

Defense rests in trial of first police officer charged in killing of Freddie Gray

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The defense rested Friday in the case of William G. Porter, the first of six Baltimore police officers accused of playing a role in the killing of 25-year-old Freddie Gray in April of this year. Jurors are set to convene Monday to begin deliberating on a verdict, which is due by December 17.

Gray died after police detained the young man and gave him a “rough ride” in the back of a police van, an incident which left his spinal cord nearly severed. Gray died seven days later from his injuries, which had likely caused his respiratory system to shut down.

The defense’s testimony came after prosecutors for the state of Maryland presented evidence and witnesses over a five day period seeking to depict Porter as callous to the needs of Gray, ignoring his pleas for help and medical assistance.

On Monday, Angelique Herbert, the medical first responder who had been on hand at the Western District Police Station, testified that she had seen Gray unresponsive, slumped over inside the van while being held up by Porter and another officer while blood and saliva formed around the 25-year-old’s nose and mouth.

Dr. Carol Allan, the assistant state medical examiner who had performed an autopsy on Gray, testified for prosecutors that the latter’s death had been a homicide. She asserted that, had police taken Gray directly to the hospital when his injuries first happened, he’d likely still be alive.

Morris Marc Soriano, a neurosurgeon called by the prosecution, stated that Gray had died of “brain death,” after the severing of his spinal cord made it impossible for his respiratory system to function. Elsewhere, Soriano attested that Gray’s injury could not have been inflicted by banging his own head into the wall of the vehicle, “It’s the wrong motion. ... The mechanism of

the injury by banging your head backward is not possible,” he stated. Echoing the opening statements of the prosecution, Soriano stated that Gray’s injuries were akin to those sustained from a vehicular collision, in which the victim is launched head first through a windshield.

Throughout the trial, the defense sought to portray the 26-year-old Porter in a sympathetic light; laying blame for Gray’s death on police van driver Caesar Goodson, Jr., who had responsibility over the prisoners being transported in the van. Goodson is accused of committing second-degree “depraved heart murder,” a charge which carries a potential 30-year sentence. Porter, an African American, is charged with involuntary manslaughter, reckless endangerment, second-degree assault and misconduct in office.

Attorneys and expert witnesses for Porter alleged that Gray had suffered his fatal injury late in the almost 45-minute van ride to the police station, in an attempt to diminish Porter’s apparent guilt for not having sought medical help sooner. Elsewhere it was asserted that Gray, who lay on the van’s floor throughout the ride, was faking his injuries until his neck was broken near the van’s final stop.

Typifying the callous approach of the defense was the testimony of Dr. Vincent Di Maio, a forensic pathologist, who coldly asserted that Gray’s death was “just an accident ... and accidents happen.”

In his own testimony, Porter stated that in nearly 150 career arrests involving a police van, he had never fastened a seatbelt on any prisoner. The defendant sought to deny that Gray had told the officer that he was having trouble breathing, an assertion which contradicted earlier statements investigators had obtained from Porter in the days immediately following Gray’s arrest.

Similarly, Porter testified that he had been wary of fastening Gray into a safety harness during the ride due to fears that the severely injured man would reach for the police officer's weapon. When questioned as to why he hadn't simply handed his gun to a fellow officer before helping the injured passenger, Porter replied "That's ridiculous. I wouldn't hand over my gun to anyone."

Captain Justin Reynolds of the Baltimore Police Department, who testified on Porter's behalf, said that Porter's stated efforts to inquire if Gray required medical assistance, as well as to alert Goodson of his requests, were "beyond what many other officers would have done" in the situation. Elsewhere, Reynolds suggested that the department policy which required officers to fasten all prisoners with a safety harness while being transported was rarely followed.

It is expected that Porter will serve as a material witness against other officers charged in the killing, including Goodson and Sergeant Alicia White, who is Porter's higher-up and was in charge of ordering medical care for the injured Gray. The trials for all six police officers are expected to run into March of next year.

Gray's death set off protests and limited rioting against police brutality throughout the city. Maryland's Republican governor, Larry J. Hogan responded by imposing martial law and calling in the National Guard to quell the protests. Confronted with escalating opposition to the state's policies of repression, officials for the state of Maryland, in close collaboration with the Obama administration, sought to dispel the protests by indicting the officers involved in the killing.

The brutality of the BPD is well documented. According to the *Baltimore Sun*, from 2011 through September 2014, the city spent over \$5.7 million in settlements for lawsuits filed against police officers, as well as another \$5.8 million in legal fees. In September, Baltimore's Democratic mayor Stephanie Rawlings-Blake announced a \$6.4 million payoff to the Gray family as a means to head off a wrongful death lawsuit against the city.

On Wednesday, Rawlings-Blake appeared before news cameras, with newly-installed Baltimore Police Commissioner Kevin Davis, to issue a warning to Baltimore residents not to "disrespect" the verdict of the jury when it is released.

earlier comments which voiced concerns about going down on protests which may emerge after a "not guilty" verdict, Davis stated that Baltimore law enforcement officials were "addressing any and all shortcomings" in their response to a potential "civil disturbance."



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