TAKE A LOOK INSIDE

BROthers EXONERATED AFTER 25 YEARS IN JAIL FOR WRONGFUL CONVICTION

Brothers—Kenneth McPherson and Eric Simmons—were released from prison after being incarcerated for nearly 25 years for a murder they did not commit. State's Attorney Marilyn Mosby joined members of the Baltimore City State's Attorney's Office (BCSAO) Conviction Integrity Unit (CIU), the University of Baltimore Innocence Project Clinic, and Mid-Atlantic Innocence Project to welcome the brothers back home. State's Attorney Mosby apologized to Mr. McPherson, Mr. Simmons, and their families on behalf of the criminal justice system and wished them both a fruitful and productive return home. Kenneth McPherson and Eric Simmons are the fifth and sixth individuals exonerated and released from incarceration under the Mosby Administration.

The review of these cases was initiated by a letter Mr. McPherson sent to the BCSAO requesting a re-investigation of his case. Additional investigation revealed these cases were riddled with exculpating information that was not available to the jury. The BCSAO then brought in CIU program partners to undergo a thorough joint investigation. Ultimately, the BCSAO agreed to pursue vacating both convictions.

In May 2019, the Alexander Wroblewski murder trial came to a close after the case's final defendant was sentenced. Marquise Winston received 40 years in prison for his role as the gunman in the 2017 homicide. Earlier in the month, Winston's girlfriend and co-conspirator, Tonya Hayes, was sentenced to four years in prison for handgun charges.

In February 2019, Tivontre Gatling-Mouzon, son of Hayes—pled guilty to conspiracy to commit armed robbery and accepted an 8-year sentence.

"These defendants' actions disrupted a community, and I am thankful they were held accountable for this senseless tragedy," said State's Attorney Marilyn Mosby.

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JUSTICE IN THE MURDER OF BELOVED SOUTH BALTIMORE BARTENDER

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“The possibility of a pro se letter resulting in an ultimate double exoneration - that is justice and our conviction integrity program alongside our grant partners at work,” said Lauren Lipscomb, Chief of the CIU who initiated the reinvestigation.

In August of 1994, a 21-year-old Anthony “Tony” Wooden was shot and killed after a robbery attempt on North Washington Street. While walking down the street, the victim became aware of two suspects following him with a plan to rob him.

McPherson and Simmons were tried before a jury, convicted of conspiracy to commit murder and sentenced to life. The original case relied heavily upon the observation of a witness who recanted their testimony. The jury was not aware of these statements at the time of the trial. There were also nine additional witnesses who were not known to the jury and provided additional evidence that would support both McPherson’s and Simmons’s innocence.

“I am beyond ecstatic that our partnership with the University of Baltimore Innocence Project Clinic and the Mid-Atlantic Baltimore Officer Carlos Rivera-Martinez was convicted of second-degree assault and misconduct in office earlier this spring and faces a maximum of 10 years in prison.

Assistant State’s Attorneys Steven Trostle and Alex Rodriguez of the Police Trust and Police Integrity Unit prosecuted the case.

On July 5, 2016, Officer Rivera-Martinez responded to a request for additional officers near the 400 block of Baltimore Street. Rivera-Martinez claimed the victim was observed creating a disturbance and refused to leave when ordered by police. As such, the officer sought to arrest the victim for disorderly conduct and failing to obey an officer’s lawful order. However, the victim insisted he left when ordered by the officer.

When the victim began running from the block, Officer Rivera-Martinez pursued him on foot. The victim stopped in the middle of a gravel path, turned around, put his hands in the air and, kneeled facing the officers. Officer Rivera-Martinez then tackled the victim and hit him several times on the head with his Taser. The officer did not include the victim’s actions to submit and comply in his statement of charges, and the victim’s actions came to light through CCTV footage.

The victim was treated for a broken leg and lacerations and abrasions to his face and head.

“This defendant abused his power and victimized this individual after he complied with the officers and should be held fully accountable for his crime,” said State’s Attorney Marilyn Mosby.
EMPOWERING OUR VICTIMS AND WITNESSES TO USE THEIR VOICE

Earlier this year, the BSCAO launched an unprecedented campaign targeting victims and witnesses of crime in Baltimore City. The purpose of this campaign rooted in the theme “YOU'RE NOT ALONE. TOGETHER WE'RE STRONGER”, is to tell authentic stories from the perspective of family members who have been impacted by crime by highlighting an array of victim and witness services offered by the Baltimore City State Attorney’s Office.

“The criminal justice system is ineffective without the trust and cooperation of victims and witnesses of crime, which is why we are committed to ensuring both victims and witnesses feel supported and protected throughout the judicial process and beyond,” said State's Attorney Mosby

The campaign began with the personal testimony of State's Attorney Mosby and her tragic introduction to the criminal justice system through the homicide of her teenage cousin through a video (public service announcement.)

This campaign is the most recent milestone in the Mosby Administration’s commitment to keeping Victim and Witness Services a paramount priority for the agency. Since 2015, the BCSAO has secured a record $4.1 million in Victims of Crime Act (VOCA) grant funds through the Governor’s Office of Crime Control and Prevention to significantly expand and improve services offered to victims and witnesses of crime. The grant funds have underwritten this campaign and provided the support for the BCSAO to double the size of the Victim and Witness Services Unit, adding 20 new victim advocate positions. This expansion has allowed the office to service 11,198 victims and witnesses – 20 times more than the 546 victims and witnesses served in 2015.

The BCSAO is attempting to make services for victims and witnesses of crime more user-friendly, which not only includes the overhaul of the BCSAO website, www.stattorney.org, to focus more specifically on victim and witness services but it also includes the creation of an additional website domain, www.TOGETHERWEARESTRONGER.COM, which directs users to the BCSAO’s Victim and Witness Services page. Finally, community members can now download the Community Court Watch App, an online tool that allows the user to track cases, through Google Play and the Apple App store.

Baltimore’s Youth #POPUP Again This Summer

The Baltimore City State’s Attorney’s Office (BCSAO) in partnership with DTLR, Brown Advisory, Mayor Bernard C. “Jack” Young, and other partner agencies kicked off its third B’More #POPUP events series this summer. Baltimore City youth will enjoy various activates throughout the summer including skate and bowling parties, Orioles games, and dance parties at Baltimore Recreation Centers.

The youth-focused #POPUP series provides productive, safe and free activities for Baltimore adolescents throughout the summer. These events, funded through public and private partnerships, will continue this summer on Friday evenings from 6:00 PM to 9:00 PM, a time frame that has historically shown to be peak hours for violence in Baltimore City. Residents can text “BALTSAO POPUP” to 468-311 to get weekly details regarding the events.

“We are so excited to launch the #POPUPs for a third summer,” said State’s Attorney Mosby. “The undeniable success and positive feedback from the community is all the validation we need to continue to allocate resources to programming that focuses on our youth.”

The highlights from the #POPUP series include:

- Participation from more than 5,700 youth (aged 18 or younger)
- Partnerships with over 37 private, government, and non-profit organizations
- Residents from all parts of the city participated - 24% of the attendees were from the Northwestern District and 16% were from the Northeastern District

Under the Mosby Administration, the Office for the State’s Attorney for Baltimore City has made youth programming a priority through the Crime Control and Prevention (CCP) Unit by developing programs that introduce the city’s youth to the criminal justice system in hopes that they will not enter the system as a defendant. These efforts include the “Junior State’s Attorney” program for high school freshman, “Great Expectations” which introduces fourth graders to professions within the criminal justice system. CCP also launched Project 17, an employment and mentorship program aimed at chronically truant high school students.
Raekwon Thornton and Lamont Kyler were found guilty of first-degree murder and given two life sentences plus 25 years for the 2017 murder of Tyrone Ray, Jr.

On September 4, 2017, officers responded to a shooting at a store in North West Baltimore. Upon arrival, they located the victim, Tyrone Ray, Jr., lying on the sidewalk suffering from over two dozen gunshot wounds. Mr. Ray was transported to the hospital where he was pronounced deceased.

The firearms examiners used shell casings from the crime scene to determine that two guns were used in the homicide. The store’s surveillance video captured two male suspects approach Mr. Ray, who was standing with crutches outside of the store. Ray spoke briefly with the men just before he walked away. When he returned, the two men shot the victim and fled the scene together in a white vehicle.

When police released the video to the public, several witnesses called with information regarding the shooters. Witnesses positively identified Raekwon Thornton and Lamont Kyler.

“Thanks to a community’s courage, these defendants have now been held fully accountable for the heinous and senseless murder of Mr. Ray,” said State’s Attorney Marilyn Mosby.

In March 2019, Tamekia Martin was found guilty of manslaughter and child abuse resulting in the death of her three-year-old son, Damaud Martin. ASA Lisa Marts prosecuted the case.

Based on accounts from children playing with the victim at the time of the incident, the three-year-old was sitting on the top bunk when Martin slapped the child, causing him to fall off the bed and hit his head on a TV stand.

Damaud underwent emergency surgery but never fully recovered from his injuries. He developed cerebral palsy and was placed in a monitored group home where he passed in 2014 as a result of his previous traumatic brain injuries.

Although Martin maintained her innocence throughout the investigation, a staff member of the group home told detectives they once overheard Martin whisper to her son, “I’m so sorry I hurt you.”

“As a mother, this case is especially heartbreaking,” said State’s Attorney Marilyn Mosby. “Any mother who callously harms their child and turns their back on them as they cry out for help is a person who deserves to be prosecuted to the fullest extent of the law.”
**SAO EMPLOYEE FEATURE**

As you take your seat inside what appears to be a normal office, the sight of a large thick black steel door built into the wall piques your curiosity. “That’s my conversation piece,” Haskins says amused, placing her phone back into its cradle. She clarifies, “It’s a vault. We think--when the courthouse was built--that’s where evidence was kept.”

Much like that vault, Victim/Witness Services and Relocation Coordinator, Robin Haskins says that the BCSAO Victim and Witness Services Unit was created to be that secure space that offers protection in addition to a myriad of services for victims and witnesses of crime navigating the justice system. Initially, she was embedded in the BCSAO's Family Bereavement Center (FBC) as their first and only victim advocate when it opened its doors in 1990. Over time Haskins has held various roles in the unit and now leads in her current position as the Victim/Witness Services and Relocation Coordinator.

Haskins can attest to seeing the office change from being only prosecution-centric to a trauma-informed agency. “Under the leadership of Mrs. Mosby, we’ve made great progress with the resources that are currently available, we have been granted millions of dollars in funds to assist victims,” says Haskins. “Yet, in many cases, we can only assist with a portion and I wish we were able to do even more”.

It was that determination to support victims of crime that led to the creation of the Victims’ Emergency Fund (VEF), which has provided over $85,000--over four years--to victims to assist with their immediate needs as a result of a crime. Haskins was also instrumental in spearheading the--now annual--Victims’ Emergency Fund Run/Walk; a 5k race whose proceeds have raised over $107,847 for the benefit of crime victims.

With three decades in the victim assistance realm, Haskins has been awarded the Governor’s Victim Assistance Award, Roper Victim Assistance Academy Award and--most recently--the prestigious Maryland State Board of Victim Services Henry Gleim Memorial Award in 2019. However, she attributes her most valuable accomplishment as being able to affect positive change in the criminal justice system from inside of the BCSAO, “Years later, I’m getting emails, phone calls, saying thank you for being there,” says Haskins.

**FORMER BPD OFFICER CONVICTED OF 2ND-DEGREE ASSAULT - CITIZEN CELL PHONE RECORDINGS USED AS EVIDENCE**

In June 2019, former Baltimore Police Officer, Arthur Williams was convicted of second-degree assault and misconduct in office for assaulting a citizen on the street in August 2018.

The case was prosecuted by Steven Trostle of the Police Trust and Police Integrity Unit.

On August 11, 2018, former BPD Officer Arthur Williams and another officer were on duty in a marked patrol car in the 2500 block of Monument Street and stopped and approached a citizen. The citizen repeatedly asked why he was being stopped and a confrontational exchange of words ensued.

Williams wanted to write a “citizen contact receipt” and when questioned by the citizen as to why he was getting a contact slip, the officer dismissed the citizen’s questions and pushed him into the building. The citizen put his hand up to stop Williams from touching him but Williams punched him in the face and head multiple times. Williams continued to attack the citizen by striking him without any resistance from the victim, eventually forcing him into a set of concrete steps where the punching continued.

Officer Williams reported to his Command staff that he observed the victim possessing marijuana and advised him to put it away or leave. However, this initial contact was not captured on anybody worn camera footage. Williams also claimed that he approached the victim with the intention of giving him a citizen contact receipt for the suspected marijuana and to recover the substance. However, no substance was recovered or submitted to the Evidence Control Unit for this incident.

The incident was captured on body worn cameras, as well as a citizen cellular phone recording.

The victim suffered multiple abrasions and lacerations and needed immediate medical attention as a result of the injuries he received during the attack.

“Public trust is critical in the fight to make Baltimore safer,” said State’s Attorney Marilyn Mosby. “This defendant abused his position and put a citizen he was sworn to protect in danger and now he will have to face the consequences of his deplorable actions.”
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