Inc. should include random facility searches, not just the weekly announced searches it currently conducts in order to eliminate the introduction of contraband into the facility.
- Baltimore City government open an inquiry on the viability of closing certain streets surrounding the Metropolitan Transition Center, the Maryland Reception Diagnostic & Classification Center, and the Central Booking & Intake Facility. It is our recommendation that one block of East Chase Street, Madison Street, and Greenmount Avenue be closed to the public. It is the opinion of this Committee that the penal institutions in this area would be better served as a "contained penal complex" which has the closed streets as a buffer to the public. This action may reduce or eliminate the amount of contraband introduced into the facilities. Attached to this report is a map of the Committee's recommended street closings.

## **CLOSING**

The Penal Committee encountered no resistance in its search for information contained in this report. All corrections officials in each facility treated members of the committee with professional and personal courtesy and respect. No questions went unanswered and written materials were provided at each penal institution visit without having to be requested. Each member of the Committee expressed appreciation for the transparency and candor of corrections officials when asked to respond to questions posed by the Committee. It has been an honor for the Penal Committee of the Baltimore City Grand Jury to be allowed access to, and to report upon, the conditions of the aforementioned penal institutions.

## Recommended Street Closures

