



September 20, 2016

Via First Class and Facsimile Mail (410-887-4049)

Kevin Kamenetz, County Executive
Baltimore County Government
400 Washington Avenue
Historic Courthouse Mezzanine
Towson, Maryland 21204

Re: Independent investigation of the Baltimore County Police Department and the Police-Involved Shootings of Korryn and Kodi Gaines

Dear County Executive Kamenetz:

On behalf of the NAACP Legal Defense and Educational Fund, Inc. (“LDF”), I write to request your attention to matters surrounding the August 1, 2016 police-involved shooting death of Korryn Gaines and the injuring of her young son Kodi. As you know, the police encounter with Ms. Gaines inside her apartment and the subsequent shooting have garnered national attention and concern. To date, we have heard no substantive public statement from your office regarding this matter.

It is our belief that the circumstances surrounding this tragic event warrants a review of several key practices of the Baltimore County Police Department (“BCoPD”). First, we request an independent review of the BCoPD’s use of force practices. According to news reports, there have been six police-involved shootings in Baltimore County since January, 2015, four of which (67 percent) involved African-American victims, though only 28 percent of Baltimore County residents are African-American.¹ Those shot include Korryn Gaines, a 23-year old African-American woman whose 5-year old son, Kodi, was hit with the gunfire that killed his mother.

Second, in the days and weeks following Ms. Gaines’ death, LDF sent letters to BCoPD Chief James W. Johnson requesting a transparent investigation of the shooting and the release of information regarding the BCoPD’s fatal interaction with Ms. Gaines.² In particular, we expressed our concerns and raised questions about:

¹ See, Police shootings, The Washington Post, <https://www.washingtonpost.com/graphics/national/police-shootings/>.

² See, Letter from Sherrilyn Ifill, President & Director Counsel, LDF to James W. Johnson, Chief, Baltimore County Police Department (August 15, 2016), http://www.naacpldf.org/files/case_issue/NAACP%20LDF%20Letter%20to%20Baltimore%20County%20Police%20Chief%20re%20Korryn%20Gaines.pdf; and Letter from Sherrilyn Ifill, President & Director Counsel, LDF to James W. Johnson, Chief, Baltimore County Police Department (August 26, 2016),

- The BCoPD's procedures for serving arrest warrants and accessing a key to Ms. Gaines' apartment;
- The BCoPD's video and/or audio recordings from that day;
- The identity of hostage and/or crisis negotiators involved in the standoff; and
- The circumstances leading to an escalation into police officers' use of deadly force after six hours of negotiations with Ms. Gaines.

Chief Johnson and the BCoPD have responded to our requests in a timely manner. We appreciate the police department's prompt and public responses to our requests. Our review of the materials provided by the BCoPD and our understanding of the actions of the BCoPD during and after this tragic killing, however, suggest to us that several key aspects of the police department's practices should be subject to an independent review. These include:

1. Review of the BCoPD's policies and procedures regarding the execution of arrest warrants, including policies regarding "key retrieval" and/or forcible entry in cases of non-responsive residents;
2. Review of the BCoPD's policies and procedures for the deployment of its hostage/crisis negotiation team;
3. Review of the substance and regularity of de-escalation training provided to BCoPD officers;
4. Review of the efficacy and progress of the BCoPD's training, distribution and use of body-worn cameras;
5. An investigation to determine whether the officer who fired on and killed Ms. Gaines and injured her son acted in such a way as to merit criminal charges; and
6. Review of the legality of efforts by police to obtain Ms. Gaines' Facebook information after her death, as well as their reasoning for seeking it.

We also request that you meet with community groups to discuss the appointment of a permanent county independent investigatory team for officer-involved shootings and deaths.

We do not make these requests without regard for the County Executive's wide ranging responsibilities, which must be fulfilled under time and resource constraints. But, we believe that a decision by you to order a review of the matters set out above and to pursue dialogue with community groups, would greatly benefit both the public and the county's police department.

Over the past several years, the nation has witnessed the use of excessive and often lethal force by police officers who have taken an oath to serve their communities, something that communities of color have witnessed up close for decades. The August 1 shooting of

http://www.naacpldf.org/files/case_issue/NAACP%20LDF%20Response%20to%20BCoPD%20August%2019%20Letter.pdf.

Korryn Gaines and other incidents involving the use of force by BCoPD demand your full attention in order to build trust and public confidence in the police department.

Thank you for your considering this request. If you have any questions or concerns, please contact Monique Dixon at 202-682-1300 or me at 212-965-2200.

Sincerely,

A handwritten signature in black ink that reads "Sherrilyn A. Ifill". The signature is written in a cursive, flowing style.

Sherrilyn A. Ifill
President and Director-Counsel

cc: James W. Johnson, Chief, Baltimore County Police Department
Vickie Wash, Esq., Legal Section, Baltimore County Police Department
Adrienne Jones, Maryland Delegate, District 10, Baltimore County