



# Anatomy of the Gun Trace Task Force Scandal: Its Origins, Causes, and Consequences

Executive Summary

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# Executive Summary

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## A. Background

This Report is the culmination of a two-year investigation into the corruption scandal centered on the Baltimore Police Department's (BPD) Gun Trace Task Force (GTTF). On March 1, 2017, seven members of the GTTF – Wayne Jenkins, Momodu Gondo, Evodio Hendrix, Daniel Hersl, Jemell Rayam, Marcus Taylor, and Maurice Ward – were arrested on charges contained in an indictment returned the previous week by a federal grand jury. The 45-page indictment alleged in elaborate detail the crimes in which the defendants engaged that supported charges of racketeering conspiracy and racketeering, including specific acts of robbery, extortion, and overtime fraud during 2015 and 2016. The March 2017 indictment was only the first installment of a broader set of criminal charges against the original defendants and numerous other BPD members that would continue to make headlines periodically over the next several years.

The March 1 indictment described truly egregious acts of corruption attributed to the defendants. The crimes included robberies committed during street stops, traffic stops, and residential searches; false affidavits and police reports submitted to facilitate their crimes; and massive overtime fraud accomplished through lying about the hours worked by the BPD members. The indictment charged that the officers had transformed the GTTF – and BPD as a whole – into a racketeering enterprise, a charging framework usually reserved for cases against members of organized crime, not police officers. The charges were the result of an intensive investigation conducted by the Federal Bureau of Investigation's Public and Border Corruption Task Force (FBI Task Force), a unit comprised of FBI agents and trusted BPD members, working with the US Attorney's Office (USAO) for the District of Maryland. The FBI Task Force used court-authorized electronic monitoring to intercept phone calls and conversations among the corrupt officers, at times while they were in the process of committing crimes. Those conversations, and substantial evidence of other types, helped to build a formidable case against the seven original defendants.

The arrests and the indictment of these officers stunned BPD and the entire city of Baltimore. Immediately referred to as "the GTTF scandal," it was characterized as the most extensive and damaging corruption scandal in the history of BPD. It was particularly damaging because it came to light at a time when the relationship between BPD and the residents of Baltimore – particularly communities of color – was especially fragile and strained. Several dimensions of the corruption scandal made it one without precedent in BPD's history: the depravity of the behavior, the range of crimes committed, the number of officers involved, and the duration of the corruption. And it turned out that the initial arrests and charges were just the beginning.

Over the next several months, Gondo, Hendrix, Rayam, and Ward began cooperating with the government. Their cooperation revealed that they had committed many more crimes than the government had been aware of, crimes that extended much further back in time than the starting point described in the original indictment. These defendants also identified other participants in their crimes, including most notably the GTTF's former sergeant, Thomas Allers. As the investigation continued, the government gathered evidence of additional acts of corruption and misconduct, involving five additional former BPD members – Keith Gladstone, Robert Hankard, Ivo Louvado, Victor Rivera, and Carmine Vignola. These defendants were charged with crimes that were only tangentially related to the original defendants and the original charges.

To date, 13 defendants have been charged with crimes growing out of the original federal investigation. These former BPD officers constituted not a single criminal gang, but instead a shifting constellation of corrupt officers who discovered each other during the course of their careers and committed their crimes individually, in small groups, and then in larger groups. Over the course of many years, they victimized vulnerable Baltimore residents who they trusted would either not complain, or would not be believed if they did. Until the federal investigation developed evidence of their criminal activity, the corrupt officers were correct: most of their carefully selected victims did not complain, and those who did were virtually never deemed credible when the allegations were denied by the officers.

Developments over the past four years have demonstrated that although referring to the “GTTF scandal” was a convenient shorthand, it failed to capture the fact that the defendants were committing crimes well before they joined the GTTF, when they were assigned to other plainclothes enforcement squads. In fact, four of the original seven defendants – Jenkins, Hendrix, Taylor, and Ward – did not join the GTTF until June 2016. Yet by their own admission, each of them had been engaging in corrupt activities and committing crimes against the public years before being transferred to that squad. The details of many of those crimes were folded into their plea agreements. By mid-October 2017, Gondo, Hendrix, Rayam, and Ward had all pled guilty to racketeering conspiracy and agreed to cooperate with the government, including testifying against the remaining defendants. In addition to the racketeering conspiracy charge, Gondo also pled guilty to a narcotics conspiracy charge contained in a separate indictment. These guilty pleas were only the first in a cascading set of admissions of criminal behavior by BPD officers that extended through the end of 2020. As of December 2021, as a result of the federal investigation, 10 former BPD members have pled guilty, two (Hersl and Taylor) were convicted at trial, and one non-GTTF member (Hankard) is awaiting trial.

In this Report, we examine the roots of the corruption scandal through a detailed review of BPD's recent history – its leadership, its shifting strategies, its successes, and its failures. The backdrop is Baltimore's longstanding fight against persistent and devastating violent crime. This struggle, and the impact it had on the culture of BPD

and its tolerance for misconduct and corruption, is not merely background and context. BPD's corruption problem cannot be fully understood without examining its relationship to the ongoing crime fight and the various strategies and tactics adopted to address the epidemic of violent crime.

This Report is a detailed examination and analysis of the ways in which BPD's various anti-crime initiatives over the past 20 years have played a central role in shaping the culture, values, and behavior within BPD. Over time, BPD developed and perpetuated a culture in which productivity – as measured at various times by some combination of the number of arrests, volume of narcotics seizures, and number of gun seizures – was enshrined as the most important yardstick for measuring success and failure, for the Department as a whole, for its police commissioners, and for individual squads and members. As a result, other important institutional needs and imperatives – such as training, supervision, and accountability – were never given adequate attention or supplied with adequate resources.

A police officer's duty to engage in lawful and ethical behavior should be stressed from the moment recruits apply to the Department until the day they depart. Recruitment efforts should be designed to screen out candidates who present unacceptable risks to the Department and Baltimore's residents. Training in the Academy and throughout an officer's career must repeatedly emphasize the need to follow the Constitution, the law, and BPD policies. Supervision at every level must insist that BPD members conduct themselves in conformity with the framework of rules, laws, and norms that govern their behavior, even in the most difficult circumstances, when the temptation to cut corners and bend the rules in the interests of fighting crime is greatest. And BPD must have a system of accountability, with investigative and disciplinary mechanisms, that is both respected and feared.

BPD has historically fallen short in creating and maintaining a culture of lawful and ethical behavior, from recruitment through the handling of allegations of misconduct. In the past, applicants were frequently pushed through the hiring process despite red flags that became apparent during the application process that should have proved disqualifying or at a minimum required additional follow-up and investigation. At the Academy, recruits were in some cases provided with the answers to test questions to ensure that all recruits graduated to meet BPD's insatiable demand for personnel. Academy classes that began with 50 recruits would frequently end with 50 graduates, regardless of test performance involving intellectual and physical ability, and regardless of evidence that recruits appeared to have other issues that their peers believed would prevent them from becoming effective officers.

Once out of the Academy, the development of rookie officers depended heavily on mentoring by senior officers and supervision by sergeants, BPD's first-line supervisors. Many officers who began their BPD careers in the 1990s and the early 2000s learned some very disturbing lessons at the outset of their careers. For example, if officers engaged in a foot pursuit, suspects would frequently be beaten once they were

caught, and in some cases deliberately sent to the hospital. Supervisors were aware of this behavior and did little to stop or limit it. BPD members conducted stops and made arrests without a sufficient factual or legal basis. Supervisors were aware of this behavior and did little to stop or limit it. Facts acquired through lawful investigations would often be supplemented by evidence acquired illegally or by information claimed to be based on the officer's actual observations but that had been obtained through other means. Supervisors were aware of this behavior and did little to stop or limit it. Officers were taught that their courtroom testimony should not vary from the incident reports or charging documents they had submitted, even if those documents were wrong. It was more important for testimony to be consistent with the written submissions than to be accurate. Again, supervisors were aware of this behavior and did little to stop or limit it—indeed, they encouraged it, sometimes to avoid having to testify themselves. These practices have long been embedded in BPD's culture and help to explain why it provided a nourishing environment for corruption and misconduct.

The historical failures of the accountability function are starkly illustrated in the experiences of the former BPD members who were prosecuted. Several of them engaged in misconduct that should have ended their BPD careers, but did not do so because of profound weaknesses in the system for investigating, charging, and adjudicating allegations of misconduct. Instead of suffering the consequences for their actions, these officers learned that there were inadequate institutional constraints and guardrails to prevent them from engaging in misconduct or punishing them if they did.

## **B. Our Investigation**

This Report explores the individual, institutional, and cultural factors that help explain the roots and development of the GTTF corruption scandal within BPD. Our investigation has demonstrated that any suggestion that the corruption was limited to a single, rogue squad misapprehends the scope of the corruption and the root causes that produced it.

We have cast our investigative net broadly. Just as the indicted officers engaged in corruption long before they joined the GTTF, our exploration and discussion of the causes of the scandal begin well before the creation of the GTTF.

The GTTF was created in 2007. It was originally designed to be an analytic and investigative unit focused on how the firearms used in violent crimes in Baltimore came into the hands of criminals. But we realized that using 2007 as the starting point for our review made little sense. The GTTF was only one chapter in a much more complicated story involving the adoption of different enforcement strategies and tactics embraced following the election of Mayor Martin O'Malley in November 1999, and his selection of two BPD commissioners—Edward Norris and Kevin Clark—who were recruited from the New York City Police Department (NYPD). Norris and Clark were selected in large part because of the sharp reductions in violent crime achieved in New York City in the mid-1990s, in the hope that the NYPD's strategies and tactics could be imported to

Baltimore. As our investigation developed, it became increasingly clear that the Department that produced the GTTF could not be properly understood without going back at least as far as 1999, while at the same time recognizing that the problems of corruption and misconduct in BPD existed even well before then.

From the outset, our investigation had two primary areas of focus. First, we sought to understand the individual BPD officers who engaged in the corruption and misconduct. Second, we explored the structural and organizational weaknesses within BPD that allowed that corruption to take root and continue for such an extended period of time before it was discovered and revealed.

As to understanding the motivations of the officers who committed these serious crimes, we sought to obtain the cooperation of the defendants themselves so that we could hear directly from them about the factors in their lives and careers that caused them to betray their oaths as law enforcement officers. We were unsuccessful in gaining the cooperation of any of the GTTF members. Despite their profuse apologies to BPD and the community at the time they were sentenced, these former GTTF members declined to back up those apologies with meaningful contributions that could help BPD and its members learn lessons from their personal experiences. We did obtain the assistance of one of the non-GTTF members who has been prosecuted, Victor Rivera, who fully cooperated with us and was a source of significant insight into his personal involvement in corruption and how it began.

We were also unsuccessful in gaining the cooperation from those family members of the defendants whose contact information we obtained. Our phone calls to family members resulted in unreturned voicemails, numbers no longer in service, and abrupt phone hang-ups once we identified ourselves. We had no ability to compel the cooperation of family members and no meaningful way to persuade them to assist us in obtaining relevant information about the defendants that might have yielded helpful insights into their backgrounds, character, and motivations.

The only remaining alternative for completing this part of our investigative task was to construct detailed portraits of the defendants through interviews and documents. We conducted interviews with BPD members who worked with the defendants at various stages of their careers. We undertook a comprehensive review of BPD records, including voluminous Internal Affairs (IA) files involving complaints made against the defendants throughout their BPD careers and how those complaints were resolved. We reviewed court filings made by lawyers for the defendants, as well as statements made by the defendants, family members, friends, and their lawyers at the time they were sentenced. Finally, we were able to consult two books written about the GTTF scandal whose authors were able to speak with some of the GTTF members.

For the second set of issues to be addressed by our investigation—the structural, organizational, operational, and leadership weaknesses within BPD that provided fertile soil for corruption to sink its roots and grow—we relied on documents we

obtained from BPD and an extensive set of witness interviews. For details of events that occurred as long as 20 years ago, we relied extensively on detailed, contemporaneous media coverage of BPD, provided primarily by a group of journalists from *The Baltimore Sun*. Although BPD was responsive to our document requests, we were handicapped by BPD's inconsistent and haphazard retention of records, and its difficulties in retrieving them. The fact that we were seeking materials that went back 20 years made the task of collecting relevant records more difficult, but we also encountered problems obtaining more recent records. We frequently were told that the records sought did not exist or could not be located. We have no reason to believe that any of these documents were deliberately withheld or concealed from us, and we are well aware of the historical deficiencies in BPD's recordkeeping systems.

The backbone of our investigation was witness interviews. We began conducting interviews in mid-December 2019. Between then and now, we have conducted more than 160 interviews, including every elected mayor from Martin O'Malley through Brandon Scott, and every BPD commissioner from Ed Norris through Michael Harrison. Because of the COVID-19 pandemic, we ceased conducting interviews in person after March 12, 2020, the date we interviewed former Commissioner Norris. From that point forward, we relied on interviews via videoconferences. Although in-person interviews are always preferable, we found video interviews more than adequately served our purposes during the pandemic.

Overall, the current BPD members whom we sought to interview were responsive to our requests. Within days of our selection, Commissioner Harrison circulated an internal memo requesting that BPD personnel cooperate with our investigation. Most current BPD members agreed to be interviewed, and the majority did so promptly and without objection. In those instances where our requests were initially ignored or met with resistance, BPD's chief legal counsel provided us with substantial assistance by encouraging the BPD member to cooperate. In a small number of instances, BPD commanders had to instruct recalcitrant BPD members of their obligation to do so. Because we lacked subpoena power, persuading former BPD personnel, including former commissioners, to cooperate with our investigation was more challenging. In the end, we were able to obtain the cooperation of all former commissioners and to persuade all but a very few former BPD members to cooperate. We had substantial difficulty locating a small number of former BPD personnel due to contact information that was incomplete, inaccurate, or outdated.

We have received the full cooperation we were promised at the outset of this investigation by BPD Commissioner Harrison and then-City Solicitor Andre Davis. In addition, we were aided by the work performed by the Commission to Restore Trust in Policing, an investigative body created by the Maryland General Assembly in May 2018 to focus on the GTTF.

### C. Zero-Tolerance/Quality-of-Life Policing Comes to Baltimore

In November 1999, Martin O'Malley was elected mayor of Baltimore. O'Malley's election led directly to important leadership and strategy changes for BPD. Prior to his election, O'Malley had spent years expressing concern about the spiraling levels of crime and violence in Baltimore. He blamed the passivity of past mayors and police commissioners for a collective failure to adequately address violent crime, and he focused his 1999 mayoral campaign on public safety issues. After learning about the zero-tolerance/quality-of-life approach to enforcement that had been used in New York City and credited with sharp drops in crime, O'Malley concluded that this strategy could work in Baltimore. To that end, he hired Ed Norris, a young NYPD executive, to serve as BPD's deputy police commissioner. When O'Malley's original choice for commissioner, BPD veteran Ronald Daniel, quickly flamed out and lost his job after 57 days, Norris took his place. His mandate was to implement the NYPD model.

By then, corruption was already an embedded part of BPD's culture. Victor Rivera, who was later prosecuted as part of the GTTF investigation, began engaging in thefts during the execution of search warrants in the late 1990s and did so on approximately a dozen occasions. Rivera did so because he yearned for acceptance by BPD officers whom he and other officers respected and admired – to gain admission into their informal club. Rivera knew what he was doing was wrong, but those around him were doing it, and he was swept along, confident that there would be no consequences. According to Rivera and many other BPD members we interviewed, corrupt officers were largely self-selecting, identifying those they believed would participate with them in misconduct and shunning those they felt could not be trusted to participate and keep their secrets. The reverse was also true: honest officers knew to stay away from their colleagues who they knew or suspected operated “in the gray area.” For various reasons, those honest officers kept their suspicions to themselves, or shared them only with other like-minded officers without reporting their suspicions to their supervisors or to IA.

A common form of corruption, which was not universally perceived by officers as inherently wrong, was making misrepresentations of fact to support law enforcement actions such as stops, arrests, and searches. Such misrepresentations were designed to mask the identity of informants, shield supervisors from needing to testify in court, and/or provide the extra pieces of information necessary to justify officers' actions. This category of misconduct took various forms. The BPD officer would falsely represent that an observation or set of observations had been made by the officer himself rather than by the supervisor or informant. Or the officer would fabricate the observation entirely. The falsehood would then be perpetuated through false testimony, if necessary, that would be consistent with the inaccurate written accounts of what had happened. One of the GTTF defendants, Maurice Ward, said that his own corruption started with such falsification of reports. Our investigation demonstrated that this type of corruption was casual, routine, and pervasive – and carried with it no



consequences. BPD members focused on the outcome – the arrest of someone they believed to be guilty – rather than the dubious means they used to achieve it.

Neither O'Malley nor Norris was under any illusion about the existence of corruption within BPD. O'Malley's mayoral campaign platform included a commitment to "police the police" to deal with corruption and misconduct that were already occurring, as well as the type of misconduct that could result from the more aggressive style of policing he sought to implement. In April 2000, O'Malley and Norris published the results of a broad review of BPD operations conducted by New York-based consultants, which included the results of a survey that included questions about the existence of corruption in BPD. Responses to the survey revealed that nearly one out of every four BPD members believed that as many as 25% of their fellow BPD members were engaged in stealing money or drugs from drug dealers – a stunning result. Presumably, if the definition of corruption had been expanded to include misrepresentations and lies in official police documents, which was common at the time, the number would have been even higher.

O'Malley and Norris knew they needed to enhance BPD's internal affairs function, which by late 1999 and early 2000 was in deep disarray. BPD had a massive internal investigations backlog and a dysfunctional system for investigating and punishing misconduct. IA was reviled and distrusted by the BPD rank-and-file, and as a result, it had great difficulty recruiting and retaining capable investigators. IA investigators received no formal training of any kind, which further degraded its reputation and discredited its work. BPD members were reluctant to report their colleagues to IA. Those who did risked retaliation and being labeled a "snitch." In cases that went to BPD's administrative trial boards, outcomes were frequently contrary to the evidence and favored the accused officer. Members of the trial boards frequently misunderstood – or claimed to misunderstand – the preponderance of the evidence standard they were required to apply; in other cases, they simply ignored it. Many BPD members believed that the outcome of trial boards depended more on whom you knew than on what you did. Simply put, the system that existed to deter, detect, and punish misconduct lacked credibility and both internal and external legitimacy.

Norris was generally respected as a knowledgeable street cop by rank-and-file BPD members. This allowed him to overcome the hostility that BPD members historically have shown towards commissioners who have come from outside the Department. Norris reconciled himself to the ubiquitous oversight exercised by City Hall, and by O'Malley personally. Norris's success in reducing crime helped keep O'Malley and City Hall at bay – among other accomplishments, the number of homicides in Baltimore fell from 305 in 1999 to 261 in 2000.

Norris addressed some of the most pressing violent crime problems by forming elite plainclothes units – initially labeled rapid response units. These units reported directly to Norris, who repurposed key members of his executive protection detail to lead them. Their mission was to focus on "the worst of the worst" and to take orders

directly from Norris on addressing emerging hot spots in the city. These units got results and were replicated through the creation of additional special purpose squads. On paper, these special plainclothes squads reported up through a conventional chain of command, but in reality, they took their marching orders directly from Norris. The units were loosely managed and perceived by some other BPD members as largely unsupervised: BPD officers described the bravado and arrogance of some members of these squads, and an attitude suggesting that the rules that applied to other BPD members did not apply to them. Although we documented no acts of corruption committed by members of these units, they established a dangerous precedent for proliferating specialized plainclothes units that had broad discretion to operate throughout the city, and that were not answerable to, or supervised by, the conventional BPD chain of command.

In New York, Norris had been integrally involved in the operation of CompStat – the computer-based system for collection of timely and accurate intelligence about crime, the development of effective tactics to address it, the deployment of appropriate resources, and appropriate follow-up and assessment. Norris’s familiarity with that system was one of the reasons O’Malley had recruited him to Baltimore. CompStat – renamed ComStat in Baltimore – was viewed by O’Malley and Norris as integral to the creation of a culture of accountability among BPD commanders. In the view of O’Malley and Norris, the numbers did not tell the entire complex story, but they also did not lie. Weekly ComStat sessions, during which commanders were expected to demonstrate detailed knowledge of criminal activity in their districts, were the focal points. O’Malley eventually extended the principles of ComStat to other parts of city government, but it was implemented first in BPD.

The ComStat version adopted in Baltimore was not a purely numbers-driven approach and was generally not as harsh as the New York version. Even so, the results of ComStat were mixed, and the process carried with it hidden costs – at times the efforts to enforce accountability veered into exercises in shaming and public humiliation. According to numerous current and former BPD members, ComStat became an all-consuming exercise that absorbed huge amounts of command staff time with the goal being to avoid embarrassment and other negative consequences. From the perspective of many BPD members, ComStat became more performative than anything else. Years later, Baltimore’s Fraternal Order of Police (FOP) would attribute responsibility to ComStat for much that was wrong with BPD because of the incentives it created to post numbers in various categories – arrests, gun seizures, etc. – for the sake of optics and to protect the careers of command staff members.

The pressure to achieve high arrest and gun seizure numbers created its own set of long-term problems. Corrosive incentive structures were created that were inextricably linked to the pressure to produce. BPD members and command staff were judged to a large extent based on the number of arrests and gun seizures they achieved rather than on whether those arrests and seizures led to successful prosecutions. When combined with inadequate training on the law of arrest and search and seizure, these

incentive structures produced unjustified stops and frisks, unlawful arrests, and gun seizures that did not result in successful prosecutions.

Although BPD's official position was that it established no quotas in any of these categories, BPD members in the trenches felt these pressures acutely. This does not for even a moment suggest that such incentive structures were more responsible than the choices of individual officers for the existence of corruption. But the reality is that the demand to produce numbers led some officers to cross the line and engage in enforcement actions that were unjustified – and, in many instances, illegal – and created incentives to shade or misrepresent facts in probable cause statements and search warrant affidavits. Moreover, individual officers were not evaluated on whether the arrests they made and the criminal citations they issued resulted in successful prosecutions, so the fact that a very high percentage of the arrests made by BPD members did not lead to prosecution by the Baltimore City State's Attorney's Office (SAO) did nothing to curb these damaging incentives. This incentive structure that emphasized arrest and gun seizure numbers, and the misconduct by some officers in response, profoundly damaged relationships between BPD and the community, especially Baltimore's Black community.

#### **D. Buy-and-Bust**

Norris left BPD at the end of 2002. His accomplishments in bringing change to BPD were later overshadowed by his own personal corruption involving the misuse of BPD funds, which led to Norris's subsequent prosecution, conviction, and incarceration. With Norris's departure, O'Malley recruited Kevin Clark from NYPD in the belief that Baltimore and BPD needed another NYPD veteran to continue the transformation of BPD and push forward with aggressive enforcement strategies based on the zero-tolerance/quality-of-life enforcement model.

Clark centered his enforcement strategy on "buy-and-bust" – street-level narcotics enforcement – which produced large numbers of arrests of low-level drug dealers, but with little discernible impact on drug organizations that were responsible for a large share of violent crime in Baltimore. The strategy was strongly opposed by elements within BPD as pointless and damaging both to BPD and its relationship with minority communities. In retrospect, buy-and-bust came to be viewed as profoundly misguided even by those who initially supported Clark and the strategy.

The organizational instrument for implementing Clark's buy-and-bust strategy was the Organized Crime Division (OCD). OCD consisted of a larger number of undercover squads and plainclothes officers – over 20 squads at its peak. It folded in officers from narcotics and patrol, many of them young and inexperienced. These recruits included members who had joined BPD in the early 2000s during hiring surges that were accompanied by pressure on BPD's training Academy to push through flawed candidates. Those candidates could not pass various Academy tests without cheating, and such cheating was facilitated by Academy trainers. We interviewed BPD

members who were hired and trained during this period who reported that their Academy classes were provided with the answers to exam questions prior to the exams, and special “tutoring” and private tests administered to ensure that every BPD recruit who entered the Academy graduated. We asked BPD members whether they identified members of their recruit classes who should not have graduated and gone on to become officers because of shortfalls in physical skills, intellectual ability, emotional maturity, or anger management issues. Almost without exception, they recalled Academy classmates with such shortcomings. But without exception, they recalled that these classmates graduated from the Academy. Many of these classmates went on to have short careers marked by poor performance and episodes of misconduct.

Pressure to generate numbers continued under Clark, with continued micromanagement from City Hall focused largely on numerical metrics. Many BPD members felt that the alienation of important segments of the Baltimore community, especially the Black community, caused by the high volume of arrests for low-level quality-of-life offenses and minor narcotics crimes, took a toll on BPD’s ability to solve the most serious types of crimes, including homicides. Members of the community already feared retaliation and vengeance for providing evidence against violent criminals. Their reluctance to aid the police in important investigations was compounded by the sense that BPD members were stopping, frisking, and arresting them for no meaningful law enforcement purpose, and frequently without an adequate factual or legal basis. In addition to their growing distaste for and frustration with Clark’s buy-and-bust strategy, many BPD members had little regard for the former NYPD members Clark had appointed to key positions on his executive team.

The growth of plainclothes units within OCD was at the expense of the patrol function. Many BPD members viewed this as a devaluing of patrol to supplement the ranks of OCD. The plainclothes squads were viewed as the leading edge in the fight against crime, and therefore drew substantial interest from BPD members who were eager to participate in what were perceived as BPD’s elite units. OCD’s ranks were filled out with BPD members who had limited time on the job, and therefore lacked experience with applicable legal standards. Inexperienced BPD members flowed into units that were frequently loosely supervised and had wide discretion. The opportunities for unlawful and corrupt behavior grew larger, and the signs of such misconduct became more visible – with judges and members of the public noting the failure of BPD officers to make sustainable cases without relying on false or misleading information.

The war on drugs and the related war on guns took a toll on the observance of constitutional rights by BPD members. One of the tactics of the war on guns was the practice of “gun flips.” Officers would agree to release someone they had arrested in return for a gun – any gun – that the arrested person could produce directly or through a friend, relative, or associate – no questions asked. With no accountability in the system for an arrest that ultimately went nowhere, BPD members had little incentive to insist on having an adequate legal basis in the first instance to make the arrest.

Clark's tenure ended in late 2004. His handling of an alleged domestic incident and other disclosures about his private life, coupled with a rise in homicides and growing tension between Clark and City Hall, caused him to lose O'Malley's confidence. Clark's legacy included a rise in the number of arrests and a sharp increase in the number of criminal citations—60% of which were dismissed by SAO prosecutors as legally insufficient. The circumstances of Clark's departure meant that both Norris and Clark were associated in the minds of BPD's rank-and-file and the public with episodes that reflected poorly on their probity and integrity. Their departures did little to demonstrate the qualities so essential in the leader of a law enforcement agency whose members are sworn to uphold the rule of law.

#### **E. "Bad Guys with Guns"**

To replace Clark, O'Malley selected Leonard Hamm, who had a long history in BPD and had returned to the Department as deputy commissioner months earlier following Clark's domestic incident. With Clark's departure and Hamm's elevation, BPD had its fourth commissioner in five years, underscoring instability and a lack of leadership continuity at the top of BPD. Hamm was concerned about the size and broad discretion of plainclothes units and the degradation of the patrol function, but he made no serious changes in BPD's priorities and strategy.

The arrests of BPD officers William King and Antonio Murray in May 2005 marked the first major BPD corruption case of the 21<sup>st</sup> century. The case caused shockwaves among BPD members and the Baltimore public. King and Murray had spent time working narcotics cases in OCD before moving to BPD's public housing unit. Their corrupt conduct involved robbing drug dealers and selling the stolen drugs. Their reputation as dirty cops preceded their arrests. People in possession of money, drugs, or guns were aware that if they encountered King and Murray, they would likely be robbed, but that they would not be arrested. King and Murray kept their criminal activities secret from their fellow officers, who believed that the failure of King and Murray to make criminal cases was the product of laziness rather than corruption. The case was investigated by an FBI Task Force that was a predecessor of the unit that made the GTTF case many years later instead of BPD's Internal Affairs. Members of the FBI Task Force did not share information with IA because of its reputation for leaks and lack of operational security.

Although the King and Murray case received wide publicity and was known to every BPD member, it was never the subject of any meaningful institutional introspection by BPD. BPD produced no after-action report, conducted no lessons-learned exercise, and undertook no internal or external review that could have informed potential changes in policy, training, and practices. This established a pattern at BPD for the absence of constructive responses to subsequent scandals, including those involving Majestic Towing (2009), Daniel Redd (2012), and Kendell Richburg (2013). Although BPD members were fully aware of these corruption scandals from

media accounts and internal gossip, BPD failed to focus on them as events from which lessons could be learned and red flags identified.

The election of O'Malley as Maryland's governor in November 2006 led to significant changes in BPD enforcement strategies. When Sheila Dixon succeeded O'Malley as mayor, she turned away from zero-tolerance/quality-of-life policing. She concluded that BPD had been micromanaged by O'Malley and his City Hall colleagues, and that the obsession with numbers and statistics had damaged BPD and substantially impaired its relationship with the community. Dixon's crime plan was presented as an explicit departure from zero-tolerance/quality-of-life policing. Its focus was on violent offenders rather than on low-level drug transactions and public nuisance crimes. Dixon viewed not only her strategy but her role far differently than O'Malley had viewed his: she established the broad parameters of a crime plan and offered ideas, but left the implementation of the plan to BPD leadership.

Following a surge in homicides in the first half of 2007, Dixon concluded that Hamm was not capable of implementing the significant strategic changes that were necessary. Several months after announcing her crime plan, Dixon fired Hamm and selected Deputy Commissioner Fred Bealefeld to serve as acting BPD commissioner. Like Dixon, Bealefeld had grown disaffected with numbers-driven policing and was determined to significantly change the focus and priorities from those of the previous eight years. Bealefeld became the sixth BPD commissioner in eight years.

## **1. The Creation of the GTTF**

Central to Dixon's plan was a multi-pronged focus on guns. One element of the strategy was the creation of a Gun Offender Registry, designed to keep tabs on individuals convicted of firearms crimes; a second element was the creation of a task force, which became known as the GTTF – whose mission was to trace the origins of guns used during the commission of crimes in Baltimore. The GTTF was initially launched with grant money in 2007, and Bealefeld recruited the Maryland State Police (MSP) and the Baltimore County Police Department (BCPD) to serve as agency partners in the GTTF. He personally recruited BPD members who he thought were well-suited to the analytic and investigative tasks prescribed for the GTTF. The mission of the GTTF, memorialized in a May 2008 Memorandum of Understanding, was to: (1) gather intelligence to advance firearms-trafficking investigations; (2) work with gun dealers and pawn shops to investigate straw purchaser cases; and (3) partner with state and federal prosecutors to bring such cases. Bealefeld assured the GTTF's original BPD members that it would remain true to its mission and not become a street enforcement unit, but the squad was transformed over time into the opposite of what he had envisioned.

The creation of the GTTF was featured in BPD's 2007 Annual Report as one of BPD's signature initiatives in the fight against violent crime. That was, in a real sense, its high-water mark.

Almost from the start, the GTTF was plagued by significant problems. MSP delayed sending its complement of state troopers due to the lack of office space at BPD. BCPD was reluctant to assign manpower to the GTTF even though it had agreed to do so. The GTTF's original sergeant, Richard Willard, was not a hands-on supervisor. Willard was suspended for a domestic incident in early 2009, leaving GTTF without a sergeant responsible for supervising operational matters for close to six months.

The leadership of the GTTF was not stabilized until the second half of 2009, when Kevin A. Jones was selected as its sergeant. The selection of Jones was at a minimum unusual: he came from an operations and enforcement background with no prior experience doing analytic and investigative work. Jones acknowledged to us that his background was a bad fit for the GTTF's stated mission. To further complicate his assignment, Jones saw signs of ambivalence among members of the BPD command staff about what the GTTF should be doing. It was under Jones's leadership that the squad's mission began its transformation. Over time, the GTTF moved further and further away from its original mission.

## **2. The Rise of VCID**

The GTTF was initially part of OCD and then part of the Violent Crime Impact Division (VCID), which replaced OCD at the beginning of 2008. The focus of OCD starting in mid-2007 was on taking violent criminals off the streets. Within a two-month period in mid-2007, the number of BPD members assigned to the division had grown rapidly, from less than 180 to 270 BPD members. This growth was driven by the need to provide adequate manpower for specific enforcement initiatives that were part of BPD's strategic focus on violent offenders. This focus continued after the name change to VCID. The members of the GTTF, including those who had been told by Bealefeld that the unit would not become a street enforcement unit, experienced the unit morphing into exactly that. Its name no longer matched what it did. Members of the unit committed to the GTTF's original mission became increasingly disillusioned as they saw investigative leads neglected in favor of the type of street enforcement engaged in by other VCID squads.

BPD's agency partners in the GTTF withdrew at different times and for different reasons – MSP at the end of 2009, apparently because it received a more attractive offer from the Bureau of Alcohol, Tobacco, Firearms and Explosives, and BCPD in March 2011 because of very specific, long-simmering complaints about BPD's aggressive tactics and its departure from the original terms of the GTTF MOU signed by both agencies. BCPD's concerns had escalated over the course of 2010 and early 2011 as the result of numerous incidents in which BPD's GTTF members executed search warrants in Baltimore County based on thin probable cause and without providing adequate notice to its BCPD partners as required by the MOU. Although BPD leadership made isolated efforts to direct the GTTF back to its original mission, it became a stepchild within VCID – disconnected from its original mission and fully incorporated into VCID's aggressive approach to dealing with violent crime. Bealefeld, the GTTF's

original champion, was unable to exercise day-to-day oversight of it because of his broad management responsibilities. Anthony Barksdale, the deputy commissioner over VCID, had no interest in the GTTF's mission and paid little attention to what it was doing. Other command staff members exercised little or no oversight over the GTTF. Like every other unit within VCID, the GTTF came to be judged by its productivity and numbers.

VCID never amounted to more than 15% of BPD's sworn personnel at any time, but its enforcement squads were viewed as glamour units within BPD. The VCID enforcement squads attracted aggressive officers. BPD members who transferred into the GTTF under Jones did not express any special interest in – nor had they shown any aptitude for – the investigations and analysis needed to make cases against straw purchasers. The abandonment of the GTTF's original mission was reflected in various ways, including in the personnel selections made by Jones, which included Momodu Gondo and Jemell Rayam. Jones had previously supervised both men in an operations squad and felt comfortable with them, even though neither had shown any particular investigative or analytic talent.

Warning signs about both men were ignored. Only months after being recruited to the GTTF, Rayam was suspended because of allegations of corruption and deceit relating to an incident in June 2009 in which Rayam and another officer stole \$11,000 from a suspected drug dealer. The allegations were true. Rayam denied them throughout the IA investigation, admitting to them only after he was arrested in 2017. His suspension lasted approximately 18 months, but in the end, he was acquitted by a BPD trial board on technical grounds, almost three years after the underlying events. This was a significant systemic failure of BPD's accountability system in every respect – from a flawed investigation, to ambiguous communications with the SAO about potential criminal liability, to weaknesses in the case presentation, to a trial board decision on technical grounds never raised by Rayam's counsel. Though it was clear Rayam had lied to investigators, BPD failed to share that information with anyone in Rayam's supervisory chain, including his sergeant, Jones. BPD made no effort to manage the risk Rayam posed to the Department and to any case in which he was subsequently involved.

At the same time, Gondo's best friend going back to his childhood, Glen Kyle Wells, was a substantial heroin dealer. Gondo remained in close contact with Wells throughout Gondo's tenure with BPD and worked to protect him from law enforcement. That relationship was never identified as a risk to BPD.

A number of VCID's enforcement squads became incubators for corruption. A squad led by William Knoerlein included Keith Gladstone, Wayne Jenkins, Ivo Louvado, and Victor Rivera. A few months before the June 2009 incident involving Rayam, three members of a VCID enforcement squad – Gladstone, Rivera, and Louvado – diverted and stole three kilograms of cocaine from a much larger drug seizure. They then sold the drugs and split the profits. Though Jenkins was not



involved in the drug theft and sale, he had been mentored by Gladstone and learned many of the techniques, legal and illegal, that led to Gladstone being viewed as a productive officer, including “sneak and peeks.” “Sneak and peeks,” as that term was used at that time within BPD, were residential warrantless entries used to gather evidence to support search warrant affidavits. The affidavits were falsified to mask the unlawful source of the evidence. The warrantless searches were blatantly illegal, but they were used frequently.

The misconduct of certain members of VCID was known to their accomplices but not more broadly. Personnel continued to flow into VCID – which was renamed the Violent Crime Impact Section (VCIS) in early 2010, without any change in substance – based on their aggressiveness and productivity. Proposals to screen candidates more rigorously through the use of polygraphs and the administration of written exams were either rejected or ignored.

The pressure to produce was especially concentrated in certain special enforcement programs, such as BPD’s implementation of the Violent Repeat Offender (VRO) program. BPD’s VRO initiative established investigative targets and gave BPD members only 30 days to apprehend them. During that period, BPD members would have to observe the targets committing a crime or develop probable cause to search the target’s home. This assignment was challenging and the VRO squads were staffed with officers who were known for their aggressiveness and productivity.

In April 2010, while on assignment to one of the VRO squads, Jenkins was involved in a reckless vehicle pursuit that led to the death of an innocent motorist. Rather than deal with the consequences, Jenkins and members of his squad framed the two men Jenkins had been pursuing by planting drug evidence. They then stood by while the two men were sentenced to substantial terms of imprisonment for crimes they did not commit. The drug evidence planting was successfully concealed for more than seven years. The lesson Jenkins drew from the incident was that he needed to surround himself with other BPD members who were willing to place personal loyalty to him above their oaths as law enforcement officers. Once he became a supervisor in 2012, it was a lesson Jenkins imparted to the BPD members he supervised and with whom he worked.

### **3. Internal Affairs and the Creation of the FBI Task Force**

The struggles to make IA a competent and respected unit within BPD never ceased, but also never succeeded. By 2009, it was clear that the ability of IA to conduct timely and competent investigations had slipped even further. This view was shared by new arrivals in IA, members who had worked there previously, and other participants in the misconduct investigations process. The quality of IA investigators remained unacceptably poor. IA lacked operational security for its sensitive investigations. Leaks about investigations were common, and the vetting of new IA investigators was minimal. Training for IA investigators was non-existent. The same

was true for standard operating procedures and an investigations manual. A further obstacle to making viable criminal cases was a frayed relationship with the SAO, which was slow to process criminal referrals from IA. These referrals inevitably ended in declinations of prosecution, but frequently only after lengthy delays that adversely affected the ability of IA to pursue related administrative investigations in a timely manner because of its view that the two investigations could not proceed simultaneously. As a result of these continued shortcomings, Bealefeld's confidence in IA was sufficiently diminished that he asked the FBI for assistance with investigating cases involving suspected corruption by BPD officers.

The FBI Task Force created in response to Bealefeld's request, which included a small number of trusted BPD personnel, conducted major corruption investigations, including those that led to the prosecutions of BPD officer Daniel Redd and the BPD officers involved in the Majestic Towing scandal. But even those successful cases revealed the shortcomings that existed in BPD's ability to pursue corruption. Members of the FBI Task Force and prosecutors working with them were extremely concerned that the involvement of IA in the Majestic Towing case would compromise the investigation because of the risk of leaks. The Redd case was particularly striking as an example of missed opportunities. Redd had long been known to be a corrupt officer and yet continued to operate within BPD for many years until the FBI Task Force finally made a narcotics and firearms case against him. Earlier investigations by IA had met no success, and in one case, a report to IA that Redd was associating with a known criminal living in the basement of Redd's residence, backfired on the officer who reported the matter to IA. Instead of pursuing Redd, IA investigated the officer who made the report. Compounding the failures to successfully make a case against Redd was his close personal relationship with the head of IA, who was replaced when the relationship was exposed.

#### **4. "Bad Guys with Guns"**

Bealefeld served as BPD commissioner for five full years (2007-2012), a period of stability that contrasted with the periods of instability and shifting strategies that preceded his tenure. His successes were undeniable – the number of homicides dropped to levels that had not been achieved in decades, as did the number of non-fatal shootings. At the same time, the shift in strategy from zero-tolerance to a focus on the most violent offenders substantially reduced the number of arrests by BPD. In addition, because of the strong relationships Bealefeld forged with Mayor Dixon and, later during Bealefeld's tenure, with the SAO's Gregg Bernstein, there was less friction among City Hall, BPD, and the SAO than in previous years. With the repudiation of zero-tolerance and the tighter focus on the most violent offenders, the SAO was no longer swamped with minor cases. Finally, Bealefeld's success in forging partnerships with the FBI and the USAO, as well as other federal agencies, led to substantial progress not only in making successful corruption cases but also in violent crime prosecutions.

These advances were significant. But because of the relentless challenge of fighting violent crime, the culture within BPD continued to reward aggressiveness and productivity. Officers such as Jenkins and Gladstone were viewed by many BPD commanders as leaders and valuable assets because of their numerous high-profile seizures of guns and narcotics. Many BPD members wanted to work with them, and they were valued and praised by senior BPD members because their success reflected well on their supervisors. This was true despite the fact that some visible aspects of Jenkins's aggressive style were dangerous. Jenkins was notorious for his reckless driving, which led to numerous vehicle accidents, and which occasionally led to his being sidelined by BPD for short periods. But those interludes were brief and of no lasting consequence. Although Jenkins was only an officer at the time, his reputation as a cowboy and for his recklessness reached Bealefeld, who denied Jenkins a promotion to sergeant for the duration of his tenure as commissioner. Once Bealefeld resigned from BPD, Jenkins's champions within BPD no longer met with any significant resistance and he was promoted to sergeant in November 2012.

By the time of Bealefeld's departure in 2012, the GTTF no longer bore any resemblance to the unit he had created five years earlier. Because of his other responsibilities, Bealefeld had stopped paying close attention to it, and others at BPD either lost touch with the GTTF's activities or never believed in its mission. Its members no longer spent any significant amount of time reviewing ammunition logs, trying to make straw purchaser cases, or focusing on firearms trafficking organizations. Subject to the same pressures to produce as the other enforcement squads within VCID/VCIS, the GTTF – despite its name – had become just another street enforcement unit.

## **F. Return of the Outsiders: Anthony Batts and Kevin Davis**

With Bealefeld's departure in mid-2012, Mayor Stephanie Rawlings-Blake faced the choice of continuity or change in selecting a new BPD commissioner. She chose change (Anthony Batts) over continuity (Anthony Barksdale). Batts portrayed himself as a reformer, although his most recent leadership of a police department in Oakland, California, had not ended well. Even so, he cast himself as a change agent and someone committed to implementing reforms within BPD. By the time Batts took over BPD, criticisms that had been percolating under the surface came into the open. One criticism, which came from the rank-and-file and the FOP, related to ComStat and its focus on statistics to the exclusion of other measures of performance. A second criticism came from the community, which was increasingly concerned about the aggressive tactics used by BPD, especially the plainclothes units operating in VCIS.

Batts decided that he needed to change the size and identity of VCIS. He made some personnel cuts and renamed it the Special Enforcement Section (SES). Batts felt he could not make more substantial cuts because he knew that by some measures VCIS was effective – he believed that the number of homicides would rise if he more substantially downsized productive plainclothes units. But in shrinking and rebranding VCIS, Batts was not sufficiently knowledgeable about BPD personnel to

identify the detectives and supervisors whose histories and reputations suggested they posed the greatest risk of misconduct and corruption. And those who did possess that knowledge – including Dean Palmere, who had been elevated to deputy commissioner – had little interest in transferring some of the most productive BPD members, even those with troubling reputations within the Department. As a result, Jenkins, Gondo, Hendrix, Hersl, Rayam, Ward, and Taylor remained in SES enforcement squads. As to the GTTF itself, Batts had no commitment to its original mission. He apparently knew little about it, suggesting it was a waste of resources but apparently unaware that its name no longer reflected what it did.

From the beginning, Batts was viewed by the BPD rank-and-file, as well as many of its senior leaders, as a West Coast outsider with little knowledge or understanding of the special challenges of policing Baltimore. He was unable to forge close relationships with either the members of his own Department or with the community. At the urging of then-Governor O'Malley, Batts commissioned a top-to-bottom review of BPD to serve as the foundation for developing a strategic plan. The delivery of the plan was substantially delayed and, at Batts's insistence, included a list of unverified accomplishments for the first year of his tenure. The strategic plan established a reform agenda, but the agenda was overly ambitious by any reasonable measure and overwhelmed the capacity of BPD to implement it successfully.

## **1. The Efforts to Reform IA**

Batts recognized the profound – and perennial – problems with the internal affairs and accountability functions within BPD. To deal with them, he recruited an outsider from the Los Angeles Police Department, Jerry Rodriguez, to serve as deputy commissioner responsible for IA and related functions. Rodriguez took his mandate seriously, but his reform efforts were frustrated by the same resistance and barriers that had confronted his predecessors. IA investigators were inexperienced and poorly trained. The reputation of IA among the rank-and-file served as a powerful impediment to recruiting talented and committed BPD members to IA. Efforts to recruit talented officers into IA were blocked by commanders who devalued the accountability function. Trial board members rendered verdicts that were contrary to the weight of the evidence, resulting in a success rate for BPD of roughly 30%.

Ultimately, neither Rodriguez nor Rodney Hill, who ran IA on a day-to-day basis, felt they had sufficient support from Batts to make the accountability function more robust. The ambition to improve IA and the larger accountability system were subordinated to the exigencies of the fight against violent crime. Less serious allegations of misconduct continued to be the responsibility of commanders in the districts, who were uninterested in or unwilling to pursue them. Batts spent more time touting his unverified accomplishments than providing the level of support necessary to improve the accountability function.

## 2. The Walter Price and Demetric Simon Incidents

Like Rayam's 2012 trial board acquittal stemming from his June 2009 theft from a suspected drug dealer, two incidents a month apart in 2014 involving Jenkins again revealed the inability of BPD to deal adequately with officer misconduct. The first incident took place in February 2014 and involved a Baltimore man named Walter Price. After a car stop based on information obtained from an informant, Jenkins claimed to have found cocaine in Price's car. Price was arrested and his girlfriend and their infant child were detained for many hours. IA's investigation of the incident resulted in several charges against Jenkins being sustained. Serious discipline was proposed, including a demotion, the transfer of Jenkins back to patrol, and a lengthy suspension. The case dragged on for many months and the sanctions were eventually reduced to a mild slap on the wrist – non-punitive counseling. That decision was made by then-Deputy Commissioner Darryl De Sousa, known throughout BPD as someone with little interest in or commitment to accountability. Somehow, Jenkins learned of the resolution of his case before almost anyone else, which confounded others involved in the process and suggested that someone had intervened on his behalf. Despite his escape from any meaningful sanctions, Jenkins complained about the investigation and about the conduct of IA. The lesson Jenkins had learned earlier was reinforced: success measured in drug and gun seizures trumped efforts to hold BPD members accountable, especially for productive BPD members such as Jenkins.

Jenkins further demonstrated his ability to insulate himself from accountability because of the assistance provided by BPD members who were willing to aid and abet his corruption and misconduct. Only a month after the Walter Price incident, in late March 2014, Jenkins engaged in a reckless pursuit of Demetric Simon, which resulted in Jenkins's car striking Simon, who was on foot at the time. Jenkins used his vehicle as a deadly weapon and immediately realized he needed a justification for having done so. One potential justification was that Simon was armed and constituted a substantial threat to Jenkins. The problem for Jenkins was that Simon was not, in fact, armed. To solve the problem, Jenkins called on Keith Gladstone, Jenkins's longtime mentor, who in turn enlisted other officers, Carmine Vignola and Robert Hankard, to plant a BB gun at the accident scene. Planting the BB gun provided a fabricated justification for Jenkins's use of the vehicle as a deadly weapon against Simon. The actions by those BPD colleagues – Gladstone, Vignola, and Hankard – implicated them in obstruction of justice, civil rights violations, and other crimes – but they did not hesitate to commit these crimes to cover up for the actions of one of their own.

This gun planting remained a well-kept secret until the federal investigation of the GTTF unraveled it many years later, even though Jenkins repeatedly recommended to members of his unit that they carry an extra gun or BB gun in case they needed to plant it on victims to justify their actions. At the time of the incident, BPD took no action against Jenkins, not even for the reckless use of his vehicle. BPD's newly created Use of Force Review Board found Jenkins's use of his vehicle to be justified and within

BPD policy. Members of the Board panel included two of Jenkins's most consistent champions, Dean Palmere and Sean Miller.

The power of both Jenkins and Gladstone within BPD was demonstrated by their ability to undermine the authority of personnel above them in the chain of command. At the time of both the Price and Simon incidents in 2014, Jenkins and Gladstone were supervised by Lieutenant Daryl Murphy. Murphy recognized value in a process by which SAO prosecutors were paired with BPD squads to review ongoing BPD investigations for legal and evidentiary sufficiency. Jenkins and Gladstone objected to this oversight and elevated their objections to Sean Miller, to whom Murphy reported. Miller sided with Jenkins and Gladstone rather than Murphy and terminated the process – thus removing worthwhile oversight by a prosecutor and at the same time undermining Murphy's authority. Murphy was transferred shortly thereafter. This was not the last time that Jenkins was able to subvert the chain of command. Senior members of BPD protected and coddled him for years because of his productivity in seizing guns and making arrests.

### **3. The Death of Freddie Gray and the Rise of Wayne Jenkins**

The death of Freddie Gray in April 2015 was a central event for the city of Baltimore and for BPD. It was also a key turning point for the corrupt BPD officers implicated in the GTTF scandal. BPD's widely criticized response to the protests and the riots caused a loss of confidence in Mayor Rawlings-Blake and Commissioner Batts. The prosecution of six BPD officers by the SAO in connection with Gray's death deepened the fissure between the SAO and BPD. Violent crime surged, and homicides rose steeply, in the months following Gray's death. In this environment, SES enforcement squads and the GTTF gained even greater stature within BPD because of their aggressiveness in making arrests and seizing guns, which contrasted with the passivity of many others in BPD. This confluence of factors created a vacuum that further increased the wide berth given to BPD enforcement squads, and expanded the opportunities for corruption. These factors also led directly to the termination of Batts in July 2015.

During the second half of 2015, plainclothes units, including Jenkins's SES unit and the GTTF at that point led by Sergeant Thomas Allers, came to be viewed by senior BPD commanders as a bulwark against chaos. Batts's replacement, Kevin Davis, replenished the ranks of plainclothes officers to deal with the rise in violence. Jenkins was often praised and pointed to as a positive example to be followed. He had the respect and admiration of high-level command staff members, including Sean Miller and Dean Palmere. Jenkins was given special privileges: he was assigned his own personal BPD vehicle, and he was allowed to equip the vehicle with a push bumper, whose main purpose was to ram other vehicles. In addition, he was held out as a model to other supervisors based on his productivity, and he was allowed to circumvent the chain of command, thus undermining the lieutenants who nominally supervised him.

By the first half of 2016, both Jenkins's SES squad and the GTTF were fully engaged in criminal activity, victimizing vulnerable targets whose involvement in drug dealing and other illegal activities meant they were unlikely to complain. Jenkins's squad stole sums of money on at least three occasions – the result of traffic stops, foot pursuits, or other street enforcement work. His squad's most profitable crime took place in March 2016, when it converted a street stop and arrest of Oreese Stevenson into the warrantless search of Stevenson's residence, resulting in the seizure and theft of drugs and hundreds of thousands of dollars in cash. By contrast, the crimes committed by GTTF members during this period – at least those that were subsequently discovered – were, with one exception, committed during the searches of residences.

Sometime during the first half of 2016, Allers became convinced that the GTTF was under federal investigation. He obtained a transfer to a Drug Enforcement Agency task force based on his longstanding relationship with Palmere, who facilitated the transfer. Because of the number of gun seizures Jenkins produced, he was an attractive candidate in the eyes of Palmere and Miller to replace Allers as head of the GTTF. For his part, Jenkins likely realized that the GTTF's historical use of residential search warrants would present opportunities for large-scale thefts of cash, drugs, and other items of value from arrestees' residences, which were potentially much more lucrative than most of the street-stop thefts being perpetrated by his SES squad, except when those street stops were converted into unlawful residential searches. Because of his clout within BPD, Jenkins was allowed to bring with him his own trusted squad members – Hendrix, Taylor, and Ward – who he knew would be willing to continue as accomplices in his crimes.

## **G. The Federal Investigation and Its Aftermath**

The federal investigation that brought down the GTTF members – and subsequently the group of officers in Gladstone's orbit – was the result of happenstance and luck, and not the proper functioning of BPD's accountability system. None of these officers' colleagues reported any of them to IA or the FBI. None of the complaints against the corrupt officers that were filed by their victims were taken seriously by IA or the corrupt officers themselves. Instead, a narcotics investigation conducted by two county police departments identified a tracking device illegally placed on a target's vehicle. That tracker, which was linked to John Clewell – ironically a member of the GTTF not involved in the unit's criminal activities – led to a referral to the FBI Task Force.

Within two months of their arrests, Gondo, Hendrix, Rayam, and Ward began negotiating with the government over possible plea bargains. As part of those negotiations, they were required to disclose the crimes they had committed – not only those with which they had been charged, but the full scope of their criminal activities during their tenure with BPD. The information they shared, as well as information provided by Jenkins during his ultimately failed efforts to cooperate with the government, pulled back the curtain on a rich vein of corruption within BPD.

Information supplied by Jenkins led to Gladstone, which in turn led to identifying BPD members who had committed crimes with Gladstone—Louvado, Rivera, Vignola, and Hankard. Those crimes included warrantless searches, the theft and sale of drugs, and planting drugs and guns to falsely incriminate suspects.

As part of their plea agreements with the government, the cooperating defendants admitted to wrongdoing going back many years, frequently starting very early in their careers. Those crimes, committed years before becoming members of SES squads and the GTTF, included falsifying probable cause statements, incident reports, and search warrant affidavits. Between July 21 and October 12, 2017, Gondo, Hendrix, Rayam, and Ward each pled guilty to racketeering conspiracy. Their respective plea agreements listed multiple robberies in which they had admitted participating—eight robberies for Gondo, three for Hendrix, nine for Rayam, and four for Ward. All of them admitted to engaging in overtime fraud, including occasions when they not only failed to work overtime, but also when they were out of town and on vacation. In early December 2017, Allers pled guilty to racketeering conspiracy and admitted participating in nine robberies while he was the GTTF's sergeant between March 2014 and May 2016.

Weeks before Jenkins, Hersl, and Taylor were scheduled to go to trial, Jenkins pled guilty. Whereas Gondo, Hendrix, Rayam, and Ward cooperated with the government and were only required to plead guilty to a single count of racketeering conspiracy, the government declined to enter into the same type of plea agreement with Jenkins. The prosecutors and FBI Task Force members concluded that Jenkins was unable to rise above his instincts for deception, manipulation, and lack of candor. As a result, the terms of Jenkins's plea agreement were far more onerous than the four other GTTF members who had earlier pled guilty. Jenkins was required to plead guilty to two racketeering charges and two robberies in the GTTF case, and two additional charges—civil rights violations and falsification of records—relating to the 2010 drug planting episode in which an innocent elderly man was killed. The trial of Hersl and Taylor, in which Gondo, Hendrix, Rayam, and Ward testified—as did many of their victims—ended in February 2018 with guilty verdicts against both defendants on the racketeering conspiracy, racketeering, and robbery charges.

The GTTF defendants' cooperation resulted in the unraveling of other historical crimes. These included not only the 2010 drug planting incident, but also the 2009 theft and sale of drugs by Gladstone, Louvado, and Rivera, and the 2014 BB gun planting episode involving Gladstone, Vignola, and Hankard. When Louvado, Rivera, Vignola, and Hankard were confronted with questions about their involvement in these incidents, they lied either during interviews with federal agents or in sworn testimony to a grand jury. Louvado, Rivera, and Vignola later admitted to having done so. Hankard has pled not guilty and is awaiting trial.

Corruption has been a festering problem within BPD for decades—acknowledged by some, minimized by others, and emerging at intervals as a cancer that



has never been adequately treated. We know of no way of determining the precise size and scope of BPD corruption over the past 20 years because such a small percentage of the acts of misconduct and corruption have ever become known. But some information is available regarding the magnitude of corruption within BPD and about some of its fundamental causes.

As mentioned above, the 2000 survey conducted by outside consultants found that nearly one out of every four BPD members believed that as many as 25% of BPD members were engaged in stealing money or drugs from drug dealers. The collective belief among BPD members has been that this type of corruption is far more prevalent among plainclothes squads which focus on narcotics enforcement and gun seizures, and therefore are confronted with more opportunities for corruption than patrol officers who focus on responding to calls for service. Members of plainclothes squads deal every day with people suspected of engaging in serious crimes, especially crimes involving narcotics where substantial sums of money are involved. During his debriefing by members of the FBI Task Force, Gondo estimated that 70% of BPD members working in plainclothes units were stealing money from suspects on the street or from their residences. One of the FBI Task Force agents, Erika Jensen, came to believe that Gondo's estimate was somewhat high, but nonetheless believed that corruption among these units was widespread. Even if those estimates substantially overstate the percentage of plainclothes units engaged in corruption by a factor of two or even three, it still suggests a scope and scale of historical corruption within BPD's plainclothes units that is deeply troubling.

## **H. Findings**

Our investigation set out to identify both individual and institutional explanations for the corruption and misconduct of the former members of the GTTF, and the other former BPD members who have been prosecuted as a result of the GTTF investigation.

Some of the officers had issues that arose during their background investigations, which if more fully explored might have affected BPD's decision to hire them. Gondo failed to disclose his relationship with a good friend who was substantially involved in drug dealing, which the BPD background investigation failed to discover. Some of the officers had financial issues, both before and after they joined BPD, that were inadequately explored when they were hired and not monitored while they were in BPD. And several defendants reported that they developed alcohol and substance abuse issues, as well as serious mental health issues as a result of their work as BPD officers that went unaddressed.

But inevitably many aspects of the personal lives of these officers remained hidden from view. Neither BPD nor any organization is capable of developing foolproof methods for screening employees when they are hired nor monitoring their personal lives after they have been hired. In our examination of BPD's history over the

past two decades, we identified significant persistent weaknesses in supervision and accountability, and a fundamentally flawed incentive system caused by the excessive reliance on numerical metrics. We found that these deficiencies undermined or eliminated guardrails that are necessary to deter and detect corruption.

What follows are the chronic weaknesses we found to have existed in BPD with respect to supervision, the overemphasis on statistical measures, accountability, and the existence of an “us vs. them” mentality.

As to supervision, we found the following:

- The relative lack of experience among many supervisors, and the lack of rigor of their supervision, generally degraded the quality of supervision within BPD, especially among plainclothes units.
- The lack of leadership training provided to officers when they are initially promoted to sergeant translated to shortcomings in the ability of supervisors, especially first-level supervisors, to effectively manage and lead their units.
- The unwillingness of supervisors to closely examine the underlying behavior of officers who are generating impressive statistics has meant that aggressive officers have frequently not been effectively controlled or managed. Just as underperformers require close and continuing scrutiny to identify the sources of their inadequate performance, so too do overperformers who generate impressive statistics that substantially exceed those compiled by their peers. Indeed, these overperformers constitute the greatest risk to BPD’s reputation if they are generating such impressive statistics through violations of BPD policy, state or federal law, or the Constitution. Instead, senior BPD leaders have historically chosen not to examine too closely how their top performers were achieving their results.
- Some supervisors have cultivated plausible deniability for the actions of their unit members. They have spent too little time directly observing personnel under their command, blaming the volume of paperwork and administrative tasks for absorbing their time. They have been more concerned about the bottom-line numbers than about how those numbers are generated.
- Supervisors have feared that addressing integrity and misconduct issues will diminish the productivity of their units, earn them enemies within their squads and more broadly within BPD, and create obstacles to their own future promotion. The incentives in BPD have been to conceal misconduct rather than report it.
- The existence of corrupt front-line supervisors – Jenkins, Allers, and Gladstone – made the detection of corruption within BPD plainclothes squads substantially more difficult because the supervisors above them in the BPD chain of command had spans of control that were far too large.

As to the excessive reliance on statistical metrics, we found the following:

- From at least 2000 through the 2017 arrests of the GTTF defendants, the central goal transmitted from the top down in BPD and from City Hall was to generate numbers – at various times, maximizing the number of arrests, narcotics seizures, and gun seizures. Maximizing the numbers in those categories was viewed as the most promising path to affecting the most important number of all – reducing the number of homicides.
- ComStat was transformed from its origins as a meaningful accountability tool into a crude scorekeeping tool that became an all-consuming focus of senior BPD members and determined the fate of BPD supervisors and squads.
- The success or failure of supervisors and their units was almost exclusively determined by numerical measures. Because numbers were the measure of success, supervisors had little incentive to investigate how the impressive statistics were being achieved, and many senior BPD commanders have not cared how the numbers were achieved.
- The logical consequence of this attitude was that the more productive a squad was in terms of generating impressive statistics, the less they were supervised and the more leeway they were permitted.
- The numbers that counted were arrests and seizures, not convictions. BPD members were not evaluated on whether their actions led to successful prosecutions. This created incentives to focus on the short-term goals of arrests and seizures and not on whether the methods used to achieve them were consistent with BPD policy, state and federal law, and the Constitution.
- Members of specialized units believed that achieving numerical goals was a necessity to obtain the approval of their supervisors and retain their positions in those units.
- Some command staff members coddled, promoted, and protected certain “golden boys” in specialized units – *e.g.*, Jenkins and Gladstone – when they consistently generated impressive numbers of narcotics and gun seizures.
- The broad message absorbed by many BPD members has been that the ends justify the means. This message has been inculcated early in the careers of BPD members, and is reflected in the fact that lying about the circumstances of an arrest or in a search warrant application was pervasive and viewed as necessary to address high levels of crime.

As to weaknesses in BPD’s accountability system, we found the following:

- BPD’s accountability system has never provided swift and consistent justice to BPD members accused of misconduct, or to civilians or BPD members who

report such misconduct. As a result, neither BPD members nor civilians have had confidence in the system.

- The internal affairs function within BPD has historically been deprived of the resources, talent, and leadership required to effectively deter and detect misconduct. The caseloads have frequently been overwhelming, the number of investigators has never been commensurate with those caseloads, and the efforts to improve IA have been sporadic and inconsistent. When asked which BPD commissioner over the past 20 years placed a high priority on deterring and detecting officer misconduct, many current and former BPD members answered, “none.”
- The internal affairs function has been viewed with disrespect, frequently crossing into contempt, by the vast majority of BPD members. Most BPD members have never considered applying for a position in IA, and affirmative efforts to recruit talented personnel have been largely unsuccessful.
- Until recent legislation repealed the Law Enforcement Officers’ Bill of Rights (LEOBR), its requirements and the limitations it imposed on the investigative process were viewed by personnel responsible for police accountability as a substantial impediment to developing a system that produces just and appropriate results.
- Administrative trial boards have historically been a flawed vehicle for achieving justice with respect to allegations of corruption and misconduct. Members of trial boards have been poorly trained, and they have been perceived as susceptible to efforts to intervene on behalf of accused members based on the power and connection of their patrons rather than on the substance of the case. Trial board members have feared the power of commissioners to increase the discipline imposed on officers found guilty and have responded in many instances by rendering not guilty verdicts that are contrary to the evidence.
- Most specifically, BPD’s accountability system failed repeatedly and disastrously in addressing the misconduct of Jenkins, Hersl, Rayam, and Hankard. In Jenkins’s case, at a minimum he should no longer have been a supervisor because of his actions in the Walter Price incident. In the cases of Hersl, Rayam, and Hankard, a properly functioning accountability system should have resulted in their termination from BPD.

As to the “us vs. them” mentality, we found that, while it is a less compelling explanation for the GTTF’s corruption and other episodes of corruption in BPD’s recent history than the other causes identified in this Report, it is still a significant factor that helps explain corruption in BPD:

- The levels of violence in Baltimore over the past several decades and the real and existential risks faced by BPD members as a result of that violence have led many to conceive of their jobs in terms of “us vs. them” – BPD vs. the forces of crime and violence. BPD members have been indoctrinated into viewing suspects, especially those involved in narcotics trafficking and violent crime, as the enemy. Cheating, which has historically begun with lying about events to support arrests or searches, is internalized as the price to pay to defeat the enemy.
- The corrupt GTTF officers referred to thefts of cash during street encounters as a “street tax.” This reflected the view that persons suspected of committing crimes, especially those involving narcotics, were viewed as not entitled to their property or their liberty.
- Language used by BPD members, beginning in the Academy, includes references to “battle buddies” and “going to war.” This mode of thought – that BPD is dealing with an “enemy” – can cause officers to view civilians as adversaries, and can lead some to justify or excuse various types of inappropriate and even corrupt conduct in service of their mission.

In addition to these factors, we note the following important considerations that arose frequently during our investigation. First, former leaders of BPD expressed grave concern about the degree to which city leaders have involved themselves in internal police department matters. We learned of sensitive BPD information shared by BPD members with elected city government officials to curry favor and in the hopes that they would receive a benefit in the form of an undeserved promotion or intervention in a disciplinary matter. There have been numerous attempts by city officials to influence promotions and assignments of BPD personnel, and to intervene in the disciplinary process. Such intervention is counterproductive and corrosive.

Second, we noted above that as a historical matter, there has been cheating and corner-cutting at the Academy in the interests of graduating as many recruits as possible. But even more significant than the cost of pushing every recruit through the Academy has been the cost of inadequate guidance to generations of BPD members about the central role ethics and integrity should play in determining their actions as a BPD officer. Current and former BPD members did not recall receiving any ethics training, and certainly nothing that stuck with them. Further, only recently under new leadership has BPD used as teaching tools any of the historical episodes of BPD corruption. Historically, BPD did not provide new officers with an adequate understanding of the challenges to their honesty and integrity they would face every day, including from their colleagues. Instead, new officers felt the pressures to make cases and generate numbers, and to be accepted by their colleagues. They frequently felt the pressure to tell lies and make misrepresentations. For many, that was where the corruption started. Indeed, that form of corruption was so deeply embedded in BPD’s culture as a necessary part of the business of policing that many BPD members did not view it as corruption at all. But it was the first step on a very slippery slope that, in the

case of the GTTF defendants and others, culminated in corruption and criminal activity on a massive scale.

## **I. Recommendations**

In addition to our central task of conducting a thorough investigation of the GTTF corruption scandal and its antecedents, we have a companion responsibility to formulate a set of constructive recommendations that could, if properly implemented, reduce the extent of corruption within BPD. Our goal has been to formulate practical recommendations that could meaningfully reduce the risk of corruption through prevention, deterrence, detection, and swift and certain accountability.

We are not writing on a blank canvass. The BPD consent decree, which has been in force since April 2017, contains scores of requirements that relate to hiring, training, supervision, and accountability, among many other issues. Our focus is different, though related to the goals of the consent decree. We have examined those subject areas through the lens of how deficiencies and weaknesses in those systems and processes made BPD more vulnerable to corruption, not on the much broader set of issues that are addressed in the consent decree. Our goal has been to identify practical steps and strategies that have the potential to reduce corruption.

### **1. Hiring**

Our recommendations relating to hiring are as follows:

- BPD should consistently follow established and standardized processes for conducting background investigations of applicants, and under no circumstances should it lower its standards, even in times of urgent need. (Recommendation #1)
- BPD should employ current or former BPD personnel to conduct the field investigation portion of the applicant background investigation, rather than relying on external contractors. (Recommendation #2)
- BPD should enhance the integrity testing component of the polygraph examination administered to BPD candidates, as well as ensure that the psychological examination focuses adequately on anger management and impulse control issues. (Recommendation #3)

### **2. Training**

Our recommendations relating to training are as follows:

- Trainers and administrators at the Academy should demonstrate that BPD has zero tolerance for cheating – whether by recruits or Academy personnel – in any aspect of Academy training. Probative evidence of cheating of any

- kind should lead to immediate expulsion of recruits and referrals to the Public Integrity Bureau (PIB), as appropriate. (Recommendation #4)
- The BPD Academy should establish an anonymous reporting mechanism for recruits to provide evidence that members of their Academy class have demonstrated their lack of fitness to serve as BPD officers. In addition, Academy leadership and trainers should carefully monitor recruits and identify candidates whose conduct or performance in the Academy raises concerns about their suitability to serve as officers. If not sufficient to terminate the recruit, those concerns should be shared with the candidate's Field Training Officers and initial field supervisors. (Recommendation #5)
  - BPD should incorporate into recruit and in-service training detailed presentations on the BPD corruption scandals of the past 20 years, the consequences for the officers who engaged in corruption, and the lessons that BPD and its members can draw from these episodes. (Recommendation #6)
  - BPD should incorporate into recruit and in-service training the first-hand experiences of former members of BPD who engaged in corruption. BPD should also incorporate the first-hand experiences of corruption victims. (Recommendation #7)
  - BPD should provide training explicitly focused on the critical importance of providing complete and truthful information in official police reports, documents submitted to judicial officers, and court testimony. (Recommendation #8)
  - BPD's Ethical Policing is Courageous (EPIC) training should become a foundational part of BPD's training program going forward. EPIC training itself should be provided on a periodic basis and should be updated to include new material. Its principles should be infused into a wide variety of BPD training programs. (Recommendation #9)

### **3. Supervision**

Our recommendations as to supervision are as follows:

- BPD should assign a mentor to each rookie officer for the first five years of that member's service in BPD. The mentor can—but need not be—one of the member's Field Training Officers. The mentor should provide informal advice and guidance on a range of matters, primarily but not exclusively work-related matters. Mentors should be carefully screened to ensure that they are suitable for the role. (Recommendation #10)
- BPD supervisors who are transferred to a new position in the Department should be provided with detailed briefings from the departing supervisor about the operations and personnel they are inheriting. To the extent possible, supervisors at every level should be required to shadow their

predecessors for a period of one week to learn as much as possible about the specifics of their new assignment and the strengths and weaknesses of the BPD members they will be supervising. (Recommendation #11)

- Senior command staff members must always work through the formal chain of command. They must not allow the needs of the moment, statistical productivity, or high regard for particular individuals or units to subvert the chain of command through issuing orders directly to lower-level personnel. (Recommendation #12)
- BPD must carefully screen members of plainclothes units. The process should include polygraphs, in-person interviews, and careful review of a candidate's disciplinary record. Members of plainclothes units should consent to discretionary financial audits for as long as they remain in these units. (Recommendation #13)
- Supervisors should promptly be advised whenever a BPD member under their supervision is the subject of an internal affairs investigation for serious misconduct, including but not limited to false statements or testimony, violations of constitutional rights, and theft. Supervisors should also promptly be advised when and how the matter has been resolved and whether the evidence developed during the investigation suggests a lack of integrity and honesty on the part of the member, even if the allegations are not substantiated. (Recommendation #14)

#### **4. Oversight and Accountability**

Our recommendations as to oversight and accountability are as follows:

- BPD should intensify its efforts to recruit top-flight personnel to serve as IA investigators. Those efforts should include providing financial inducements and specific advantages in the promotions process. If the use of positive inducements proves unsuccessful in attracting a sufficient number of quality candidates, BPD should consider establishing a minimum two-year rotation in PIB as a prerequisite for promotion. (Recommendation #15)
- BPD needs to more accurately track complaints and the officers involved in incidents that have given rise to complaints. Complaints initially received against an "unknown officer" should be changed in PIB's database once the investigation has identified the officers in question. Entries to the database for misconduct complaints should be sufficiently detailed such that subsequent complaints about the same incident against the same officers do not lead to the opening of duplicate cases. (Recommendation #16)
- BPD units that focus on seizing drugs and guns and make arrests at levels substantially higher than other units performing similar functions should be the subject of aggressive scrutiny by BPD top management and by BPD's



- audits and inspections function. This enhanced level of scrutiny is to ensure that the statistical achievements are not the product of violations of the Constitution, federal or state law, or BPD policy. (Recommendation #17)
- BPD should focus on quality over quantity in assessing the value of cases investigated by BPD members. To that end, BPD should closely track by officer and by squad the rate at which arrests result in convictions. (Recommendation #18)
  - BPD should rebuild its capacity to conduct targeted and random integrity stings to detect and deter officer misconduct. (Recommendation #19)
  - BPD should provide specific targeted training to IA investigators to sharpen their interviewing and writing skills. Recommendation (#20)
  - BPD should provide periodic training to sworn members and civilians who serve on administrative trial boards. Training should emphasize, among other things, the meaning of the preponderance of the evidence standard and the negative impact that verdicts inconsistent with the evidence have on accountability within BPD. (Recommendation #21)
  - Participants in the trial board process should be vetted for potential conflicts of interest to ensure that the trial board panel is able to decide cases based solely on the evidence. (Recommendation #22)

## 5. Miscellaneous

- BPD should conduct detailed exit interviews of every member of BPD who resigns, retires, or is terminated from the Department, with an emphasis on sworn personnel. The interviews should be comprehensive and designed to elicit as much constructive information as possible. Exit interviews of sworn personnel should be conducted by sworn personnel. (Recommendation #23)
- Incoming BPD commissioners should attempt to debrief their predecessors to gain insights into the challenges and opportunities they will face. Those discussions should continue as appropriate during the commissioner's tenure as specific issues arise that previously confronted BPD. (Recommendation #24)
- BPD commissioners should be provided with the latitude to run the Police Department with minimal operational interference from elected officials. Under no circumstances should elected officials become involved in investigative and personnel matters. (Recommendation #25)

## J. Conclusion

We began this investigation trying to answer this question: how did the GTTF come to be comprised of corrupt officers willing and able to commit crimes against the people of Baltimore? The answer is complicated. The new, more aggressive

enforcement strategies adopted at the beginning of the 21<sup>st</sup> century were layered on top of a culture that had a permissive attitude towards the excessive use of force and in a department that included pockets of officers engaged in misconduct and corruption. Officers willing to engage in misconduct gravitated to each other.

The rapid turnover of BPD commissioners from 1999–2007 meant frequent shifts in Department priorities. Norris's focus on open-air drug markets, major drug traffickers, and violent criminals was replaced by Clark's buy-and-bust strategy, which further increased the number of arrests by BPD. A major strategic shift took place in early 2007. At that point, BPD's strategy shifted from an emphasis on volume to a focus on violent criminals. The strategy change had a major impact on the homicide level in Baltimore: in 2011, after five years of implementing the strategy, homicides fell below 200 for the first time in 30 years.

Unfortunately, the success on the crimefighting front was not matched by improvements in BPD's accountability system despite occasional efforts to address its weaknesses. The internal affairs function continued to be dramatically understaffed and generally performed poorly. Fear and loathing among rank-and-file officers is a common view of internal affairs in many police departments, but in BPD those attitudes were accompanied by feelings of contempt and condescension. Most BPD officers never considered taking a job in IA, and there was no concerted leadership encouragement for them to do so.

In early 2008, VCID was formed largely with personnel from OCD, which had been formed under Clark. VCID became BPD's principal tool to fight violent crime and focused on targets believed to be responsible for Baltimore's most serious crimes. Although it never constituted more than about 15% of BPD's complement of sworn members, aggressive officers aspired to being selected for VCID and drew satisfaction from facing the challenge of handling high priority matters for a high prestige division. VCID members operated in plainclothes and conducted enforcement actions – street stops of suspects on foot and in vehicles; searches of vehicles; and searches of residences associated with suspects.

But there was a less visible, dark side to VCID: many of its members were engaging in misconduct and corruption. Because their victims were often involved in criminal conduct themselves, they were reluctant to file complaints against the officers. And because the infrequent complaints that were filed pitted the victims' word against the word of one or more officers, the complaints were seldom sustained: complainants with a criminal record did not have much of a chance. The lesson taught to officers and complainants alike was that the officers could engage in corruption and misconduct with no consequences. For the victims of misconduct, the potential benefits of lodging a complaint were substantially outweighed by the potential costs of retaliation by officers. Within BPD, the prevailing view was that complaints were frequently fabricated and were the predictable consequence of good, aggressive policing. There was a kernel of

truth in both of these claims, which blinded senior BPD leaders to the extent of actual misconduct and corruption in their ranks.

The death of Freddie Gray in April 2015 and the turmoil that convulsed Baltimore in its aftermath not only spelled the end of Anthony Batts's tenure as BPD commissioner but also caused an existing fragile relationship between BPD and the Black community to reach the breaking point. BPD members were angry with Batts for his lack of leadership during the turmoil; they became more passive and less responsive for reasons that included fury and resentment over the SAO's indictment of six BPD officers for their alleged roles in Gray's death; and violent crime spiraled to levels beyond anything that had been seen in Baltimore for quite some time.

These events opened the door even wider for corrupt officers. In the 18 months that followed, the BPD members subsequently charged and convicted of corruption committed no fewer than 21 separate crimes to which one or more of them ultimately admitted. The crimes included street thefts of cash and drugs, residential robberies, and warrantless entries into residences and storage units. There is simply no way to tell how many more crimes they may have committed, or how many other BPD members serving in plainclothes units committed similar crimes.

The aftershocks of the GTTF scandal continue to be felt to this day. Officers not directly associated with the GTTF have been charged and convicted in connection with events that occurred more than a decade ago. Many BPD members with close associations to the former members who have been prosecuted retired not long after the extent of the federal investigation became known. Scores of lawsuits have been filed by Baltimore residents claiming to have been the victims of corrupt acts committed by the GTTF members, with the amount paid to victims totaling more than \$13 million as of November 2021, with several cases still pending. The full costs of the scandal also include the more than 800 cases – both pending and closed – that have been dropped, and the convictions vacated, because they were tainted by the involvement of the GTTF members, as well the enormous damage to BPD's reputation and its relationship with the Baltimore community. Thus, the non-monetary costs of the corruption have been enormous.

Although BPD and the city of Baltimore have found it difficult to escape the dark shadow of the GTTF scandal, much has changed in the last several years. The US Department of Justice investigation led to the consent decree, which has now been in force for more than four years. Weaknesses in functions that our investigation has shown contributed to the GTTF corruption scandal – hiring, training, supervision, and accountability – are being addressed, and in many cases, are being methodically rebuilt from the ground up under the watchful eyes of a federal judge and an independent monitoring team. Body-worn cameras have become a powerful tool to deter and detect corruption and misconduct. The size of plainclothes units has shrunk dramatically, and BPD is providing far closer supervision over those units than it has in the past. It took decades for the cancer of corruption revealed in the GTTF scandal to spread as widely

as it did and to sink its roots so deeply into BPD; it will take years for BPD to demonstrate, in both words and deeds, that it has zero tolerance for corruption and misconduct.

But there are hopeful signs that BPD and the city have the will to do so. The city brought in as BPD commissioner an outsider, Michael Harrison, with a track record for making substantial improvements in a department operating under a consent decree. He assembled a management team that seems committed to the principles embodied in the consent decree and has a mandate to make the changes needed to transform the Department. BPD has made its EPIC training a foundational piece of the Department's culture, encouraging members to intervene with their colleagues to prevent misconduct, which has the potential to be transformational in defining what it means to be a good officer. Although EPIC has quite deliberately been kept separate from the internal affairs function, its principles are fully consistent with the goal of remaking an institutional culture that will become less tolerant of misconduct and corruption, and more aware of the costs of a code of silence. BPD has strengthened its ethics training and is working to further enhance it by confronting BPD members with the facts of the Department's historical corruption scandals, and with the devastating impact of those scandals. Facing those hard truths and adopting changes designed to reduce the risk of corruption and misconduct will take sustained commitment, hard work, and an effort to call on the best of the men and women in BPD to move the Department forward and turn the page on its troubled past.

The recent history of BPD, and the story told by our investigation and this Report, is that ethical, strong, and stable leadership matters. That crimefighting should never embrace or condone a credo that the ends justify the means. That an attitude that views the community writ large as an adversary rather than an ally and partner is dangerous and counterproductive. That cutting the corners of the Constitution, law, and BPD policy have a corrosive effect on the proper functioning of the Department. And that robust systems of supervision and accountability are prerequisites for a properly functioning police department. An important first step in reshaping BPD's future is to be honest about its past, and to learn the bitter but important lessons it teaches. We hope our work helps advance that important objective and points the way to a set of reforms that substantially improves BPD's ability to prevent, detect, and deter corruption, and that helps to restore the faith of the Baltimore community in its police department.