

Justice Department investigation of Baltimore police finds rampant abuse

By Nick Barrickman
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A US Department of Justice (DoJ) report released Wednesday revealed that the Baltimore Police Department (BPD) has engaged in widespread violations of constitutional rights. These include unjustified stops and searches; arrests without proper cause; racial profiling; use of excessive force; sexual discrimination; and retaliation against actions protected by the First Amendment.

The investigation, which covers thousands of police stops, arrests and court papers from 2010-2016, was requested by Baltimore city officials in the wake of widespread social unrest in the aftermath of the April 2015 police killing of Freddie Gray. The 25-year-old African-American man died after receiving a “rough ride” in the back of a police van that nearly severed his spine. The DoJ investigation purposely seeks to remain neutral on the circumstances surrounding the Freddie Gray case.

The mounting protests against police violence and limited rioting that occurred after Gray’s death prompted a two-pronged response. After suppressing demonstrators with militarized police and nearly 5,000 National Guard troops, state prosecutors announced they were seeking charges against six cops and Obama’s Justice Department said it would investigate the police force.

In the end not a single police officer was held accountable. The cases against the remaining three officers not yet tried were unceremoniously dropped late last month, after state prosecutors failed to secure a single conviction in any of the previous trials.

“There is reasonable cause to believe that BPD engages in a pattern or practice of conduct that violates the Constitution or federal law,” the DoJ document states, adding “BPD has conducted virtually no analysis of its own data to ensure that its enforcement activities are non-discriminatory, and the Department misclassifies or otherwise fails to investigate specific complaints of racial

bias,” the report says. It adds, “in some cases, BPD supervisors have ordered officers to specifically target African-Americans for stops and arrests.”

The report finds that despite making up 63 percent of the city’s population, African-Americans account for over 83 percent of all criminal charges and are regularly over-represented in arrest reports in comparison to their percentage of the population. The DoJ found that the percentage of people arrested in a five-year period on the petty and highly subjective charges of “failure to obey” or “disorderly conduct” was 91 and 84 percent African-American respectively. Even starker, African-Americans made up over 83 percent of the area’s traffic stops, despite being less than 30 percent of the entire metropolitan region’s total driving population.

The report found “stop-and-frisks” and other “zero-tolerance policing” practices had resulted in mass discrimination, with two poor neighborhoods, consisting of a total of 11,000 residents, receiving over 44 percent of all stop-and-searches in the city in a six-year period. Of this group, several hundred people had been stopped at least ten times by police, with seven people being patted down over 30 times.

“During stops, BPD officers frequently pat-down or frisk individuals as a matter of course, without identifying necessary grounds to believe that the person is armed and dangerous,” the report states, adding, “even where an initial frisk is justified, we found that officers often violate the Constitution by exceeding the frisk’s permissible scope,” by engaging in “strip searches” in public and other inappropriate actions. The report notes that out of nearly half of all stop-and-frisk incidents, only 3.7 percent resulted in any arrests.

When arrests were made, the report found officers conducted “warrantless arrests without probable cause” as well as making “arrests for misdemeanor offenses, such as loitering and trespassing, without providing the

constitutionally-required notice that the arrested person was engaged in unlawful activity.” The DoJ found that over a five-year period, BPD officers made over 11,000 arrests that were subsequently thrown out at central booking for being groundless.

After reviewing all cases in which a police officer used deadly force in an encounter, as well as 800 other non-deadly incidents, investigators found “BPD uses overly aggressive tactics that unnecessarily escalate encounters, increase tensions, and lead to unnecessary force.” In addition, police officers are physically abusive to people “already restrained and under officers’ control,” or who are not even under arrest.

Prominent in such violent encounters are victims in mental health crises, for whom “BPD provides less effective services... by failing to account for these disabilities in officers’ law enforcement actions, leading to unnecessary and excessive force being used against them.”

Significantly, the report notes that such practices are not only ingrained in the cops through training, but that the department itself “fails to provide officers with sufficient policy guidance and training; fails to collect and analyze data regarding officers’ activities; and fails to hold officers accountable for misconduct.”

News media reports and the authors of the investigation themselves seek to emphasize the instances of racial discrimination found in the report, with the *New York Times* leading the way, quoting Baltimore City Council member Brandon M. Scott, who sums up the report’s findings as “driving while black, walking while black... When you’re talking about zero tolerance, it’s breathing while black.”

Local police departments certainly attract and encourage backward elements, including racists. The Democratic politicians, news media and identity politics organizations such as Black Lives Matter, however, blame police brutality solely on racism in order to cover up the real role of the police. The cops are not defenders of “white society” but are the armed protectors of the wealth and power of the ruling elites. The victims of police brutality include workers and poor people of all races, and the rampant police abuse in heavily African-American neighborhoods is a reflection of high rates of poverty and the criminalization of the poor.

Baltimore’s police department is one of the most racially-integrated police agencies in the US, with over half of the city’s officers being of either African-American, Hispanic or Native American origin.

The city is largely run by African-American Democrats who depend on the police to suppress a population that is increasingly hostile to social inequality, school closures, utility shutoffs and the reactionary measures imposed by the Democratic political establishment.

Then there is the first African-American president, who has handed out military grade weaponry to local police departments across the country. At the same time his Justice Department has routinely rejected calls for killer cops to be prosecuted under federal civil rights laws and invariably opposed every attempt to bring police violence cases before the Supreme Court.

In presenting the report alongside police and Justice Department officials, Baltimore’s Democratic mayor Stephanie Rawlings-Blake sought to present it as part of “my aggressive work to reform the Police Department, and to improve police-community relations [that] predates the death of Freddie Gray.”

In fact, while seeking to cover for the police more generally, the report itself comes dangerously close to revealing the real social factors which are the basis of the rampant police brutality exposed in the investigation. “Providing policing services in many parts of Baltimore is particularly challenging,” it states, “where officers regularly confront complex social problems rooted in poverty, racial segregation and deficient educational, employment and housing opportunities.”

On the causes of such conditions and those who are responsible for perpetuating them, the Department of Justice is tight-lipped.

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