

December 22, 2015

Updated Report

**Seeking Justice in the July 18, 2013 Death of Tyrone West
While in Custody of the Baltimore Police Department**

This report is concerned with seeking justice and police accountability locally in Baltimore and in the state of Maryland, but is connected to the nationwide epidemic of police killings of unarmed African Americans.

By Tawanda Jones, Sister of Tyrone West, and the West Family, Baltimore, MD.

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This report is also supported by (in alphabetical order):

- An End to Ignorance on Race, anendtoignorance.com, J.C. Faulk, 301-674-2552
- APPEAL, appealinc.org, Kelechi Egwin, info@appealinc.org, 800-711-7851
- Pan-African Community Action, Washington, DC, paca@protonmail.com, 202-787-5229
- Premier Community Development Corporation, Washington, DC, Stephanie Rones, 202-907-7404
- SeeingBlack.com, Washington, DC, Esther Iverem, iverem@seeingblack.com, 202-285-1841
- The Baltimore Bloc Coalition, Baltimore, MD, [Twitter.com/BmoreBloc](https://twitter.com/BmoreBloc), 443-745-1729
- Woodson-Banneker-Jackson-Bey Division 330 of the UNIA & ACL, Akua Oparebea, president, akua_oparebea@yahoo.com

Dear Members of the U.N. Working Group of Experts on People of African Descent,

Thank you for this opportunity to tell you about the 2013 death of my brother, Tyrone West, a 44-year-old unarmed African-American man who died in police custody after being beaten, pepper-sprayed, tasered and crushed on the ground by 11 to 15 Baltimore Police Department officers, including David Chapman and Jorge Bernardez Ruiz, and an officer of Morgan State University, David Lewis.

On that day, Tyrone borrowed my car and left me around 6:30 p.m. A half hour later, after a simple traffic stop, he was dead. While police say they beat my brother because he resisted arrest, numerous credible witnesses, ranging from young medical students to the elderly, say that officers in an unmarked car approached my brother's car with guns drawn and pulled him out of the car by his hair as he cried out for help. Then after he was already hog-tied on the ground, officers beat my brother, pepper-sprayed him and tasered him. Officer Lewis, weighing about 300 pounds, pressed his knee and full body weight onto my brother's neck and back, crushing him on the ground.

Since Tyrone's death:

1. Our family has never received a full autopsy report with photographs that would show the extent of his injuries. It took 154 days to receive a partial autopsy report, which lacks photos and states that he died of arrhythmia and dehydration.¹
2. Vital video evidence of the fatal beating, taken by witnesses on their cell phones, was confiscated by the Baltimore Police and has not been released.
3. Several errors in the criminal investigation, including no cataloguing of the crime scene photos, no notes from detectives about where a bag of cocaine was allegedly found on Tyrone, additionally leave us with little faith about the integrity of the investigation process. The fact that the BPD never took the initiative to meet with us, his family, or disclose information about the case, has only reinforced for us that there is no justice in this case.

¹ <http://www.documentcloud.org/documents/962185-tyrone-west-autopsy-report.html>

4. An independent investigation by James "Chips" Stewart, a law enforcement consultant, said that my brother's death showed BPD deficiencies in training, supervision and respect for "both youth and adults " who they stop. ²
5. As is typical in these cases, police did readily release information about my brother's criminal record but did not release information about the officer's involvement in other cases of brutality.
6. One such case occurred 17 days before my brother was killed when BPD officers Chapman and Ruiz also brutally beat another unarmed black motorist, Abdul Salaam, in front of his young child during a traffic stop. These two officers were also part of the department's controversial Violent Crime Impact Section, which has been disbanded. That unit was on the scene of the death of Anthony Anderson, who also died in the custody of the Baltimore Police Department of what of the medical examiner determined was blunt force trauma and a homicide.
7. No charges were brought against officers in the death of my brother Tyrone West. No charges were ever brought in the death of Anthony Anderson. No charges were brought in the brutal beating of Abdul Salaam. In fact, the 2014 award-winning series "Undue Force"³ in the *Baltimore Sun*, documented that in just the three years before the series was published, more than 100 people had won "court judgments or settlements related to allegations of brutality and civil rights violations." Baltimore has had to pay out more than \$6 million from our public dollars to victims of police brutality, who are almost all African American. The amount of these settlements would be far higher if there was not a \$200,000 cap on the amount of such awards. All of these cases had to be brought in civil court. Few if any of those cases have drawn criminal charges before the current case underway in the death of Freddie Gray.

Solutions and Recommendations:

One factor that delays information and justice in police brutality cases in Maryland is the so-called Police Officer's Bill of Rights, which among other provisions, gives any officer involved in a killing, 10 full days before he or she is required to give any statement about it. I am among many human rights advocates and family members of those killed by police who want this law overturned, so that police officers cannot use ten days to construct a narrative to avoid charges, and avoid the same system of justice that is applied to any other citizen. This law basically grants impunity to police in Maryland.

As the law now stands in this state, and as the criminal justice system now stands in Baltimore, with charges rarely brought against abusive officers and officers bearing no responsibility for the payment of brutality settlements, there is impunity for police officers who can literally get away with murder—and almost all of these murders are of African American people. The first human right we have is a right to our life.

Thank you again for receiving my report.

Tawanda Jones,
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² http://articles.baltimoresun.com/2014-08-08/news/bs-md-ci-tyrone-west-outside-review-20140808_1_tyrone-west-james-chips-stewart-excessive-force

³ <http://data.baltimoresun.com/news/police-settlements/>