

Baltimore to pay family of Freddie Gray \$6.4 million to avoid civil lawsuit

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Baltimore Mayor Stephanie Rawlings-Blake announced Tuesday that the city intends to pay a \$6.4 million settlement to the family of Freddie Gray, the 25-year-old African American man whose death at the hands of police last April sparked weeks of protests and rioting.

In her statement, Rawlings-Blake emphasized that the settlement, which preempts the family's filing of a wrongful death civil lawsuit, is meant "to avoid years and years of protracted civil litigation and the potential harm to the community and divisiveness which may likely result."

The immediate purpose of the hefty settlement is to serve as a payoff to the Gray family, which could easily prove that the officers' actions or inaction—which definitively led to Gray's injuries and subsequent death—reflected the custom of the Baltimore Police Department. A similar payoff of \$5.9 million was given by New York City to the family of Eric Garner in July, also to prevent the filing of a civil lawsuit.

Had the Gray family pressed charges, the trial would have likely gone to federal court, where a judgment could have reached tens of millions of dollars. Evidently, Rawlings-Blake knew that the city's chances of proving that Gray's killing was out of step for the Baltimore police were very slim.

The political establishment in Baltimore has a lengthy history of similar payoffs, which send a clear message to the police that they can maintain the status quo, with full knowledge that their "excesses" will be written off as routine expenses.

The proposed payment to the Gray family would surpass the total of more than 120 other lawsuits brought against the Baltimore Police Department for brutality and misconduct since 2011. The *Baltimore Sun* reported that from 2011 through September 2014, the city spent \$5.7 million in settlements alone, and paid another \$5.8 million for legal representation in 102 cases.

The five-member Board of Estimates, headed by Rawlings-Blake and including two other members in her administration, will undoubtedly approve the settlement, as one of the two remaining independent members has already

pledged his support. The Board will officially decide upon the settlement on Wednesday morning.

The decision to preemptively settle a potential civil lawsuit is also calculated to influence Judge Barry G. Williams' decision Thursday on whether or not to move the associated criminal trials against the six officers who killed Gray to another location outside Baltimore.

The officers' defense lawyers can now legitimately argue that the jury pool in Baltimore will be biased, charging that the large settlement implies the officers' guilt. Rawlings-Blake and other members of the Baltimore political establishment would prefer to have the criminal trial moved out of the city and shift media attention away from Baltimore entirely.

In her statement, Rawlings-Blake was at pains to deflect the issue. "Importantly, this settlement has nothing whatsoever to do with the criminal proceedings now underway," she said, adding that the settlement "should not be interpreted as a judgment on the guilt or innocence of the officers facing trial."

Santa Clara, California deputies charged with murder of homeless prisoner Michael Tyree

On August 26, Michael Tyree, a 31-year-old mentally ill white man, was beaten to death in his Santa Clara County jail cell. The Santa Clara County Medical Examiner ruled Tyree's death a homicide, caused by massive internal bleeding due to blunt force trauma, lacerations to his liver and spleen and sustained cuts and bruises covering his body.

On Tuesday, Santa Clara District Attorney Jeff Rosen filed a single charge of murder each against deputies Matthew Farris, Jereh Lubrin and Rafael Rodriguez, declaring, "Michael Tyree was not protected by those correctional officers who were supposed to protect him. Instead, they killed him and we have now charged them with murder."

After pleading no contest to petty theft allegations in a special mental-health court on August 23, Tyree had been held by himself in a cell in the 6B wing of the jail, reserved for inmates who are in protective custody or have special needs. He was supposedly going to be transferred to a mental-health facility after completing a five-day sentence.

Late on the evening of August 26, Lubrin, Rodriguez and Farris arrived at Tyree's cell, hours after he allegedly refused to take his medication. Several inmates from the same floor who overheard the subsequent beating assert that Tyree began screaming, "don't," "please stop," "help," and "I'm sorry," and that he fell silent shortly thereafter.

A court document filed Tuesday notes, "Screaming could be heard throughout the Pod for several minutes and was accompanied by the sounds of thumping, wall banging and what sounded like blows to a person's body."

Roughly an hour later, the three officers returned to the cell and acted surprised to find Tyree bruised, battered, unconscious and smeared with feces and vomit.

Inmates have told reporters that the mentally ill and homeless are targeted at the jail, and that beatings are not unusual. The mother of one prisoner told the *San Jose Mercury News* that inmates are particularly fearful of something called an "elevator ride," in which an inmate is taken to the basement and badly beaten outside the hearing range of their fellow prisoners.

Last Friday, about 50 protesters marched outside the county jail where Tyree was killed, demanding an end to violence against inmates.

The murder of Michael Tyree underscores the essential class character of police violence in the US. While police across the country disproportionately brutalize and kill of people of color, there exists a common class thread that ties together victims of police brutality, regardless of race or ethnicity.

When one reads through media reports compiled by Killed by Police or The Counted, it becomes clear that the vast majority of those killed by police are working class, predominantly from poorer neighborhoods, and often, as in the case of Tyree, homeless and entirely marginalized from society.

Family of Zachary Hammond petitions for new prosecutor

Last week, the family of Zachary Hammond, the unarmed 19-year-old youth killed by Seneca, South Carolina police on July 26, filed a motion with the state Supreme Court to

remove local prosecutor Chrissy Adams from the investigation into their son's death. The petition accuses Adams of having a conflict of interest due to her close relationship with police, and requests that she be replaced with an independent solicitor.

Alongside their petition, an affidavit by Toni Morton, the passenger and date of Hammond at the time of his shooting, was released. Morton's description of the shooting firmly contradicts the official police story.

Immediately after the shooting, Seneca Police Chief John Covington declared that Tiller had to fire his weapon because Hammond was driving toward him. In contrast, Morton writes that the officers got out of their cars with their guns already drawn, with one of them "yelling that he would blow our (expletive) heads off and immediately started firing."

Whereas officials claimed that the shooting officer, lieutenant Mark Tiller, gave warning prior to shooting, Morton declares, "It happened within seconds with no warning."

Massachusetts cop fakes shooting, sparks manhunt

Last Wednesday, Millis, Massachusetts police officer Bryan Johnson, 24, fired multiple rounds into his own patrol car and evidently set it ablaze. He then fabricated a story in which he crashed his car because a white male fired several shots at him, sparking a citywide manhunt that effectively locked down the small town of roughly 8,000 residents.

The city's schools were shut down, as a heavily armed SWAT teams, dozens of state troopers, K-9 officers and police helicopters descended upon the area, in the same manner as in a series of recent manhunts across the country.

Only after a ballistics test revealed that the shots were fired from Johnson's gun did the siege of the city come to an end. Johnson has since been arrested and faces multiple criminal charges. While his motive for lying has not been determined, he claims to have "blacked out" prior to shooting his own vehicle and fabricating the story.



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