



Written by [C. Mitchell Shaw](#) on September 12, 2015

Baltimore Mayor: Freddie Gray “Settlement” Intended to Avoid “Harm to the Community,” “Divisiveness”

Baltimore Mayor Stephanie Rawlings-Blake announced Wednesday a payment of \$6.4 million to the family of Freddie Gray, calling it a settlement for all civil claims in his death while in the custody of Baltimore police. Mayor Rawlings-Blake and the other four members of the city’s Board of Estimates approved the multi-million dollar payment unanimously.

“Settlement” doesn’t seem like the right word considering that Freddie Gray’s family has never filed a lawsuit related to his death, and that, in her own statement, the mayor acknowledged that the payment is intended, in part, to avoid “potential harm to the community and the divisiveness which might result.” The right word is “payoff.”

Attorneys for the Gray family have said that the family intended to file a wrongful death suit once the Justice Department completed its investigation and revealed the results of that investigation. The mayor and the others involved in the decision to pay the Gray family apparently thought it would be best not to wait that long, announcing the payoff the same day pre-trial hearings began in the criminal cases against the six officers involved. Their timing could not have been worse — or better, depending on their motives.

Fraternal Order of Police President Gene Ryan said the decision “to settle prior to the adjudication of the pending criminal cases is obscene,” adding, “There has been no civil litigation filed, nor has there been any guilt determined that would require such a ridiculous reaction.”

There is little doubt that this action on the part of Baltimore’s mayor and Board of Estimates will hurt the officers’ chances as they prepare to defend themselves in the criminal trials, which are set to begin in October. The officers will be tried separately.

Mayor Rawlings-Blake said the payoff “is completely unrelated to the criminal case the six officers currently face,” adding:

The city’s decision to settle the civil case should not be interpreted as passing any judgement [sic]





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on guilt or innocence of the officers. This settlement is about making the right fiscal decision for the city of Baltimore.

Attorneys representing the officers entered a motion for a change of venue for the trial, arguing that the city's decision sends the message that the officers are guilty and creates an environment in which the jury pool would be tainted. Michael Schatzow, chief deputy state's attorney, called that argument "insulting" to Baltimore residents. He told Judge Barry Williams that changes of venue should be reserved for cases in "a small community where you have an armed lynch mob at the door," according to a report by the Associated Press.

One is left to wonder what substantive difference there is between "an armed lynch mob" and a rioting mob.

Judge Williams agreed with Schatzow and ruled that the trials will be kept in Baltimore. Protesters, who had gathered outside the courthouse chanting, "It happened here. It has to stay here," cheered when the judge's decision was announced, according to a report from the local Fox affiliate. Police arrested at least one of the protesters.

It appears that even the news of the payoff and the announcement that the motion for a change of venue was rejected is not enough to calm the anger of some in the city, which was rocked by riots beginning on the day of Gray's funeral. It took Governor Larry Hogan calling in the National Guard and Mayor Rawlings-Blake implementing a curfew to get the riots under control. By that time violence, looting, and fires had engulfed the city. Six police officers were seriously injured and at least another nine suffered less serious injuries.

Mayor Rawlings-Blake, rather than supporting local police and their efforts to restore law and order, seems to think that laying out millions of dollars the city doesn't have is a better solution. She even hinted that the "settlement" was a way to pacify the city's angriest residents in order to avoid "harm to the community" and "divisiveness." In announcing the payoff, she said:

We must weigh the potential financial cost of defending the lawsuits in court and the potential exposure to the citizens of the city of Baltimore if we are unsuccessful in court — and for that matter if we are successful in court. In this case, faced with the prospect of significant legal expenses involved in an extended federal lawsuit as well as the potential liability that could come with an unfavorable jury verdict, our city's attorneys came to the conclusion that the six-point-four million dollars settlement is in the best interests of protecting taxpayers.... The purpose of the civil settlement is to bring an important measure of closure to the Gray family, to the community, and to this city, and to avoid years and years of protracted civil litigation *and the potential harm to the community and the divisiveness which might result.* [Emphasis added.]

Billy Murphy, lawyer for the Gray family, told Mayor Rawlings-Blake, "I thank you and your colleagues for your leadership in making sure Freddie Gray did not die in vain."

It's hard to say which is more offensive: Mayor Rawlings-Blake implying that a payoff is the surest way to restore peace, or Murphy agreeing and stating that the payoff means Freddie Gray — who he claims was killed by police — "did not die in vain." Considering the claims of both the prosecution and the attorneys for the Gray family, the implication is clear: Freddie Gray's life was worth \$6.4 million, and the payoff "settles" the debt.

Photo of Baltimore Mayor Stephanie Rawlings-Blake: AP Images



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