

THE JUSTICE REPORT

ISSUE ONE

MOSBY GOES TO ST. LOUIS TO SUPPORT CIRCUIT ATTORNEY GARDNER

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EXPERTS CONVENE AT PANEL HOSTED BY THE UNIVERSITY OF BALTIMORE

P3 Law students joined legal professionals, and community stakeholders at The University of Baltimore School of Law for a symposium titled, "400 Years: Slavery and the Criminal Justice System."

FOCUS ON VIOLENT, REPEAT OFFENDERS PAYS OFF WITH NUMEROUS LIFE SENTENCES

P4 Numerous violent, repeat offenders have received life sentences thanks to tireless work by assistant state's attorneys over the past few months.



FREE AFTER 36 YEARS
Mosby Exonerates Three Men
Imprisoned Since 1983 on
Thanksgiving Day. (PAGE 1)

PHOTO CREDIT: MATT MCCLAIN/THE WASHINGTON POST



FREE AFTER 36 YEARS

MOSBY EXONERATES THREE MEN IMPRISONED SINCE 1983 ON THANKSGIVING DAY

In November 2019, Baltimore City State's Attorney Marilyn Mosby announced the exoneration of three men wrongfully jailed for 36 years in a press conference. The announcement comes on the heels of a new initiative geared towards individuals whose lives were stolen from them after wrongful convictions and need assistance to transition back to society.

"These three men were convicted, as children, because of police and prosecutorial misconduct. What the state, my office, did to them is wrong. There is no way we can ever repair the damage done to them. We can't be scared of that and we must confront it," said State's Attorney

Mosby. **"I want to thank these men from the bottom of my heart for persevering for decades to prove their innocence. They deserve so much more than an apology. We owe them real compensation - and I plan to fight for it."**

The three men were arrested on Thanksgiving Day in 1983 at 16 years of age and convicted for the murder of a 14-year-old Baltimore teen. Detectives targeted the three African-American boys, using coaching and coercion of other teenage witnesses to make their case. Material Brady evidence that could have freed the young men was kept from the defense and jury.

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"I feel like all these years I've been saying the same thing. Finally, somebody heard my cry. I give thanks to God and Marilyn Mosby. She's been doing a lot of work for guys in my situation," said Alfred Chestnut at the press conference.

"The things I had to go through, it was torture. There's no other way to describe it. We held on to each other," said Ransom Watkins. **"That's what got us through this journey, when we needed each other."**

The Conviction Integrity Unit (CIU), a division within State's Attorney Mosby's office dedicated to uncovering wrongful convictions, reopened an investigation into the case after Mr. Chestnut contacted the office about the trio's innocence. Since reviving and expanding the CIU in 2015, State's Attorney Mosby

has won exoneration for nine innocent people.

Along with the exoneration, Mosby announced the launch of the **"Resurrection After Exoneration"** program in honor of Malcolm Bryant, an exoneree who spent 18 years in jail after being convicted of a murder that he did not commit.

Mosby also announced she would push for state legislation that would require the state to provide compensation for exonerees. Currently, Maryland does not have an obligation to provide for those who have been wrongfully imprisoned. Mosby will also be calling for legislation that will strengthen juveniles' right to counsel and parental presence when it comes to police and prosecutor interviews. •

PHOTO CREDIT: TODD KIMMELMAN/MID-ATLANTIC INNOCENCE PROJECT VIA AGENCE FRANCE PRESSE - GETTY IMAGES



MOSBY GOES TO ST. LOUIS TO SUPPORT CIRCUIT ATTORNEY GARDNER IN THE FACE OF POLITICAL ATTACKS

State's Attorney Marilyn Mosby joined black, female prosecutors from across the country in St. Louis, Missouri on Tuesday, January 14 to support St. Louis Circuit Attorney Kim Gardner at a press conference on the steps of the Carnahan Courthouse. Gardner filed a federal lawsuit the day prior directed at the city, police unions, and other political power players in St. Louis who have actively impeded her progressive policies in an effort to force her out of office. The federal lawsuit indicates numerous racist actions by St. Louis police, including a report released last year that revealed inappropriate social media activity

by officers posting racist, violent, and prejudiced content.

"Quite candidly, Kim, like the others that stand before you today, have challenged the status quo and the keepers of the status quo don't like that which is why she is being personally and professionally attacked," said State's Attorney Mosby.

Joining the State's Attorney were Prince George's County State's Attorney Aisha Braveboy, Suffolk County (Massachusetts) District Attorney Rachel Rollins, State's Attorney of the 9th Judicial Circuit Court of Florida Aramis Ayala, St. Louis NAACP President Adolphus Pruitt,



PHOTO CREDIT: CHRISTIAN GOODEN ST LOUIS POST-DISPATCH

and Organization for Black Struggle Executive Director Jamala Rogers.

After the press conference, State's Attorney Mosby received a threatening voicemail message targeting black women in positions of authority.

"I traveled to St. Louis because this is the unfortunate experience

of black female prosecutors everywhere," said State's Attorney Mosby. *"It's deeply disturbing that in 2020 we still have to experience such blatant racism, but this hateful rhetoric only strengthens my resolve to continue fighting justice, and working to undo the blight of mass incarceration and its impact on communities of color."*

STATE'S ATTORNEY'S OFFICE TAKES STRIDES TOWARDS CRIMINAL JUSTICE SYSTEM INTEGRITY



The eroding trust in Baltimore's criminal justice system presents a formidable obstacle for prosecutors and citizens alike. Since 2015, the Office of the State's Attorney has been steadfast in its mission to restore public trust in law enforcement at a time when we must work collectively to strengthen and regain confidence in the criminal justice system.

On November 21, 2019 Metropolitan Transition Center (MTC) correctional officer Darryl Floyd, 29, was sentenced for bribery by a public official and possession with intent

to distribute Buprenorphine (Suboxone). Floyd was sentenced to three years in prison with 18 months of that time suspended and two years supervised probation upon his release. Floyd agreed to smuggle in contraband, including drugs, to an inmate housed at MTC, a pre-trial prison facility within the Department of Public Safety and Correctional Services (DPSCS), in exchange for \$1,200.

On December 3, 2019, 25 correctional officers were indicted for alleged use of excessive force on detainees at state-operated Baltimore pretrial correctional

facilities. The officers will be suspended without pay pending the outcome of their trials. They face a total of 236 counts, including first and second degree assault, conspiracy, and misconduct in office.

On December 4, 2019, Baltimore City Police Officer Michael O'Sullivan received a 15 month sentence to the Department of Corrections for perjury and misconduct in office. In June of 2018, Yusuf Smith was wrongfully convicted and served 38 days in jail because the material witness, Officer O'Sullivan, provided false testimony during a Baltimore City district court handgun case. Over the State's objection, the court allowed the defendant to surrender

on January 6, 2020 to begin his sentence.

On December 12, 2019, a Baltimore City Grand Jury returned a 32-count indictment against Baltimore Police Department (BPD) Sgt. Ethan Newberg for offenses that occurred between July 1, 2018 and May 30, 2019, in the City of Baltimore. The indictment alleges that Sgt. Newberg, acting beyond the scope of his authority, in a common pattern and practice, did knowingly, intentionally, and unlawfully harass, detain and assault citizens who were engaged in lawful conduct for the improper purposes of dominating, intimidating and instilling fear. If found guilty of all charges, Sgt. Newberg faces up to 110 years in prison.

"These convictions demonstrate our unwavering commitment to hold all criminal actors accountable to the law even if and when they wear a badge. If you break the law, and break the trust and authority the public has placed in you, you will face the consequences." —State's Attorney Mosby

5TH ANNUAL WINTER SOLSTICE GALA GIVES BOOST FOR VICTIM SERVICES



In 2015, the SAO hosted its first Annual Winter Solstice benefiting the Victims' Emergency Fund. Since then, over 1,000 attendees have gathered annually to not only eat, drink and celebrate dedicated prosecutors and support staff within the SAO, but to also

commend community members that work to improve the criminal justice system. In 2019 the SAO raised over \$25,000 for the Victims' Emergency Fund during the annual Winter Solstice event held in December. •



The 2019 Winter Solstice External Award Winners are:



The Congressman Elijah E. Cummings Purpose in Spirit Award
Congressman Elijah E. Cummings, 7th District of Maryland

The Congressman Elijah E. Cummings Purpose in Spirit Award is awarded to a community or clergy leader who leads with passion and has a strong commitment to social justice that inspires communities to turn tragedy into triumph as they overcome obstacles and achieve success for the greater good.



Local Legislator Award
Councilman Edward Reisinger, 10th District Baltimore City Council

The Local Legislator Award is awarded to a local elected official who supports the mission of the Office of the State's Attorney for Baltimore City and contributes to public safety in Baltimore City.



The Shield Award
Robert Hur, United States Attorney for the District of Maryland

The Shield Award is given to a leader in the field of law enforcement who demonstrates a commitment to reducing violence in Baltimore City.



Gloria Hertzfelt Award
Charlotte Conyer

This Gloria Hertzfelt Award is given to an individual who demonstrates a commitment to address the needs of the community by providing strong support to victims/witnesses that contributes to the successful prosecution of our most violent criminals.



State Legislator Award
Delegate Erik Barron, Maryland House of Delegates

This State Legislator Award is awarded to a state elected official who supports the mission of the Office of the State's Attorney for Baltimore City and contributes to public safety in Baltimore City.



The Force Multiplier Award
Michael Hankin, President and CEO of Brown Advisory

The Force Multiplier Award is awarded to a leader of an organization who provides resources to the community that multiplies the organization's impact and empowers the community to accomplish greater things.

EXPERTS CONVENE AT PANEL HOSTED BY THE UNIVERSITY OF BALTIMORE LAW REVIEW



In November 2019, law students joined legal professionals, community stakeholders, and professors at The University of Baltimore School of Law for a symposium titled, "400

Years: Slavery and the Criminal Justice System."

"You have an overmilitarization of police departments all across the country, racially unjust application of laws against poor, black and brown

people, and collateral consequences of these convictions that have limited the advancement of their communities," said State's Attorney Marilyn Mosby at a panel discussion titled "Collaborative Methods to Reduce Mass Incarceration".

The conversation discussed how prosecutors have a legal and ethical obligation to tackle these injustices by providing opportunities for young people before they can stray down the path of crime. Mosby also emphasized the importance of prosecutors opting for alternatives to traditional prison sentences for low level, non-violent offenders in

an effort to turn their lives around before they become ensnared by the cycle of recidivism.

"Black people are six times more likely to be arrested and become a part of the criminal justice system than whites," said State's Attorney Mosby.

Panel speakers included Baltimore Public Defender Kristen Downs, Prince George's County State's Attorney Aisha Braveboy, and Deputy Director of the University of Baltimore Innocence Project Clinic Brianna Ford. •

FOCUS ON VIOLENT, REPEAT OFFENDERS PAYS OFF WITH NUMEROUS LIFE SENTENCES FOR BRAZEN HOMICIDES

Numerous violent, repeat offenders have received life sentences thanks to the tireless work of several prosecutors over the past few months.

On November 9, 2019, defendant, Davon “Big Baby” Crowner, 34, was sentenced to life plus 35 years for the first-degree murder of Xavier Starke. Crowner was also convicted of using a handgun in a crime of

were a total of nine casings at the crime scene, all matching. Over the course of a nearly year-long investigation, police were able to secure multiple witnesses who positively identified Crowner as the shooter, leading to his arrest in August 2017. Crowner was prohibited from possessing a firearm since 2004 as a result of an armed robbery conviction.

to life suspend all but 60 years plus five years of supervised probation for his role in the joint-rape and false imprisonment of a 24-year-old Baltimore woman in June 2017. A month prior, Baltimore City jurors convicted Burroughs of fourth-degree sex offense, sodomy, and false imprisonment. His current sentence must be served consecutively with the pre-existing

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violence; wearing, carrying and transporting a handgun; and being a prohibited person in possession of a firearm. This sentence will run consecutive to his current sentence in Baltimore County for accessory to murder.

The division chief of the Major Investigations Unit, Patrick R. Seidel, prosecuted the case.

In June 2019, police were called to the unit block of Shipley Street for a male shot in the head. Upon arrival, officers located the body of the deceased, Xavier Starke—lying in the middle of the road, suffering from five gunshot wounds. There

On December 18, 2019, Keith Hayes was sentenced to a total of 75 years for sexual offense in the first-degree, conspiracy to commit sexual offense in the first-degree, assault in the second-degree, and false imprisonment. These sentences will run consecutively to a prior conviction of 40 years. In August of 2019, Hayes, was convicted of a first-degree sex offense, conspiracy to commit a first-degree sex offense, and false imprisonment for the same incident.

A week before Hayes' sentence, **Travis Burroughs was sentenced**

80-year sentence he received in August 2018 for sexually assaulting two 14-year-old girls in March of 2017. Both codefendants are previously convicted sex offenders.

“These convictions ensure that less violent individuals are terrorizing our communities,” said State's Attorney Marilyn Mosby. **“I thank my talented team for successfully prosecuting these cases in partnership with the Baltimore City Police Department and community members who all work together to pursue and punish these brazen criminals to the fullest extent of the law.” •**

SAO Team Highlight

MANAGEMENT INFORMATION SYSTEMS (MIS)



(FROM LEFT TO RIGHT) Shibeshi Tadesse, John Batzer, Chris Edwards, John Carr, Eric Sadowski, and Director Darren O'Brien

The Management Information System (MIS) team at the State's Attorney's Office (SAO) is an invaluable resource for employees and the backbone of day-to-day agency operations. Whether you've been locked out of your computer or can't find a document on the Judicial Dialogue program, MIS is just a phone call away to solve your problem.

"Every person on my team truly blesses this office with their talent and work ethic," said Darren O'Brien, Director of the five member MIS team comprised of John Batzer, John Carr, Chris Edwards, Eric Sadowski, and Shibeshi Tadesse. Together, they manage the network connections and infrastructure for nearly 450 people at the SAO, along with their approximately 2,000 different pieces of equipment from desktops to cell phones and printers.

MIS is responsible for nine other locations tied to the SAO, including the courthouses around the City, and provides all the security measures, updates, user passwords and rights, and data storage at those facilities as well. Darren says the secret to pulling off this monumental task with a small team is to develop and execute a four year, long-term plan so that goals are never lost in the daily workload. Some of the goals wrapping up

in 2020 for the team include; increasing bandwidth, obtaining backup solutions via off-site storage options, and eliminating duplicates that occur daily when users access the network and generate or edit files.

One of the most common mistakes people make when it comes to security at the SAO is opening a suspicious email and downloading the attachment. If you don't know where it came from or if the address looks off, don't open it. That is essentially how the Baltimore City server hack occurred last year. However, the SAO was protected from that because of the quick-thinking on the part of MIS to sever their connection to the City network as soon as news of the breach occurred.

The SAO's security is also validated by a third party company to ensure its networks are as safe as possible from attacks. This proactive approach to data protection has made MIS a resource for other agencies across the State.

MIS is also responsible for collecting the data that defines the work of the SAO. From conviction rates of units, to the statistics of individual ASAs, MIS is able to generate a wealth of information about the office in a relatively short amount of time. •

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