

# Maryland state's attorney clears police officers involved in killing of Freddie Gray of all charges

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On Wednesday, Maryland state prosecutors dropped all charges against the remaining three officers still to be tried for the April 12, 2015 arrest and subsequent death of 25-year old Baltimore resident Freddie Gray. The prosecution's decision to drop all charges occurred in the pretrial hearing for Garrett Miller, the fifth officer to be tried in the killing of Gray. In addition to Miller, the state dismissed charges against Sgt. Alicia White and Officer William G. Porter, the police officer whose initial trial ended with a hung jury last December.

All four previous cases brought against the six Baltimore police officers involved in Gray's death resulted in either mistrials or acquittals. Prosecutors were reportedly facing a "legal minefield" in prosecuting Miller, who had served as a state's witness against Officer Edward Nero last month. In exchange for Miller's testimony, the state had granted him limited immunity, which would have made proving his guilt more difficult. Miller had faced charges of second-degree assault, two counts of misconduct in office for his actions pertaining to Gray's arrest, as well as reckless endangerment.

"I think this was bowing to the inevitable. ... I think it became clear after the last verdict [for Lt. Brian Rice, the highest ranking officer charged in Gray's death] that there wasn't an avenue forward that would result in a conviction," said David Jaros, a law professor for the University of Baltimore, to the *New York Times*.

Speaking before news cameras in the west Baltimore neighborhood of Sandtown-Winchester, where Gray was arrested, Baltimore State's Attorney Marilyn Mosby referred to the decision to drop charges as "agonizing," while adding, "but as a prosecutor ... I

must consider the dismal likelihood of conviction at this point."

Mosby's comments revealed that the process surrounding each trial made them essentially sham prosecutions. "Without real substantive reforms to the current criminal justice system, we could try this case 100 times and cases just like it, and we would still end up with the same result," she declared, speaking of "an inherent bias that is a direct result of when police police themselves... There were individual police officers that were witnesses to the case, yet were part of the investigative team, interrogations that were conducted without asking the most poignant questions, lead detectives that were completely uncooperative and started a counter-investigation to disprove the state's case."

In addition, fearing a reprise of the mass protests that swept the city when Gray died, Mosby sought to caution the public against any further action. "We must respect the verdicts rendered by the judge," she declared, adding, "I need not remind you ... that the only loss—and the greatest loss—in all of this was that of Freddie Gray's life."

Amid legal obstruction by investigators, the court and police, the decision of the State Attorney's office to dismiss all charges demonstrates the politically calculated character of the prosecution's case against the officers involved in Gray's death.

The announcement of charges against the officers came after mass protests against police brutality swept Baltimore and the country in response to the April 19, 2015 death of Gray, who was given a "rough ride" in the back of a police van. At the time, US and Maryland officials seized on isolated instances of rioting to

declare a state of emergency in Baltimore and to call in the National Guard to conduct mass arrests. When the latter failed to quell social tension, Maryland officials, in close coordination with figures from the Obama administration, brought charges against the officers in an effort to limit further protests.

According to a 2015 investigation released by the *Washington Post*, in the thousands of cases of police killings between 2005 and 2015, few cops were ever prosecuted and even fewer were found guilty.

The state's decision to drop all charges against the remaining three officers involved in Gray's death occurs as representatives of the political and media establishments seek to delegitimize all social opposition to police brutality in the wake of the shootings of police officers in Dallas and Baton Rouge. The latter deaths occurred amid protests against police shootings, which have continued unabated since Gray's death in 2015.

On Tuesday evening, Minnesota police cleared protesters from in front of the governor's mansion on Summit Avenue in St. Paul, arresting more than 70 people on charges of disorderly conduct, unlawful assembly and public nuisance. Protesters had been stationed outside the governor's mansion since the police killing of 32-year-old Philando Castile in Falcon Heights, Minnesota earlier this month.

According to Jacob Ladda, a witness, police were "trying to strip us of our well-being. ... They're asking us to remove water and food from the space—tents and other things that provide shade. They're using intimidation tactics rather than legal tactics."



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