

Policing the Police:
Using Police Technologies to Uncover Law Enforcement Misconduct in Criminal Cases

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I. Introduction: State of Maryland vs. Jawan Richards

- a. On January 27, 2016, Detectives Hankard, Munford, Hill, and Vignola stopped Jawan Richards for failure to wear a seatbelt. Then, according to police, Richards attempted to flee the scene, rapidly reversing his vehicle into the unmarked police vehicle located at the rear of his vehicle
- b. Detectives Hankard and Vignola opened fire towards the vehicle, shooting Mr. Richards through the windshield of his vehicle multiple times

II. Police Investigation

- a. During course of investigation, it was learned that Jawan Richards was pulled over on the 3400 block of Piedmont after he was observed driving his 2011 Chevrolet SUV without a seatbelt.
- b. It was alleged that the Detectives, in two separate vehicles, pulled in front & behind Richards' vehicle. As the Detectives approached the vehicle, they stated that Mr. Richards accelerated the vehicle in reverse, hitting Detectives Hankard and Vignola's vehicle. Hankard and Vignola discharged their firearms, striking Mr. Richards' vehicle and hitting Mr. Richards in his neck and shoulder
- c. The two passengers in Mr. Richards' vehicle were taken in for questioning and a search of the vehicle uncovered a handgun and marijuana
- d. There was no BWC of the incident and at the time there was no evidence to contradict the Detectives' version of events
- e. In May 2016, Hankard and Vignola were cleared of any wrongdoing in the shooting
- f. Jawan Richards was subsequently indicted on multiple charges including assault, several handgun violations, and operating vehicle in wanton and willful disregard for safety of persons and property

III. Guilty Plea

- a. In grand jury testimony, Mr. Richards' co-defendant testified that Mr. Richards was in possession of a firearm during the January 27th incident
- b. On September 8, 2016, Richards pleaded guilty to assault in the second degree – for allegedly striking the officers' car and Det. Hankard with his vehicle – and illegal possession of a firearm officers claimed they found in his car following the shooting

IV. Incident Captured by “Eye in the Sky”

- a. 4 days after the guilty plea, Carroll County State’s Attorney’s Office received still images from BPD, which had been taken by the spy plane and provided to BPD on August 24, 2016
- b. The surveillance plane, Persistent Surveillance Systems, flew over the city in secret to the public to assist in investigating violent crime
- c. Although a 2016 Bloomberg Businessweek investigation exposed the “spy plane” that had been flying in Baltimore City, very little was known about its capabilities
- d. At this point, it was assumed that the plane only captured still aerial photos of the incident & that the observed vehicle behavior matched BPD’s story of the events
- e. What exactly are the spy plane’s capabilities?

V. Aerial Surveillance: Spy Plane Capabilities

- a. The plane, with a dozen cameras on it, flies 8,500 feet above the city and records 30 square miles at a time
- b. The resolution is not very high and it can only be used during the day – picture from the camera also depends on the weather
- c. The plane records information, which can then be used to compare with information from other cameras or incorporated into on-ground investigations, such as corroborating witness statements
- d. Faces are not visible, but analysts can detect movement of vehicles and often people on the ground

VI. GTTF Tactics and Pattern of Behavior

- a. After potential public support for the plane was squandered by 2016’s decision to keep it secret, Ross McNutt began re-pitching the surveillance plane in 2018 as a way to catch dirty cops in the act.
- b. McNutt went right to community organizers and neighborhood associations and following the 2017 Gun Trace Task Force scandal in which Baltimore Police officers were federally indicted for stealing money, dealing drugs, planting guns, and other abuses of power, this appealed to some Baltimoreans.
- c. 2 of the Detectives involved in the shooting, Hankard and Vignola, were indicted on charges related to the GTTF
- d. When McNutt was promoting the plane as a way to catch dirty cops, he stated in an interview with Brandon Soderberg that the plane had potentially already caught some police misconduct: during the 2016 shooting incident of Jawan Richards
 - i. Spy plane footage contradicted the Detectives version of events
 - ii. Footage shows that Richards pulled to the side, into a shoveled parking spot, to let the 2 officers vehicles to pass. It was only after he pulled into the parking spot did the interaction with police begin

- iii. Observed vehicle behavior matched BPD story that Richards vehicle reversed, but not into the officers vehicle because the officer's vehicle was in front of Richards' car
- e. In his article for the Baltimore Beat in December 2019, Brandon Soderberg discussed the growing debate over the aerial surveillance plane's effectiveness. It was through this article that we learned there were not just still images of the incident, but actual video footage of the 2016 shooting
 - i. Not only that, McNutt stated in his interview with Brandon Soderberg that there were inconsistencies between what the footage captured and the Detectives' story & these inconsistencies were made known in 2016
 - ii. <http://baltimorebeat.com/2019/12/20/aerial-surveillance-returns-debate-over-its-effectiveness-continue-and-documents-show-the-spy-plane-captured-a-police-shooting-in-2016/>

VII. Motion to Vacate

- a. In January 2020, the Baltimore City State's Attorney's Office filed a motion to vacate his conviction due to "improper conduct on the part of arresting officers that severely undermine the concept of fundamental fairness."
 - i. This is the type of motion filed by prosecutors in GTTF-related cases following an October announcement by Baltimore City State's Attorney Marilyn Mosby that the office intended to vacate 790 convictions considered "tainted" by GTTF-related officers.
- b. We filed our own Motion to Vacate in February 2020 so that the world would know what really happened to Jawan Richards
- c. In an article for The Appeal in February 2020, Brandon Soderberg uncovered the story of Jawan Richards & discussed how the surveillance plane footage contradicts BPD's account of what happened in January 2016
 - i. https://theappeal.org/baltimore-police-shooting-new-motion/?fbclid=IwAR1bdt8g9Km9kwuk_ez9SxG7dXDLObB11NRIPQ-Pe0Mjl0n_pbfntLn4YY8