

CASH NO.: 87CR0100
C.C. NO.: FQ626QA
DIST NO.: 004547C4

STATE OF MARYLAND V, MICHIE, TONY

*Somerset
Set
county*

CHARGES: COUNT 1 MURDER
COUNT 2 **HANDGUN** - WEAR//CARRY, ETC
COUNT 3 **ROBBERY W/DANGEROUS & DEADLY WEAPON**
COUNT 4 ROBBERY - GENERAL
COUNT 5 ROBBERY W/DANGEROUS & DEADLY WEAPON
COUNT 6 ATTEMPTED ROBBERY
COUNT 7 2ND DEGREE MURDER

COSTS:

PROSECUTOR:

SANDY WILLIAMS

ATTORNEY:

KATY O'DONNELL
PATRICIA **CHAPPELL**

APPEARANCE ENTERED:

FEBRUARY 2, 1907
SEPTEMBER 25, 1907

DATE	PROCEEDING	JUDGE	ACTION
FEBRUARY 2, 1907	ARRAIGNMENT		APPEARANCE ENTERED
JUNE 3, 1987	TRIAL.	HON. EDWARD A. DEWATERS	POSTPONED BY: DEFENSE
APRIL 22, 1907	MISC HEARING	HON. EDWARD A, DEWATERS	OUT ASSIGN
AUGUST 18, 1907	TRIAL	JUDGE FRANK CICONE	POSTPONED BY: STATE
AUGUST 24, 1907	TRIAL.	HON. DANA M. LEVITZ	MISTRIAL.
NOVEMBER 17, 1907	TRIAL	HON. DANA M- LEVITZ	SUB -CURIA PSI
JUNE 15, 1980	DISP HEARING	HON. DANA M. LEVITZ	TRIAL SENTENCE
JULY 16, 1997	RECONSIDER	HON. DANA M. LEVITZ	

FILING DATE: JANUARY 0, 1907 CASE TYPE: INFORMATION

1. JAN. 23, 1907 SUMMONS, SI **IFF**'S RETURN.
2. **FEB. 2, 1907** DEFENDANT'S MOTIONS PURSUANT TO MD **RUL. E 4-232-**
- 3, **FEB, 2, 1907** DEFENDANT'S REQUEST FOR DISCOVERY AND MOTION TO PRODUCE DOCUMENTS
4. **FEB. 2, 1907** STATE'S NOTICE **OF** INTENTION TO SEEK SENTENCE **OF** DEATH.

*make a
temp folder
pls - the file
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Co. I
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De*

CASE NO.: 07CR0100 STATE OF MARYLAND V.. MICHIE, TONY

5. FED, 2, 1987 HONORABLE... E J. T - TURNER.. L PRESIDING ,
THE STATE SERVED NOTICE OF INTENTION TO SEEK
SENTENCE OF DEATH.
- 6, MARCH 4, 1987 STATE'S ANSWER TO MOTION FOR
DISCOVERY AND INSPECTION,
7. APRIL 15, 1987 DEFENDANT DECLINES TO WAIVE RIGHTS
UNDER MD RULE 4-271 IN OPEN COURT, DEFENDANT
REMANDED BCDC.
- 0, APRIL 22, 1987 HEARING HAD, CASE TO BE SET FOR
TRIAL IN AUGUST, 1987. DEFENDANT REMANDED TO
BALTIMORE COUNTY DETENTION CENTER,
9. MAY 13, 1987 MOTION TO PRODUCE TANGIBLE
EVIDENCE PRIOR TO TRIAL AND ORDER GRANTING
SAME. SUMMONS ISSUED.
- 10, JUNE 9, 1987 DEFENDANT'S MOTION FOR SUBPOENA FOR
TANGIBLE EVIDENCE BEFORE TRIAL AND ORDER OF COURT.
(LAD) SUMMONS ISSUED.
- 11, JUNE 19, 1987 STATE'S NOTICE TO DEFENDANT OF
WITHDRAWAL OF NOTICE OF INTENTION TO SEEK
THE DEATH PENALTY.
- 12, JUNE 9, 1987 DEFENDANT'S MOTION FOR SUBPOENA FOR
TANGIBLE EVIDENCE BEFORE TRIAL AND ORDER OF COURT
GRANTING SAME,
- 13, AUGUST 10, 1987 STATE'S SUPPLEMENTAL ANSWER TO
DEFENDANT'S MOTION FOR DISCOVERY AND INSPECTION.
- 14, AUGUST 11, 1987 DEFENDANT'S REQUEST FOR TESTIMONY
OF CHEMIST AND ALL OTHERS IN CHAIN OF CUSTODY.
- 15, AUG. 18, 1987 CASE RESET FOR AUGUST 24, 1987 AT
9:30 A.M. DEFENDANT WAIVES RIGHT TO SPEEDY TRIAL
AND MARYLAND RULE 4-271 ON THE RECORDS. DEFENDANT
REMANDED TO BALTIMORE COUNTY DETENTION CENTER.
- 16, AUGUST 18, 1987 STATE'S SUPPLEMENTAL ANSWER TO
DEFENDANT'S MOTION FOR DISCOVERY AND INSPECTION.
(BREEDEN)
- 17, AUGUST 18, 1987 STATE'S SUPPLEMENTAL ANSWER TO
DEFENDANT'S MOTION FOR DISCOVERY AND INSPECTION.
(BENNETT)
- 10, AUGUST 18, 1987 STATE'S SUPPLEMENTAL ANSWER TO
DEFENDANT'S MOTION FOR DISCOVERY AND INSPECTION.

CASE NO-: 8VCR0100 STATE OF MARYL..AND V- MICHIE, TONY

(SMIALEK>

19. **AUGUS1** 24, 198? JURY **SELECTED** BUT NOT SWORN.
HEARING HAD **IN RE** DEFENDANT'S MOTION TO SUPPRESS
2ND ORAL.. STATEMENT - DENIED. TRIAL NOT **CONCLUDED**
TO **BE** RESUMED **8/25/87**. DEFENDANT REMANDED **BCDC**.
20. **AUGUST** 25, 1907 TRIAL RESUMED. JURY SWORN.
TRIAL. NOT CONCLUDED, **TO BE** RESUMED **8/26/87-**
DEI•ENI)ANT REHANDED BCDC.
21. **AUGUST** 26, 1907 TRIAL RESUMED. AT END **OF** STATE'S
CASE, DEFENDANT'G MOTIION FOR JUDGMENT OF
ACQUITTAL • OVERRULED. TRIAL NOT CONCLUDED,
]0 BE RESUMED **8/27/87**. DEFENI)ANT REMANDED BCDC.
22. **AUGUST** 27, 1987 TRIAL.. RESUMEI). AT END OF ENTIRE
CASE, DEFENDANT'S MOTION **FOR** JUDGMENT **OF**
ACQUITTAL • OVERRULED. JURY FAILED TO AGREE,
MIS - TRIAL.. DECLARED. I)EFENDANT REMANDED BCI)C.
23. NO BAIL AUTHORIZED.
24. SEI'T. 2!>, 1987 NOTICE OF STRIKING THE APPEARANCE
OF DONNA P. SHEARER ENTERED ON **2/2/87-**
25. **OCT.** 16, 1907 DEFENDANT'S MOTION FOR DISCLOSURE
IIF EXCUI.PATORY EVIDENCE.
26. **OCT-** 16, 1907 DI.FENDANT'S MOTIION TO BE FURNISHED
WITH STATEMENTS OF PROMISES, REWARDS AND
INDUCEMENTS.
27. **OCT-** 16, 1907 DEFENDANT'S MOTION FOR **DISCLOSURE**
01⁷ ALL PRIOR STATEMENTS **OF** STATE 'S WITNESS
RODNEY BENNETT.
20. **OCT.** 16, 1907 **DEFENDANT'S** MOTION FOR **DISCLOSED**
OF ALL PRIOR STAEMENTS OF STATE'S WITNESS
ROOSEVELT MCQUEEN.
29. **NOV.** 2, 1907 DEFENDANT'S REQUEST **FOR**
TESTIMONY OF CHEMIST AND ALL OTHERS
IN CHAIN OF CUSTODY.
30. **NOV.** 4, 1907 STATE'S SUPPLEMENTAL ANSWER **TO**
DEFENDANT'S MOTION FOR DISCOVERY AND INSPECTION.
31. **NOV.** 12, 1907 STATE'S SUPEL..EMENTAI. ANSWER TO
DEF:::NDANT • s MOTION FOR DISCOVERY AND INSPECTION.
32. **NOV.** 13, 1907 DEFENDANT'S MOTION IN I. IMINE,

CAGE NO. : 87CR010© STATE OF MARYLAND V, MICHIE, TONY

33. NOV. 13, 1987 DEFENDANT'S MOTION IN LIMINE.
- 34- NOV. 17, 1987 HEARING MAILED. DEFENDANT'S REQUEST FOR POSTPONEMENT DENIED. JURY SELECTED BY NOT SWORN CASE CONTINUED TO NOVEMBER 18, 1987 DEFENDANT REMANDED TO BALTIMORE COUNTY DETENTION CENTER.
36. NOV. 18, 1987 STATE'S EXHIBIT (1) (BAIS FOR GUILTY PLEA)
37. NOV. 18, 1987 MEMORANDUM OF PLEA NEGOTIATIONS.
38. NOV. 18, 1987 TRIAL RESUMED AT THIS POINT STATE'S MOTION TO AMEND CHARGING DOCUMENT TO ADD COUNT *7 (2ND DEGREE MURDER"ARTICLE 27 SECTION 616 OF WAYNE M. BREEDEN)~GRANTED.
39. JURY PREVIOUSLY SELECTED IS RELEASED.
40. NOV. 18, 1987 JURY TRIAL WAIVED. CASE SUBMITTED ON AGREED STATEMENT OF FACTS. PLEA GUILTY AS TO COUNTS #1, *2 AND *7 (COUNTS 1 AND 7 IDENTICAL. CHARGES •• 2ND DEGREE MURDER).
41. DEFENDANT REMANDED TO BALTIMORE COUNTY DETENTION CENTER.
42. JUNE 15, 1988 HEARING HAD IN RE: DISPOSITION. 1ST AND 7TH COUNTS ARE IDENTICAL, COMMIT TO REFLECT THAT COURT IS SENTENCING ON BOTH 2ND DEGREE
43. MURDER COUNTS (1&7). COURT RECOMMENDS THAT DEFENDANT BE EVALUATED TO BE HOUSED AT THE PATUXENT INSTITUTE. COMMIT SENT.
44. AUG. 15, 1988 CORRESPONDANCE FROM JUDGE LEVITZ TO DEFENDANT.
45. SEPT. 13, 1988 DEFENDANT'S MOTION FOR REDUCTION OF SENTENCE.
46. SEP. 19, 1988 RULING BY THE COURT THAT THE MOTION FOR MODIFICATION OF SENTENCE FILED SEPTEMBER 13, 1988 IS HEREBY DENIED. (DM)
47. SEPT. 23, 1988 THE COURT'S RULING DATED IN THE ABOVE CAPTIONED CASE CONCERNING DEFENDANT'S MOTION FOR REDUCTION OF SENTENCE IS HEREBY STRUCK.

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CAGE NO.: 87CRO100 STATE OF MARYLAND V. MICHIE, TONY

A HEARING WILL BE SCHEDULED ON SAID MOTION. (DML)

48- JUN: 27, 1989 DEFENDANT'S MOTION FOR APPROPRIATE RELIEF.

49. JUNE 30, 1989 DEFENDANT'S MOTION FOR APPROPRIATE RELIEF.

50. JULY 10, 1989 DEFENDANT'S MOTION FOR APPROPRIATE RELIEF.

51. JULY 10, 1989 ORDER OF COURT THAT THE PATUXENT INSTITUTION ALLOW STAFF MEMBER OF SECOND GENESIS TO INTERVIEW TONY MICHIE WHILE HE IS INCARCERATED AT PATUXENT.

52. SEPT. 7, 1989 REPORT FROM SECOND GENESIS.

53. MAY 14, 1997 DEFENDANT'S SUPPLEMENT TO MOTION FOR REDUCTION OF SENTENCE.

DIGITIZATION: NOVEMBER 18, 1987

COUNT 1 MURDER

PLEA: GUILTY PENDING: GUILTY
 SENT DATE: 0A/15/88 GENT TYPE: PRISON
 LENGTH: 30Y SUSP LENGTH:
 CC/CS: CREDIT T/S: EXPL CODE: MI) DOC
 SENT START: DECEMBER 9, 1986 COMPLETION:
 LITERAL.: COGTS WAIVED. NOTES:

COUNT 2 HANDGUN WEAR, CARRY, ETC

PLEA: GUILTY FINDING: GUILTY
 SENT DATE: 06/15/88 GENT TYPE: PRISON
 LENGTH: 10Y SUSP LENGTH:
 CC/CG: CONGEC CREDIT T/S: EXPL. CODE: MD DOC:
 LITERAL.: CONS. TO COUNTS *1 & 7 N0RES:

COUNT 3 ROBBERY W/DANGEROUS & DEADLY WEAPON

PLEA: NOT GUILTY FINDING: NOLLE PROGGE

COUNT 4 ROBBERY - GENERAL

PLEA: NOT GUILTY FINDING: NOLLE PROGGE

COUNT 5 ROBBERY W/DANGEROUS & DEADLY WEAPON

PLEA: NOT GUILTY FINDING: NOLLE PROGGE

COUNT 6 ATTEMPTED ROBBERY

PLEA: NOT GUILTY FINDING: NOLLE PROGGE

COUNT 7 2ND DEGREE MURDER

PLEA: GUILTY FINDING: GUILTY

CASE NO. : 87CR0100 STATE OF MARYLAND V.. MICHIE , TONY

SENT DATE: 06/15/08 SENT TYPE: PRISON
LENGTH: SUSP LENGTH:
LITERAL: IDENTICAL TO COUNT *1.
SEE COUNT *1 FOR SENTENCE.

NOTES:

COURT CLERK'S WORK SHEET

TRIAL DATE 16, 1997 JUDGE Sm Levitz

STATE'S ATTORNEY Steve Bailey DEFENDANT'S ATTORNEY b naty O'Donnell

COURT REPORTER fo. Jorand COURT CLERK 0 rly y~. | Sihrv y

TRIAL: T/T: COURT JURY
 S/F: COURT
 PLEA: GUILTY _____
 NOT GUILTY _____

NAME iyYJU- miCh|t
 CIRCUIT COURT # 87 Ca oi o o
 DISTRICT COURT# _____
 TRACKING # _____

H/H IN RE: _____
 CHARGES: _____

MOTIONS: _____

Defendant's Motion for JUDGMENT of ACQUITTAL

A. END of STATE'S CASE		B. END of ENTIRE CASE	
GRANTED	OVERRULED	GRANTED	OVERRULED

VERDICT: GUILTY	NOT GUILTY	NOL PROS	STET	Defendant waived rights to a speedy trial Md. Rule 4-271.
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SENTENCE	TERM OF	SUSPENDED	PROB	FINES	COSTS	SUPER FEE
Department						
Correction						
Bait. Co.			UNSUP			
Bureau of			S/C U/R			
Correction						

REMARKS: _____

*AJ (LidjubcJhfrnj of sentence) -
 sub curia b*

*HJLJL vry to be filed
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 D*

REPORT OF PRISONER BROUGHT TO COURT

CIRCUIT COURT FOR BALTIMORE COUNTY

401 Bosley Ave. Towson, Maryland 21204

TO: SHERIFF BALTIMORE COUNTY, MARYLAND

FROM: SUZANNE MENSCH, CLERK

Name of Prisoner Tony michie

July 16 1997

Charge modif./murder GUILTY NOT GUILTY

CIRCUITCOURT* g H CjR D j Q 0

JUDGE Dana

DISTRICTCOURT# _____

TRACKING* _____

DISPOSITION:

A. SENTENCED TO DIVISION OF CORRECTION COMMIT IN TRANSIT _____ length or sentence

B. SENTENCED TO BALTIMORE COUNTY BUREAU OF CORRECTIONS COMMIT IN TRANSIT _____ length of sentence

C. SENTENCED TO BCBC, WORK RELEASE RECOMMENDED COMMIT IN TRANSIT _____ length of sentence

D. SENTENCED TO DWI FACILITY COMMIT IN TRANSIT _____ length of sentence

E. PLACED ON PROBATION UPON RELEASE _____ length of probation

- F. REMANDED BCBC
- G. REMANDED DOC
- | | | |
|--|------------------------|----------------|
| 1. per detainer | 2. pending disposition | 3. PSI Ordered |
| 4. trial continued | 5. trial postponed | 6. arraignment |
| 7. Psych. Evaluation Ordered | 8. _____ | |
| 9. defendant to be brought to Court on _____ | | |

H. STET _____

I. NOLPROS _____

J. DEFENDANT RELEASED FROM DOC / BCBC AS TO THIS CASE ONLY. RELEASE IN TRANSIT

K. CURRENT BAH. REVOKED

L. BAH. STATUS TO REMAIN THE SAME

M. BAH. HEARING _____

1. CASH
2. CORPORATE SURETY
3. OWN RECOGNIZANCE
4. PERSONAL PLEDGE OF _____
5. PROPERTY AT:
ACCEPTABLE _____

SUZANNE MENSCH, CLERK

per Diane S Harting
Deputy Clerk

STATE OF MARYLAND

*

IN THE CIRCUIT COURT

vs.

*

FOR BALTIMORE COUNTY

TONYMICHIE

*

CASE NO. 87 CR 0100

* * * * *

DEFENDANT'S SUPPLEMENT TO MOTION FOR REDUCTION OF SENTENCE

Defendant, Tony Michie by his attorney, Katy C. O'Donnell, Assistant Public Defender, respectfully requests that this Honorable Court modify, reduce and/or strike the sentence imposed in the above captioned case, and for his reasons states the following:

1. On November 18, 1987, the defendant appeared before the Honorable Dana M. Levitz of the Circuit Court of Baltimore County pursuant to the above-captioned matter.
2. At that time, the defendant entered a plea of guilty to Murder in the Second Degree and Use of a Handgun in the Commission of a Felony or Crime of Violence pursuant to a binding plea agreement wherein the defendant agreed to testify truthfully and accurately as a witness for the State against the Co-Defendant, Kenneth Collins in Case Number 87 CR 3962 and in exchange, the State agreed to recommend, and the Court agree to impose, a sentence of thirty years to the Division of Correction on the charge of Murder in the Second Degree and ten years consecutive on the charge of Use of a Handgun in the Commission of a Felony or Crime of Violence. The Court further agreed as a part of the binding plea agreement to consider a modification hearing upon the request of the defendant. The full text of the "Memorandum of Plea Negotiations" is attached and hereby incorporated as a part of this motion.
3. On March 21, 1988 and March 22, 1988, the defendant did in fact testify truthfully and accurately as a witness for the State in its prosecution of Kenneth Collins, providing over seven hours worth of testimony over a two day period. Mr. Collins was subsequently found guilty of First Degree Premeditated Murder and sentenced to death.

4. On June 15, 1988, the defendant again appeared before the Honorable Dana M. Levitz for sentencing in the above captioned matter. At that time, pursuant to the binding plea agreement, the Court imposed a sentence of thirty years on the charge of Second Degree Murder and ten years consecutive on the charge of Use of a Handgun in the Commission of a Felony or Crime of Violence. The Court additionally, made an affirmative recommendaion that the defendant be evaluated for admission into the Patuxent Institution.
5. On September 13, 1988, defendant's counsel filed a timely Motion for Reduction of Sentence, a copy of which is attached and hereby incorporated as part of this supplemental motion.
6. On September 16, 1988, this Court reversed a denial of defendant's Motion, entered in error, and affirmatively ruled that a hearing would be scheduled. Defendant's counsel was advised to notify this Court when a hearing was desired.
7. As of today's filing, over ten years has passed since the defendant has been incarcerated pursuant to the present offense.
8. The defendant was denied acceptance into Patuxent's program on January 11, 1990 largely due to a series of altercations involving an inmate who purported to be Kenneth Collins "cousin" who reportedly orchestrated repeated retaliatory aggressive actions against the defendant and his cell partner.
9. The defendant was ultimately transferred to Eastern Correctional Institution on June 14, 1990 where he has been incarcerated for approximately seven years.
10. While at ECI, the defendant has made tremendous strides towards self improvement and has continually assisted others in constructive pursuits.
11. In 1990, the defendant enrolled in a correspondence course for Paralegal Studies through the Southern Career Institute and in 1992, received his diploma.
12. From 1991 through 1995, the defendant completed a series of social-work classes through the ECI institution for which he received certificates in the areas of "Decisions", "Communications" and "Relationships".

13. In 1991, the defendant enrolled in a college program through the University of Maryland Eastern Shore. In May, 1995, the defendant graduated *summa cum laude* with a Bachelor's Degree in General Studies and a concentration in the field of Sociology. The defendant earned a cumulative grade point average of 3.973. A copy of his diploma and college transcript are attached and hereby incorporated as part of this supplemental motion.
14. During 1992 to 1994, the defendant was chosen by ECI staff to coordinate an adult literacy program within the institution. As a result, the defendant was instrumental in assisting numerous inmates in furthering their education and ultimately obtaining their GEDs.
15. Additionally, from 1992 to 1995, the defendant has voluntarily served as a tutor in mathematics for the education department at ECI.
16. Presently, the defendant continues to be involved in productive institutional activities and works as a volunteer on "The Voice", an institutional newsletter distributed throughout ECI and in other departments of the DOC, and as an instructor in a smoking cessation class aimed at assisting inmates in overcoming their nicotine addiction.
17. The defendant has not received any infractions since he has been at ECI.
18. The defendant recently appeared before the Parole Commission for his first parole review. The defendant was denied parole and given a ten year set off date for his next parole hearing. This decision is consistent with the present parole guidelines requiring that an inmate serve at least 50% of his sentence before being considered for parole for any "violent" offense. This parole policy however was not in effect at the time the defendant was sentenced and certainly could not have been contemplated by the defendant, defendant's counsel, the Assistant State's Attorney or the Court at the time of sentencing.
19. As a result of this ten year set off, the defendant is not currently eligible to participate in any programs presently offered at ECI.
20. Both the State and the defense have acknowledged that the defendant was not the shooter in the present incident nor did he intend or expect any physical harm to come to the victim in this case. In

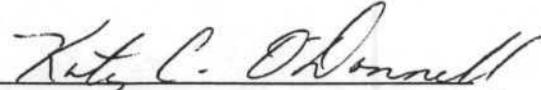
fact, when an altercation broke out among the co-defendant, Mr. Collins and the victim, the defendant attempted to flee the scene and abandon Mr. Collins. The defendant suffered immediate remorse for his involvement in the offense and the very day following the event, filed a job application at a car dealership in order to secure legitimate employment.

21. Indeed, the State relied almost exclusively upon, the defendant to provide invaluable testimony as to the specific circumstances surrounding the offense which led to the conviction of the actual shooter, Mr. Collins.
22. Under the terms of the plea agreement, all parties contemplated a possible reduction of the defendant's sentence at sometime in the future.
23. The defendant has exerted extraordinary effort to prove to this Court that he is worthy of a reduction of his sentence. He has shown he is capable of fully committing himself to academic excellence as well as to the assistance of others. Further, he has sustained his constructive efforts over an extended period of time illustrating a sincere commitment to obtaining his goals.
24. The sentencing guidelines submitted by the State at the time of disposition called for a sentence within the range of twenty to thirty years incarceration.
25. For all of the above reasons, including the nature of the defendant's actual involvement in the offense, his significant cooperation with the State and his outstanding accomplishments over the past ten years, defense counsel respectfully requests that this Court grant a reduction of the defendant's sentence.
26. An Appendix of Materials is attached and hereby incorporated as part of this supplemental motion in support of a reduction of the defendant's sentence.

WHEREFORE, the defendant respectfully requests that this Honorable Court:

- A. Grant a hearing on this motion.
- B. Modify, reduce and/or strike the defendant's sentence in accordance with this motion, and
- C. Grant any further relief the Court deems appropriate.

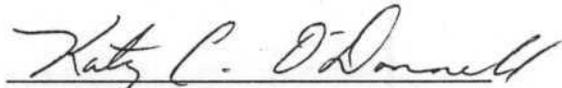
Respectfully submitted,



Katy C.-O'Donnell
Assistant Public Defender
Capital Defense Division
Maryland Bar Center
520 W. Fayette Street
Baltimore, Maryland 21201
(410) 333-1935

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Motion was mailed to the, Assistant State's Attorney for Baltimore County, County Courts Building, 401 Bosley Avenue, 5th Floor, Towson, Maryland 21204, this /^^ d a y of f?*^ 1997.



Katy C. O'Donnell
Assistant Public Defender

APPENDIX

- 1) Memorandum of Plea Negotiations
- 2) Transcript of Sentencing Proceeding
- 3) Motion for Reduction of Sentence
Filed September 13, 1988
- 4) Diploma, University of Maryland Eastern Shore
Bachelor of General Studies, Summa Cum Laude
May 21, 1995
- 5) Certificate of Academic Achievement
University of Maryland Eastern Shore
April 26, 1995
- 6) Letter from Alrethia McClee,
Assistant Director, Office of Continuing Education
University of Maryland Eastern Shore
- 7) University of Maryland Eastern Shore
College Transcript
- 8) Letter Tom Miller
Maryland State Department of Education
Bureau of Vocational Rehabilitation and Correctional
Education
- 9) Letter Robert A. Harleston, B.G. (RET) U.S. Army
Director Criminal Justice Program
University of Maryland Eastern Shore

STATE OF MARYLAND

V.

TONY MICHIE

IN THE CIRCUIT COURT

FOR BALTIMORE COUNTY

CASE NO. 87 CR 0100

* * * * *

MEMORANDUM OF PLEA NEGOTIATIONS

It is hereby agreed between the Defendant, Tony Michie, and his attorney, Katy C. O'Donnell, Esquire, and Patricia L. Chappell, Esquire, Assistant Public Defenders, and the State of Maryland by Alexandra N. Williams, Assistant State's Attorney for Baltimore County, that the following is the sum and substance of the Plea Agreement in the above-captioned case.

1. That the Defendant will enter a guilty plea to the charge of Murder in the Second Degree in Case Number 87 CR 0100, a violation of Article 27, Section 616, which is punishable by a maximum period of incarceration of 30 years. The Defendant will also enter a plea of guilty to the charge of Use of a Handgun in the Commission of a Felony or Crime of Violence in Case Number 87 CR 0100, a violation of Article 27, Section 36B, which is punishable by a maximum period of incarceration of 20 years.

2. That the Defendant agrees that he will testify truthfully, completely and accurately against the Co-Defendant, Kenneth Collins, in Case Number 87 CR 3963.

3. That should the Defendant testify truthfully, accurately and completely, the State agrees to recommend a period of incarceration of 30 years on the charge of Second Degree Murder and 10 years to run consecutively on the charge of Use of a Handgun in the Commission of a Felony or Crime of Violence.

4. That the State and the Defendant agree to hold the sentencing in this case sub curia until the Defendant has testified in the trial(s) of State v. Kenneth Collins.

5. That the Defendant knowingly, voluntarily and intelligently waives any and all rights and/or claims under the Double Jeopardy Clause of the Fifth Amendment of the U.S. Constitution as applied to the states through the Fourteenth Amendment and/or any and all rights and/or claims of Double Jeopardy arising under the Maryland Constitution and/or Declaration of Rights.

6. That the Defendant knowingly, voluntarily and intelligently consents to amend the Indictment in Case Number 87 CR 0100 to add the charge of Murder in the Second Degree, a violation of Article 27, §616, the maximum penalty for which is 30 years incarceration.

7. That should the Defendant fail to complete the terms of this Agreement, the State will withdraw this Plea Agreement and will proceed on all charges, including the charge of Felony Murder in Case Number 87 CR 0100 and is free to recommend the maximum incarceration allowed by law.

8. That the State hereby agrees that any statement made by the Defendant, Tony Michie, pursuant to this Plea Agreement will not be used against him in any subsequent re-trial of this matter.

9. That the Court hereby agrees to bind itself to this Agreement pursuant to the Maryland Rules.

10. That the Court agrees to hold a hearing on any Motion for Modification of Sentence timely filed.



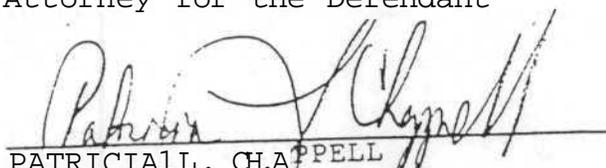
Defendant



ALEXANDRA N. WILLIAMS
Assistant State's Attorney
for Baltimore County



KATY O'DONNELL
Attorney for the Defendant



PATRICIA L. CHAPPELL
Attorney for the Defendant

ANW/jll

STATE OF MARYLAND

*

IN THE CIRCUIT COURT

*

vs.

FOR BALTIMORE COUNTY

*

DB

TONY MICHIE,

*

MARYLAND

Defendant

** * *

Case No. 87CR0100

* * * * *

REPORTER'S OFFICIAL TRANSCRIPT OF PROCEEDINGS
(Disposition)

Towson, Maryland

June 15, 1988

Before:

HONORABLE DANA M. LEVITZ, Associate Judge

Counsel:

For the State:

SANDY WILLIAMS, ESQ.

For the Defendant:

KATY O'DONNELL, ESQ. and
PATRICIA CHAPPELL ESQ.

WILLIAM C. FORAND
Official Court Reporter
M-08, 401 Bosley Avenue
Towson, Maryland 21204

2

13 1 June 15, 1988 - Courtroom 7 - 9:30 a.m.

2 P R O C E E D I N G S

3 * * * * *

4 MS. O'DONNELL: Again, good morning, Your Honor,
5 ~~ifet~~

6 for the record, Katy O'Donnell, Assistant Public Defender on
7 behalf of Tony Michie, who is now present in the courtroom.
8 Your Honor, we are here today for the sentencing of Mr. Michie
9 on Case Number 87CR100. As Your Honor, of course, I am sure
10 recalls, we did appear before you on November 18th of last year
11 and at that time the defense and the State - you can have a
12 seat, Mr. Michie - and the Court entered into binding plea
13 agreements.

14 The plea agreement was as follows: That Mr. Michie pled
15 guilty at that time to second degree murder and use of a handgun
16 in the commission of a crime of violence. And as a condition of
17 the plea agreement he agreed to testify accurately and
18 truthfully against Kenneth Collins in the State's prosecution
19 against him in Case Number 87CR3963.

20 Your Honor, in addition to that the agreement was that if
21 Tony complied with testifying against Mr. Collins that the State
22 would be recommending and the Court would agree to impose a 30
23 year sentence on the second degree murder charge and a 10 year
24 consecutive sentence on the use of a handgun charge." Your
25 Honor, the Court further agreed in the plea negotiations to hold
a hearing at a later date on a motion for a modification of that

June 15, 1988

1 sentence, but that would be at a later date. The understanding
2 was that today Tony Michie would be receiving the 40 year
3 sentence, as I laid out.

4 Your Honor, Mr. Michie has complied with the terms of the
5 agreement. On March 21st and March 22nd he did testify in the
6 State's case against Kenneth Collins. He provided seven hours,
7 Your Honor, worth of testimony in that case. I understand Mr.
8 Collins was found guilty of first degree, premeditated murder in
9 addition to felony murder. I believe the jury was only out for
10 about 55 minutes, it was my understanding.

11 Your Honor, I understand by the terms of the plea
12 agreement that the Court is bound today to impose the 40 year
13 sentence; nevertheless, there are some materials that I would
14 like to present on Mr. Michie's behalf. We are going to ask the
15 Court today to consider a recommendation to Patuxent Institution
16 to have this young man evaluated to see if he would be a
17 suitable candidate for Patuxent program, and in light of that I
18 would like to briefly, if I could, introduce some materials.

19 THE COURT: All right.

20 MS. O'DONNELL: Your Honor, simply before I do that
21 I just would like to say for the record that I by no way,
22 introducing these materials or talking about Mr. Michie's
23 background, or what I feel are mitigating circumstances, I am in
24 no way trying to minimize the severity of this crime in any way.
25 I believe this Court knows I deeply sympathize with the

1 Breedon's, and the only reason I am presenting information here
2 is I believe it is pertinent to the Court to make a decision
3 about this young man and whether he would be suitable for
4 Patuxent's program.

5 Your Honor, I am sure Your Honor's familiar with the
6 basic criterion for Patuxent, that you would have a long
7 sentence, they generally prefer somebody who is 30 years old or
8 younger and not having any out-of-State detainers. They general
9 prefer somebody who has had a prior term of incarceration.

10 These are the basic criterias they look at, but in my experience
11 they look at a lot of other factors as well. And in analyzing
12 what I think Patuxent looks at I come up basically with three
13 things that I think Patuxent really looks for in choosing which
14 candidate to accept because, of course, they only have 400 beds
15 in that institution. So it's a very limited amount of resources
16 available to accept people.

17 I think that what Patuxent primarily looks for, Your
18 Honor, is first an individual who has a problem. And an
19 emotional problem, not just hateful, callous type of person, but
20 somebody who has anemotional problem that can be examined and
21 explored and treated. And I think secondly they look for
22 someone who is genuinely motivated to respond to treatment,
23 someone who will be receptive to that and who has an interest in
24 changing and working with the program.

25 And I think lastly what they look for is, in addition to

1 someone's motivation for the treatment, I think they look, for
2 someone who they feel is capable of actually benefiting from the
3 treatment, somebody who has the real potential and the ability
4 to respond to the program. And, Your Honor, I think after
5 knowing Mr. Michie for the length of time that I have, which is
6 close to, it was over a year and a half now, knowing his
7 background in detail, knowing his family and knowing him that
8 Mr. Michie fits all of those criteria.

9 Your Honor there has been a psychological evaluation. I
10 have had an opportunity to give that to the Court. Has the
11 Court had an opportunity to read it?

12 THE COURT: Yes, I read it this morning.

13 MS. O'DONNELL: Thank you, Your Honor. I gave that
14 to you. I was hoping you would have a chance to read it before
15 we continued on here today. I have given a copy to the State's
16 Attorney. I am not going to go through in detail all of the
17 things that Dr. Donner discusses in his report. Since you have
18 already been provided with a copy and read through it. There
19 , are a couple of things, though, that I would like to point out
20 about Tony's background that Dr. Donner talks about.

21 What strikes me in reading this, Your Honor, primarily
22 what strikes me is not just that Tony comes from a very chaotic
23 family environment, but even more so than that, that there seems
24 to almost be a pathological pattern in his family. No male
25 individual in Tony's family, with the exception of himself, no

1 male individual has ever tried to make anything of himself. And
2 I think when you read through Dr. Donner's report and look at
3 the background, the people that he's associated with in his
4 family, not one of them has ever made any attempt to do anything
5 legitimate.

6 Dr. Donner points out that Tony has never had any
7 positive role models. And I think that you, when you look at
8 the background that goes really without saying. We have a young
9 man here, Your Honor, who was an unplanned child, who when he
10 was born he had two older brothers and an older sister, all from
11 different fathers. His father was different from his three
12 siblings' fathers. His own father was an alcoholic. His own
13 father left the family when Tony was only seven years old.
14 Wasn't seen from or heard from again until Tony was about 13 or
15 14, and then died within a couple of years after that. His
16 mother remarried a gentleman by the name of William Ledge, that
17 everybody in the family agrees was an abusive and violent
18 individual with a violent temper. An individual who was
19 fascinated with guns and with violence, and who relayed that to
20 his children.

21 Tony has two older brothers, Your Honor. One of them
22 Reginald, started at a very early age becoming involved in
23 crime. And escalated on up and currently is serving a 60 year
24 sentence in Kentucky for murder. His older brother James got
25 into, followed sort of Reginald's footsteps and got into

1 committing burglaries and thefts and committed a number of those
2 and ended up, I believe with what was, I believe it was a 15
3 year term at Hagerstown for his involvement in all of his
4 criminal behavior.

it*.

5 As a matter of fact, James has just been released from
6 prison after serving 15 years in Hagerstown, and I understand
7 that this young man was so petrified to go back into the
8 community after being institutionalized for so long, was so
9 scared to go back in that two days before his parole date,
10 mandatory parole date he swallowed razor blades and had to have
11 surgery. And it's amazing that there wasn't more injury done to
12 him, but he's out in the community now.

13 Tony's mother, in the report Dr. Donner sites that he
14 interviewed Tony's mother, spoke with her for several hours, and
15 Tony's mother made a point of saying to Dr. Donner that she was
16 hopeful all along that Tony wasn't going to grow up to be like
17 the other two boys, that he would be different and they wouldn't
18 have a bad influence on him. And, of course, that was not true
19 and Tony followed immediately in their footsteps as well.

20 And the records that Dr. Donner refers to shows that at
21 age 11 he was involved in stealing a bicycle, that his brothers
22 had instigated him into doing. And they just escalated on from
23 there, and by the age of, 17 before his 18th birthday he had
24 -committed a serious assault, was charged, was waived to adult
25 court, was convicted and was given an eight year sentence in the

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1 Division of Corrections at age 17. Tony served that sentence, I
2 understand, four years of that sentence, five years of that
3 sentence. I think it was just shy, Your Honor, of five years in
4 various institutions across the State. And he spent that time
5 incarcerated and then I think this is when a change occurs.

6 I think that something different happens, something
7 different in this family that doesn't follow the pattern, and
8 that's when Tony gets released from prison in 1982. He spends
9 the next four and a half years just prior to this incident, the
10 next four and a half years for change, trying to make something
11 of himself, trying unlike any other person in his family, and
12 certainly unlike his younger, years, trying to do something.

13 He comes out of prison, Your Honor, .this young man has a
14 ninth grade formal education, got his GED while he was
15 incarcerated. He came out of prison determined to get an
16 education. Just something nobody, which is something nobody in
17 his family had ever done, determined to get an education. He
18 comes out, he starts to work, works many jobs.

19 Dr. Donner on page 5 of his report, and I am not going to
20 list, you know, go through, because I am sure Your Honor has
21 already read them, every job and schooling that Tony attends for
22 the next four and a half years. It's listed on page 5_f but Tony
23 starts to go to school. Tony ends up, gets an education, goes
24 to data processing institute to learn computer operations. I do
25 have a certificate here from that institute that I like to

1 present. He attends the Sojourner-Douglass College at a
2 different point in time to study cable administration. I have a
3 letter on behalf of Sister Douglas on his behalf. He attends
4 the community college of Baltimore for several years. He
5 studies for his business administration, then he studies
6 pre-nursing, then goes on a surgical technicians program.

7 During the course of this he's worked in an operating
8 room at Francis Scott Key in a clinical program. And at the
9 same time started doing voluntary work at the emergency room at
10 Union Memorial. While all this is going on he is working a
11 number of jobs to try to put himself through school, often he is
12 working two jobs at once, often he is attending school at night
13 and this young man is really trying. And it is not for four and
14 a half months, it's for four and a half years. And everything
15 seems to be to be going well. And Tony then makes a decision in
16 the end of summer of '86 beginning into summer, beginning of
17 fall of '86, again only a few short months before this incident
18 that he decides that he wants to get out of his environment, and
19 he is going to pursue a career in the military. And he puts
20 everything he has for the next several months, everything into
21 trying to get into the military, into the Army.

22 Now he knows that that's going to be very difficult
23 because of his prior record. But not only does he take the
24 necessary examinations and put in the necessary applications, he
25 spends the next several months going around and trying to get

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1 recommendations on his behalf to try to convince the Army to
2 waive their requirement of having no prior record and allow him
3 to enlist anyway. And he makes a conscientious effort. Dr.
4 Donner refers to that in his report and, as a matter of fact, I
5 think also on, somewhere around there on page 6 or page 7 he
6 even refers to some of the numerous letters of recommendation
7 that Tony had gotten together to try to get into the Army.

8 And again I am not going to submit all of these to the
9 Court, I have just a few I would like to submit, these are
10 outstanding recommendations. There is a recommendation here
11 from Thomas Hubbard, who was a teacher of Tony's at the
12 Department of Science and Mathematics. There is a
13 recommendation here from the John Cadden, who is a professional,
14 a doctor, who has again an outstanding reference for Tony.
15 There is a recommendation here from Senator Robert Dalton.
16 There is a recommendation here from Glendel Adamson, who was his
17 Parole Agent at the time.

18 All of the recommendations, Your Honor, are extremely
19 positive. Each one of them emphasizes what they feel is Tony's
20 enthusiasm, his resourcefulness and his true commitment to
21 improving his life, to making changes and to live a different
22 kind of life than the one he led before and the one that he's
23 grown up in.

24 Your Honor, he worked very, very hard at getting accepted
25 into the Army and he almost made it. He got to the point in

16
1 October of '86, and now we are talking about a month and a half
2 before this incident occurred, October of '86 to the point of
3 signing his statement of obligations and responsibilities, and
4 he had to convince three commanders, I understand, to waive the
5 requirement of no prior criminal record in order for him to be
6 able to enlist. And he was able to convince two of them, and I
7 am just submitting a letter to the court that shows in October
8 that two of the commanders had already decided that this young
9 man was appropriate for the military, and based on his
10 recommendations and his enthusiasm could come in. And there was
11 one commander who did not sign off on that waiver and Tony was
12 not allowed to go into the service. He was rejected in the
13 middle of October, and that's when this four and a half years of
14 effort all went down the drain.

15 Tony, Your Honor, was living in the environment. He was
16 looking around, he was seeing his cousins, who he was living
17 with at the time, his cousins who, just like the rest of the
18 family, had never pursued anything legitimate. Cousins were
19 involved in drug dealing. Cousins were involved in selling
20 drugs. They didn't do any other kind of work. They made a lot
21 of money, had nice cars, everything's fine, everything; Tony's
22 just a fool, what's he doing working, getting paid minimum wage
23 for these things and none of his efforts are paying off. And
24 Tony gave in to that.

25 And Tony began, and in Dr\ Donner's report he refers to

1 that, but only a couple of months before this incident Tony
2 began selling drugs, and not too long after he began selling
3 drugs he began using drugs. And I think that Dr. Donner talks
4 in his report, says that Tony began freebasing cocaine and it
5 became his whole life. He became freebasing cocaine on a daily
6 basis, that he was unable to pay his bills, not only his
7 legitimate bills, car bills, rent bills, things like that, but
8 illegitimate bills as well, because he was getting this from
9 suppliers and instead of giving them back what he was supposed
10 to be giving back he was using the drugs himself and he wasn't
11 able to supply them with the money he was supposed to.

12 It was a very quick downfall, Your Honor, and I think a
13 very pathetic one, very sad one in retrospect. This young man
14 had come a long way, I believe, and just completely blew it. At
15 that point when he couldn't pay his bills, the legitimate ones
16 and the illegitimate ones he accepted a previous proposition
17 from Kenneth Collins, who is the type of people he became
18 involved with when he became involved in drugs, a proposition
19 that he turned down before.

20 Kenneth Collins was the type of guy who was going around,
21 I understand, committing robberies on his bicycle and had asked
22 Tony before if he would drive for him so that he could have a
23 vehicle. He would be the getaway driver. Tony had always
24 refused to do that, but at this point Tony agreed, Tony gave
25 into that proposition. And Your Honor knows from hearing the

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1 trial and the facts relayed what events took place.

2 Your Honor knows that Tony, well, and also we had the
3 benefit of hearing Tony's testimony in the Kenneth Collins case.
4 And I know Your Honor hasn't had the benefit of that, but you
5 did hear the trial and know that when this robbery occurred that
6 as soon as Tony saw a physical altercation taking place between
7 Kenneth Collins and Mr. Breedon, as soon as he saw Mr. Collins
8 hit Mr. Breedon over the head that Tony tried to leave him, came
9 to his senses, he tried to leave him behind. He was petrified.
10 Kenny Collins told him that Mr. Breedon wasn't dead, that he
11 hadn't killed him, that he had only shot him in the backside.
12 It wasn't nothing to worry about. Tony was very worried about
13 it, very concerned.

14 This very next day, I think this says something about
15 Tony, this very next day he went out and applied for a job,
16 which is how he got caught, as Your Honor probably recalls, he
17 was at the car dealership which is where Lieutenant Roller saw
18 his vehicle and saw that it looked like the vehicle that he had
19 , seen before. Tony was out the next day trying to get a job,
20 decided I am not going to do this. I can't be involved in this
21 type of thing. Of course, you know he was apprehended and you
22 know that as soon as the detectives came looking for him that
23 Tony on his own went down to the police station and gave a
24 statement that minimized his own involvement but clearly
25 implicated him in this crime.

1 If he hadn't given that statement he wouldn't be
2 convicted here today. Now you can say that that's because he is
3 just as stupid, was just stupid of him to go down and make that
4 statement. But I don't think that's true. I don't think that
5 **m**
6 stupidity is what motivated him to come down, and even though it
7 minimizes his involvement, to try feel some kind of need to get
8 this off his chest, to do something.

9 Your Honor, after he was arrested I met with him within
10 days of his arrest, myself and Donna Shearer, who was on the
11 case at the time. Your Honor, even after, I will be quite
12 candid with the Court, even after both Miss Shearer and I
13 advised him not to make any further statements, even after that
14 he called the detectives on his own and asked them to come to
15 the Detention Center because he wanted to talk. And that's the
16 time when he made the statement that you have heard about in the
17 trial that he didn't kill the man, that it wasn't supposed to
18 happen, that he was full of remorse and wanted to tell the full
19 true story.

20 Within days of his arrest, Your Honor, he told myself and
21 Miss Shearer the name of Kenneth Collins, that Kenneth Collins
22 was the shooter and he was prepared to help in apprehending Mr.
23 Collins. I think Your Honor again knows from the trial, because
24 this was an issue at different points in terms of evidenciary
25 issues, that we did contact the State's Attorney's Office at
26 that time immediately. The State's Attorney's Office was

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1 convinced at that point that Tony was, in fact, the shooter and
2 they weren't interested in any kind of negotiations and any kind
3 of discussions and it wasn't pursued.

4 And it wasn't until six months later when some
5 independent evidence became available at, I believe in the form
6 of Andre Thorpe, really that the State was willing then to
7 listen to what Tony had to say. At this point Tony did give the
8 name of Kenny Collins. Tony took a polygraph test and passed it
9 proving that he was being honest. The death notice, of course,
10 was dropped. I just wanted to point out that Tony was willing
11 to provide that information from the beginning, it was not Tony
12 sitting on it and not wanting to tell the truth about it.

13 Your Honor, he has been incarcerated now since December
14 9th of 1986. And as I said, I have known him for over a year
15 and a half. Your Honor, Dr. Donner's reports in his last few
16 pages where he is summarizing, he says the current test results
17 on Tony are that he is a bright, normal intelligence, attention
18 and he indicates that within the last year especially that Tony
19 has been learning to express himself and his genuine feelings of
20 conflicts and remorse for what he's done to others and what he's
21 done to himself.

22 And what Dr. Donner is referring to when he says that is
23 Dr. Donner has had the benefit of seeing a number of "writings
24 that Tony has made, letters that he's written to me and just
25 other pieces that he has written and Dr. Donner's had the

1 opportunity to read those and examine those. And I think he has
2 concluded that this young man genuine feels remorse for what
3 he's done to other people. I believe that he is sincerely
4 remorseful for his participation in this. He's relayed that to
5 me many times. I think he's tried to relay that to Sandy, as
6 well, during the course of their working together on the Kenny
7 Collins trial.

8 Your Honor, his family is not here today. It is not a
9 surprise that they are not here today. His sister, however, did
10 write a letter and I would like to give that to the Court and
11 ask the Court to review it. She wrote that letter on behalf of
12 the family, but it does primarily come from her.

13 Your Honor, that letter asks for modification of sentence
14 and, of course, that's not the proper time to address that
15 issue. But what I would like to do is, at this time in light of
16 everything that's been introduced, ask Your Honor to consider a
17 recommendation to Patuxent Institution. Dr. Donner feels in his
18 report, and as I am sure Your Honor has already reviewed, that
19 this young man is an appropriate candidate for Patuxent. That
20 he is likely to respond to the treatment there, that he is
21 likely to respond favorably and per chance can be a success
22 there.

23 Your Honor, I believe that the three criteria that I
24 mentioned to begin with, I do believe that Tony fits those. I
25 believe he has emotional problems that can be treated. I

1 believe strongly that he has a very sincere interest in
2 motivation for treatment. And I believe that he has the
3 potential, I believe he has the potential to turn himself
4 around. I would ask Your Honor based on all the information
5 presented in Dr. Donner's report to request that he be evaluated
6 by Patuxent so they can determine his eligibility.

7 THE COURT: Mr. Michie, is there anything you like
8 to say to me before I sentence you?

9 DEFENDANT: Yes, sir. I don't think that I could,
10 you know, say anything, you know, verbatim from the top of my
11 head or remember everything that I would like to say so what I
12 did I wrote an allocution and if I can read it.

13 THE COURT: Sure. . .

14 DEFENDANT: Today I sit here in front of the court
15 and public, loved ones and the family of innocent victim who
16 lost his life to cruel person who had no regard for life aside
17 from maybe his own. In an attempt to say something that will
18 justify why I was involved with such a person I am, on that
19 dreadful night Mr. Breedon was so dreadfully snatched away from
20 us. I do not possess any magical words that could even come
21 close to justifying anything with such magnitude, as of
22 someone's life. So what can I say?

23 I won't say that I am sorry because sorry I feel would be
24 an ugly word to use today or have as an expression of regret for
25 what has happened. Sorry also tends to in many instances to

1 serve as defense for some people when they realize they have
2 sinned; however, I will never feel that an I am sorry expression
3 will ever depict the true sense of regret I actually feel for
4 what has happened. Nor could I ever use the word as a form of
5 defense consciously or unconsciously for the role I played
6 because I have learned to accept my guilt instead of trying to
7 defense my, place the blame somewhere else. I believe that in
8 accepting my guilt, acknowledge that it belongs to me alone, is
9 the healthiest, positive attitude I could have developed.

10 All of us will engage many times during our lives in an
11 act we know to be morally wrong and when we do the healthy
12 response is guilt in an appropriate quantity and quality to be;
13 therefore, accepting my guilt is helpful, it encourages me from
14 repeating the same or similar acts again. It leads to remorse
15 instead of the hatred of others, of myself. I really believe
16 that there is merit in the pain and heart that does not shy away
17 from the unscrupulous depth to which this soul has sank. I
18 could not be a human being without acquiring capacity for guilt,
19 therefore, as a human being I accepting of my guilt allows me to
20 grow, as I have freely done these past 16, 17 months of
21 incarceration to show that I am sorry rather than to say it.

22 THE COURT: All right. Is there anything else that
23 you'd like to say other than that?

24 DEFENDANT: No, sir.

25 THE COURT: All right. Miss Williams, is there

1 anything you want to say?

2 MS. WILLIAMS: Your Honor, just that, as you know
3 the basis of the plea agreement was that the State would
4 recommend 30 years on the charge of second degree murder and 10
5 years consecutive to the handgun charge should the Defendant
6 testify truthfully, accurately and completely at the trial of
7 Kenny Collins. I would indicate to the Court that, as Mrs.
8 O'Donnell said, the Defendant did, I believe, just that in seven
9 hours of testimony against Mr. Collins.

10 THE COURT: There is no question that this case is
11 a tragedy. It was a tragedy and is a tragedy and will remain a
12 tragedy for all the days of the Breedon family. Their husband,
13 son, father was killed so senselessly for \$80. A productive
14 member of our community was snatched away for no real reason.
15 It's also a tragedy for Mr. Michie. One can't help but think
16 how sad it is that a person with his abilities has gotten
17 himself to this point in life in the status that he's in; it's
18 just a shame.

19 It's interesting to me that the courtroom is almost
20 empty. It's interesting because the public and the press
21 decries plea bargaining, says how horrible it is. And here is
22 an example of exactly how plea bargaining should work. Here is
23 an example of exactly what should happen and why plea bargaining
24 is important and necessary and good and beneficial to society,
25 to the justice system. This is a perfect example of that.

1 As a result of the plea bargain in this case a murderer,
2 a killer, Kenny Collins, has been brought to justice. Without
3 that plea bargain it's doubtful that that would have been, would
4 have happened. At the same time Mr. Michie, who undoubtedly
5 bears, as he recognizes, responsibility for Mr. Breedon's death
6 is also brought to justice.

7 On the other hand, Mr. Michie gets the benefit of the
8 bargain. When this case was tried in August it resulted in a
9 hung jury with a vote of eleven to one for conviction. There
10 was no doubt in my mind that another jury, absent the one juror
11 who, in fact, committed misconduct while serving on the jury,
12 the one juror who voted for an acquittal, who lied to the court
13 in voir dire, that absent that one- juror Mr. Michie would have
14 been convicted of first degree murder. And there was virtually
15 no doubt in my mind that on retrial that would have been the
16 result.

17 So what happens is two attorneys for the State and for
18 the defense realized that there is from the defense standpoint a
19 goal to be gained, avoid the first degree murder conviction,
20 with a possible consecutive sentence, a situation which will
21 require a Governor's pardon before he could be paroled
22 situation, which would mean that he in all likelihood with his
23 his record would spend the rest of his life in prison. And the
24 attorney tried and saw that it was in her client's interest to
25 avoid that.

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1 The State on the other hand knew that it wanted to get
2 the shooter, and that it probably couldn't without Mr. Michie.
3 So the State agreed to give up that first degree conviction with
4 a life sentence, still retaining a punishment, severe punishment
5 that was necessary and accomplish that, and in addition was able
6 to bring the shooter, a dangerous person, to justice when in all
7 likelihood that could not have happened. And as a result both
8 the shooter, who now faces and was sentenced to death, will be
9 punished. Mr. Michie will be punished but in a lesser fashion,
10 in a fashion more appropriate. Where is the public? Where is
11 the press in this case? Where this perfect example of why there
12 should be plea bargaining is present.

13 Mr. Michie,.I think your lawyer's done a great job for
14 you. I think Miss O'Donnell did a fantastic job for you in this
15 case and Miss Shearer did when she was involved in the case
16 before, because they have put you in that position where you
17 really can look forward to sometime in your life being free,
18 being a free man. I don't think that's the case with Mr.
19 Collins. I think Mr. Collins is going to spend the rest of his
20 days in prison, however long they are. Certainly it was, it
21 would diminish the seriousness of this offense to not impose the
22 sentence, the plea bargain sentence that was contemplated. And
~23 that's what I intend to do.

24 I agree with and I am grateful for the extensive
25 evaluation done by Dr. Donner in this case. More important than

1 the recommendation is the history that's provided to me in his
2 report, and it's extensive. And it was helpful and I appreciate
3 having it. I think Mr. Michie deserves to be evaluated at
4 Patuxent and I intend to recommend that he be evaluated. I

iff-

5 don't control whether he is incarcerated there or not. And it's
6 up to the Division of Correction, but I am going to recommend
7 that he be evaluated there because I think he deserves to be.
8 And hopefully he will benefit if he is accepted by that because
9 I'd sure like to have at some point after the punishment I'd
10 like to be able, if Mr. Michie is out on the street to see that
11 he can fulfill his potential. The potential that is, that up to
12 this point has been wasted. And it's a shame, it's a loss to
13 • him and to all of us.

14 Sentence of the court in regard to the second degree
15 murder conviction which, as you will remember, is both in Count
16 One and in the amended additional charge, Count Seven, is 30
17 years to the Division of Correction. In regard to the Second
18 Count, the sentence of the court is ten years, that's the
19 handgun violation, ten years to the Division of Correction,
20 consecutive with the sentence imposed in the First and Seventh
21 Counts. And the Clerk is going to have to note that the First
22 and Seventh Counts are identical. They charge the identical
23 offense of second degree murder, but I want that commitment to
24 show that I am sentencing on both those counts to 30 years.

25 And the reason why we are doing it this way is to avoid

1 possible, we discussed this at length at the time of the taking
2 of the plea. I think the record will be clear as to why we are
3 approaching it in this fashion. I will recommend and ask that
4 the commitment contain the Court's recommendation for evaluation
5 at Patuxent Institution.

6 Miss Williams, I am going to need guidelines.

7 MS. WILLIAMS: Your Honor, I have them in my other
8 file.

9 THE COURT: If you can supply them.

10 MS. WILLIAMS: I will send them down to your
11 chambers.

12 THE COURT: That will be fine. Mr. Michie, you
13 have 30 days to file an appeal to the Court of Special Appeals,
14 if you think some legal mistake was made in your case. You have
15 90 days to ask me to reduce or modify your sentence. You have
16 30 days to ask a three judge panel to review your sentence.
20
17 Those three judges would not include me. They would be three
18 other judges. There is a danger in doing that, however, because
19 once you ask for a three judge panel to review your sentence
20 those judges can leave the sentence the same, they can decrease
21 the sentence, but they can also increase the sentence, and in
22 this case they could increase it by ten years.

23 So that's something once you ask for you are kind of
24 rolling the dice, whatever happens happens. If you want to do
25 any of those three things they must be done in writing within

1 the time periods that I have mentioned. I am sure if you were
2 to relay that information to Miss O'Donnell she would be glad to
3 do what she can for you in that regard. Do you understand your
4 rights?

5 DEFENDANT: Yes, sir. Yes, I do.

6 THE COURT: That concludes the case.

7 MS. O'DONNELL: Your Honor, just so the record is
8 clear, also, Mr. Michie has been incarcerated since December
9 9th, 1986.

10 THE COURT: He will get credit for all the time
11 that he served.

12 MS. O'DONNELL: Thank you, very much, Your Honor.

13 THE COURT: You are welcome.

14 MS. CRAPPELL: Thank you.

15 MS. WILLIAMS: Thank you, Your Honor.

16 THE COURT: You are welcome.

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FREEDOM'S Journal



DECEMBER 1994

FIRST EDITION VOL. #1

NEWSLETTER

Do The Right Thing

A cynic, poet Oscar Wilde once wrote, is a person who knows the price of everything and the value of nothing. Perfect examples are those U.S. House and Senate members who voted to eliminate federal tuition aid, known as Pell Grants, to inmates taking college courses in prison. They are supported by people who feel that money spent on anything besides bars and barbed wire is money wasted. Ironically, if the critics take their eyes off the short-term cost of Pell Grants and look at their long-range value, they would see that higher education for prisoners is not only cost effective but also the right thing to do.

The argument against Pell Grants for prison inmates can be reduced to two issues: money and morality. Since morality is relative, and there is never enough of money, these two issues can be further reduced to one: politics.

According to federal figures, \$35 million in Pell Grants funds was allocated by the federal government to educate some 25,000 inmates in U.S. prisons. Critics argue that such an allocation takes money from law-abiding students who are more deserving. That argument, however, ignores the fact that those law-abiding students are from socioeconomic backgrounds that make them ineligible for Pell Grants anyway. Indeed, financial need is the chief consideration for awarding Pell Grants.

On the other hand, most incarcerated students who are indigent were also indigent prior to their incarcerations. Therefore, virtually all those students would still receive Pell Grant aid if they were free and going to college as well. Actually, the dollar amount that Pell Grant aid to prisoners takes away from other students is minimal. The \$35 million inmates receive is less than one percent of the \$5.3 billion budgeted nationally for Pell Grants, according to the Department of Education. The most any student, free or incarcerated, receives is \$2300 per year. Certainly, if one percent was added to the maximum grant amount, non-incarcerated college students would get only \$23.00 more.

Thirty-five million dollars will not make much difference to the Department of

Education's budget. Research shows, however, that \$35 million will make a big difference in the lives of most men and women who take advantage of higher education offered in prison before returning to their communities. A higher education makes them less likely to come back. The Baltimore Sun reported on a Maryland study which showed that roughly one-third of college-educated prisoners return to prison compared to almost one-half of non-college educated prisoners. Translation: it costs less money to give prisoners college educations than it does to build more prisons or to implement other law enforcement efforts.

The issue is not just money. Some people simply have a problem with any amount of tax-payer's money being used to benefit prisoners. And, interestingly enough, there's a certain irony in that point that needs to be addressed. It is not just their money. Men and women in prison have paid taxes, and will do so again when they get out. The relatives of prisoners and the communities to which they will return also

have paid for things they did not want to buy, as tax dollars are wont to do. Tax dollars support projects tax-payers disagree with, from foreign aid to military governments to congressional pay raises to the Vietnam War. For years and years, the tax dollars of African-Americans paid for Secret Service protection for then staunch segregationist and former Alabama Governor George Wallace as he ran for President. The dollars of the Jewish community, no doubt, has often been transformed into foreign aid probably helped rebuild war torn Germany.

The point is - politicians spend a great deal of money doing so many wrong things, such as the Pentagon spending \$5,000 for a screwdriver or a monkey wrench, that allocating less than one-percent of Pell Grant funds to educate prisoners and possibly reduce recidivism is a rare occasion to spend a small amount trying to do the right thing. After all, the price of higher education for prisoners should not be our primary focus...but it value should.

FRESHMEN'S CORNER

by: John Rogers
Thanas Ryce

Man...it's no different. The "little man has nearly always had it bad! He is the brunt of countless "little man" jokes. He is destined to get the "short end of the stick." And it seems he is always bottom man on the totem pole-especially if he is a college Freshman.

In colleges throughout this great country, discrimination against Freshmen by most college faculties as well as their student bodies. These practices-although not intended to be malicious in any way nor disparaging to those on whom they are inflicted-have single-handedly resulted in the exclusion of two freshmen-body from participating in meaningful events' and functions. We (Freshmen) would also like to add that the individuals who practice such unwritten laws of discrimination have been known to do so merely out of habit and tradition rather than formal policy-which brings us to our purpose for writing this column. In an attempt to break the trend and part with tradition, the UMES/ECI (West) student body has been allowed to collaborate and establish a paper known as the UMES/ECI Freedom's Journal Newsletter.

Now here comes the good part!

Not only are students encouraged to participate, but also the editors thought it would be appropriate if the Freshmen Staff-writers of the freeman status who assist with internal operations of the paper-represent "Freemen interest." It is our obligation to bring to you, the reader, a column of substance in each Freedom's Journal publication; thus, beginning our segment on solid study habits.

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Student Athletes Not Making the Grade

by: Alphonso Bowens
Freedom's Journal Staff Writer

In a recent study released by the National Collegiate Athletic Association (NCAA), the graduation rate for student athletes at Maryland's three historically African-American universities was significantly lower than that of other Division I schools in Maryland and also below the national average of 57%. The three universities and their graduation rate revealed by the study were:

Morgan State University	-40%
University of Maryland Eastern Shore	-33%
Coppin State College	-25%

One popular belief as to why the graduation rate is lower for student athletes of the three African-American universities is that many African-American student athletes in big-time sports like football and basketball often have poor grades when they enroll in college. According to the study some of these athletes came from a background where an education was never emphasized, and they spent all their time in high school playing sports, hoping to make it to the pros. Once these students arrived at the big universities, their education was seldom top priority. They were simply money-making machines for schools in search of national recognition and in pursuit of that elusive National Collegiate Athletic Association Championship.

A more provocative belief as to lower graduation rate for the student athletes of the African-American schools is that these student athletes were encouraged to take easy courses throughout college so they could stay eligible to compete in sports. These courses, referred to as "jock courses" or "keep 'em eligible courses," are mainly in the physical education and communication fields, which hardly prepare them for any useful career. Lending considerable credence to this belief is an article recently published in the

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Inmate Grants: Politicians Don't See Eye-to-Eye

Recently, Freedom's Journal sent an inquiry to a selected few state politicians on the subject of Federal Pell Grants for prison inmates. The questions posed were: (1) What position do you hold regarding the provision of Federal Pell Grants for prison inmates? And, (2) What are your reasons for holding that position?

In response to the Freedom's Journal query, Congressman Wayne Gilcrest (D-MD) gave law-abiding poor students as reason for his having been against the provision of Pell Grants for inmates. The Congressman stated in his response, "while I support efforts to rehabilitate prisoners, I cannot support providing Pell Grants to prisoners at a time when poor students who haven't broken the law cannot afford to go to college. Accordingly, I voted for the Gordon amendment of the flouise Crime Bill, which would prohibit the use of Pell Grants for prisoners." In the same vein...A more vociferous Senator Kay Bailey Hutchinson (R-TX) responded blatantly, "With college costs beyond the reach of millions of middle and low-income students and their families, it is unacceptable to me that we allow criminals to continue elbowing aside deserving young students for limited federal college aid. My amendment will change that." On the other side of the politicians coin...Maryland Governor William Donald Schaeffer responded favorably to the Freedom's Journal inquiry. Governor Schaeffer was reportedly supportive of Pell Grants for prison inmates and had a staff in Washington engaged in lobbying to delete the Gordon amendment.

Federal Pell Grants, begun as a way to give federal education assistance to students from low to middle-income families, have been used to afford prison inmates college education for some time now. In 1993, Representative Bart Gordon (D-TN) penned an amendment to the Crime Bill of the House of Representatives calling for an elimination of the provisions of Pell Grants for prisoners.

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DECEMBER 1994

MEET THE CREW

BY: HORACE HUNTER

As the UMES-ECI Freedom's Journal Newsletter embarks upon its maiden publication, it does so with the knowledge that its literary journey could be a short one. The Federal Pell Grant issue, Congress' decision to stop or limit funding for inmates attending college in prison, is a quiet storm in the mind of many student-inmates across the country. When the Pell Grant bill is enacted, college for inmates would virtually be terminated. The Newsletter, whose purpose is to inform, entertain, and provide a format for creative academic expression for student-inmates at ECI would become irrelevant. The Newsletter would sink faster than a boat with a hole in it... The Pell Grant issue is like the weather; there is not much we can do about it. You will read more about the Pell Grant, however, in our editorial. Meanwhile, the UMES-ECI Freedom's Journal Newsletter will go as far as it can with what it has. To that end, we have assembled a very capable crew.



Our co-editors are **Tony Michie** and **Wesley A. Shaw**, both perennial academic honor students at UMES-ECI. Shaw, 24, is a junior with a simple philosophy: "Find your niche and do your best," he says. It is obvious that with a 3.8 GPA, Wesley takes his own advice.

Tony Michie's niche is physical therapy, a field in which he would like to eventually earn his master's degree. Tony, 33, would also like to get married and have a family. Michie describes himself in one word: "open." On the best book he has read, Ralph Ellison's *Invisible Man*, he has a little more to say: "I'm still reeling from the intensity," he declares.



Assistant Editor **Horace Hunter** knows all about reeling minds. He is the first person to graduate from the University of Maryland Eastern Shore college program at ECI's Westside, and he did so with academic honors, magna cum laude. A writer by desire, Mr. Hunter would also like to become one by profession. His work has appeared in *Essence* magazine.



Staff Writer **Joe Miller**, who pens the "Brain-lock" column, can stake a claim or two to fame himself. The resident math whiz is a chess enthusiast with a computer ranking. Miller's education aspirations are applied mathematics and research in modern physics. Miller is 29 and has vision. He borrows from a fellow math whiz, Sir Isaac Newton, to explain that vision: "If I am able to see farther than those before me, it is only because I stand on the shoulders of the giants."



Before giants become giants, however, they must first be babies. By extension, before seniors reach their own lofty heights, they must first be freshmen. Helping them with their first step are staff writers **Thomas Ryce** and **John Rogers** in the "Freshmen's Corner." Ryce who seeks a degree in business and would one day like to manage his own, has some straightforward advice for the incoming freshmen: "Self-help is the best help," he instructs. He adds, "If we allow others to fix our problems, then we give them power over us. When we help ourselves, we empower ourselves."



Rogers seconds that motion. "Life is full of trials and tribulations," observes the twenty-five-year-old Baltimorean. "So judge not a man by the height to which he has risen, but by the depth from which he has come." Well said. Business management is the height to which John Rogers aspires. A vocation as an electrical contractor is Mr. Rogers' neighborhood.



Farzin Azapour's neighborhood is the world itself. The forty-three-year-old Iranian student is the Newsletter's staff writer for current events and world affairs. His aspirations are just as broad in scope. Farzin would like to eventually acquire a master's degree in applied computer science and seeks work as a systems analyst for a multinational corporation. Azapour describes himself in one word: "altruistic."



On a less broad scope, but with just as much multicultural diversity, is layout artist and fellow staffer **Enriz Ramirez**. Born in Puerto Rico, the thirty-one-year-old senior, who already holds an associate's degree and would want to eventually pursue a master's degree in language, aspires to an executive management position with a firm representing Spanish-speaking clients. Ramirez would also like to teach Spanish and business at the college level. With a 4.00 GPA, he has the potential to do either. Philosophically, Enriz feels that the key to a healthy lifestyle is a positive mental attitude. Says he: "We must allow positive thoughts to grow and flourish, and transform these positive thoughts into our reality."



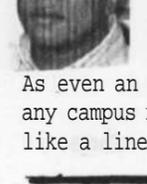
Staff Writer **Alfonso BoHeos'** reality is current events affecting African-Americans. A first-semester junior with an interest in social work, the twenty-seven-year-old student from Baltimore carries a 3.66 GPA. He also carries a serious outlook on life: "The only real revolution



is the enlightenment of the mind and the improvement of one's character. The only real emancipation is of the individual. Kan's mistakes may be relics of his rise rather than the stigma of his fall."



Cleant Butler, Jr. is the Newsletter's staff writer for contemporary issues. Butler, thirty-seven and a Washingtonian by birth, has an on-going love affair with the written word and would like a degree in English. He also would not mind teaching or doing some free-lance writing. Geriatric nursing also appeals to him. This melange is reflected in Butler's opinion of himself. "I am like a free-flowing river," he admits, "seeking its own level, as well as new ones."



That's one person's opinion. If you want another—or two—check out Shaw and Haines in the "Minding Your Business" column. Wesley Shaw you know about. Twenty-nine-year-old **Juan Haines** we still haven't figured out. Pick a topic and he will pick a bone. Juan describes himself as "blue collar," but has white collar-spelled hopeful future MBA candidate-aspirations. Economics is his favorite area of study. Terry McMillian and Nathan McCall are his favorite authors. His most favorite everything is his two children, a boy and a girl, to whom his ultimate goal, in his words, is "to leave tangible as well as intangible valuables and values." No children could ask for more.

As even an untrained eye can see, our staff make-up runs an ethnic and interest gauntlet as varied as on any campus newspaper. A collective idealism for this group, if one could be found, would probably read like a line from an old blues song: **One strnible don't aloe no fall.**

TIMELESS TRUTH

by Farzin Azapour

Violence has reached an epidemic proportion in America today, and unfortunately, colleges across the country have been experiencing a sharp rise in violent behavior on their campuses also. The increase in date rape, sexual assaults, robberies, assaults, hazing, and even murder have put school officials on edge. And as they scramble to find a fix to alleviate this fear, they are overlooking the root causes of violence and concentrating on the punishment aspects of this phenomenon.

In order for politicians and school officials to try and identify the causes of violence, perhaps they should look back in history and adhere to the words of **Mahatma Gandhi** for persuasion. Violence springs from seven root causes or "blunders" as Gandhi described them:

WEALTH WITHOUT WORK
PLEASURE WITHOUT CONSCIENCE
KNOWLEDGE WITHOUT CHARACTER
OOMFFBCE WITHOUT MORALITY
SCIENCE WITHOUT HUMANITY
WORSHIP WITHOUT SACRIFICE
POLITICS WITHOUT PRINCIPLES

It is important to realize that wealth is not always measured in monetary terms. Cheating in exams, buying term papers, and plagiarizing research papers are examples of wealth without work. It is difficult to appreciate the true value of wealth without working for it and earning it legally and honestly with moral gratification.

Not realizing the consequences of pleasurable activities creates selfishness—all that matters is the achievement of one's "pleasure" without giving a thought to anyone else's feelings. Promiscuity is an illustration of pleasure without conscience, with proliferation of AIDS as a backlash.

Knowledge without character is like a sail without wind. It takes "character" to utilize one's knowledge rightly and ethically. Defying the Golden Rule—"Do as you would be done by"—is an example of knowledge without character.

Simply put, in commercial dealings, where a man exacts a higher standard in his own favor than he is willing to concede as against him. Crook, scoundrel, rascal, low-life, unsavory, and many other synonymous words descriptive of dishonesty are best defined as commerce without morality.

All science should benefit humanity and not just a particular race of people. Scientific achievements have greatly increased our knowledge and power; however, humanism must teach us how to use this knowledge and power in a moral, human way. Thus, science without humanity is nothing more than "hubris." Earth preservation is a major concern for all of mankind, with great consequences if not pursued and exercised diligently. Simple practice of recycling will go a long way in achieving the respect our Earth deserves.

Sacrifice is the nutrient of worship. Without sacrifice worship is meaningless. You can not have one without the other, that is, worship involves sacrifice.

Principles are pillars of politics. Without moral or ethical strength, politics will often lead to tyranny, Machiavellianism, anarchy, despotism, totalitarianism, and other forms of chaotic governance. A good example of politics without principles is when "anything goes as long as the end justifies the means," and respect is the underlying principle that disappears.

The intellectual environment of college campuses are the breeding grounds for tomorrow's leaders, and the challenge to recognize the above improprieties as root causes of violence will instill character, integrity, virtue, and morality in society as a whole. In closing, Gandhi has been dead for forty-six years, but his words are proof that truth is timeless.

...and we give a big thanks to: "Big AL" Yentsch Pernel Gross Ms. McClees
George Winterling Derrick Hale "The Sgt."

WELL?
Got any ideas?

DECEMBER 1994

MINDING TBQR BUSINESS

By JUAN A. HAINES

In a desperate attempt to attract the ever scarce high school graduate, many colleges are competing against one another. This "Scholarship War" has colleges actually buying students and has the students taking full advantage of their paucity.

My colleague, Wesley A. Shaw, sees the War as rational economic behavior by both colleges and potential college enrollees. My contention, however, is that the Scholarship War drains scarce financial resources from the colleges' budgets, which, among other things, leaves a smaller slice of the budgetary pie for marginal students from low-income families.

Economics 201: when the demand for a product exceeds the supply of that product, that product's price will increase. In the case of the Scholarship War, that product happens to be the students. However, the increasing price for these students entails much more than forking over a few extra bucks. The costs of buying students are incurred by faculty. The costs are incurred by the colleges. And most importantly, the costs are incurred by the students.

A study conducted by the National Association of Colleges on area universities shows the "budget-consuming" affect of the Scholarship War. The data shows that from 1989 to 1993 scholarship costs increased by a whopping 25%—from 15% in 1989 to 40% in 1993. These numbers are magnified when you consider the fact that tuition revenue for area colleges has been declining. Something has to give.

With more funding being allocated to attracting students, little, if any, is left for faculty upgrading. In fact, many colleges are in a process of "faculty downsizing." Classes, services, and professors' salaries are being cut to offset the increasing costs of scholarships. Shaw contends that students are the beneficiaries of such downsizing because colleges are "cutting filler courses and programs to become lean and fit." This is an appealing argument; however, it omits two obvious facts:

(1) one student's filler course is another's required course, and (2) lean does not necessarily mean fit. When colleges, like corporations, break out the sword somebody is going to get cut. Students will lose useful services and programs, and the colleges will in turn lose current and potential enrollees. Contrary to Shaw's assertion, I maintain that faculty downsizing is not carried out to benefit the student at all. It is simply a matter of colleges trying to balance their budgets.

It turns out that the savings given by big financial aid packets aren't savings in the sense that you're getting more "miles to the gallon" as my colleague purports. Actually, what we're seeing is overpriced education being discounted to its true value in dollars. Matt Leshner, a freshman who received a one-year scholarship for \$11,000 from American University, isn't fooled by big scholarships. "The education is good here, but the school is not worth \$22,000."

By WESLEY A. SHAW

The Scholarship War is good for both students and colleges.

In 1994, the number of people age 17 through 21 is the smallest it has been in more than 20 years; so as purchasers of higher education, prospective college students have the leverage of their small number to negotiate the terms of their enrollment.

All students can benefit from the Scholarship War, especially those with high grades and low family income. Achieving minorities, in particular, who fit this profile will find it easier today to secure financial awards than did their counterparts five years ago. Consider Oxon Hill High School students Anne Connolly and Patricia Arrington. These two minority seniors were offered an astounding combined total of 77 scholarship proposals worth more than \$2 million.

College-bound athletic students of all backgrounds are getting the red-carpet-treatment from colleges, as usual—demonstrated by the University of Maryland College Park recently erecting a \$34 million sports facility.

Even those students who will benefit least from the Scholarship War—those with average or below-average grades and family income too high for financial aid based on need—have more latitude than they had before the War to secure scholarship?. Typically, students with grades too low and income too high are the ones who pay the total face amount of college costs. Fortunately, in the beneficent environment of the Scholarship War, these same students who have been getting the bad end of the business deal have a much better chance at securing scholarships and/or other financial aid.

My colleague, Juan A. Haines, would have you believe that the Scholarship War is causing a worldwide collegiate meltdown. The sky is not falling. To the contrary, the practice by colleges of vigorously competing for prospective college students is a good thing for colleges.

Not unlike the automobile industry, colleges are being forced to build a better product for the customer. Overpriced, scholarship-guzzling colleges are not as popular a choice as was in yesteryear; students want more miles to the gallon, so to speak. Students are even acting like automobile buyers, playing one dealer against the next. In research conducted by the Washington Post newspaper, it was confirmed that students call financial aid officers, using a new exercise called "dialing for dollars," and actually ask, "Another school gave me a better deal, can you match?" And in response, most university officials said they would re-examine their own aid offer and sweeten the deal to make the sale—the car buyer gets a good deal and the dealer makes a profit.

Colleges must become lean and fit to attract and hold on to new entrants. In providing highly attractive scholarships, colleges have to get the money from other budgetary sources—tuition, fees, faculty, sa-

"Viewed either from an economic perspective or a sociological perspective, the negative ramifications of the Scholarship War are evident."

-Haines-

The Chited States will be planted more firmly than ever as a world leader in academics after the dust of the Scholarship Wars has settled."

-Shaw-

BRAIN LOCK

IT'S ALL IN YOUR HEAD
Joseph Miller

The time has come for you to choose a major in college, so you begin to explore the realm of possibilities as you leaf through the University catalog. However, you are not quite sure just what you want to do for the next fifty years or so. That PC in your bedroom has always been fun; maybe Computer Science or, perhaps, a major in Business or Economics. With this in mind, you start checking-out the major core requirements. Suddenly, you spot words like "Statistics" and the ever dreaded "Calculus!" Panic begins to set in; you think that you'll never pass those courses. You question yourself: "What have I gotten myself into?!"

Perhaps it is time to examine those anxious feelings you have towards Mathematics and see if you can find a cure. It has been my experience that a lot of people feel that Math is abstruse and confusing. All of those x's and y's going every-which-way—not to mention all those arcane formulas (at least 50 million of them) were scary. Why it took two weeks just to memorize the formula for "slope:"

$$m(x_2-x_1)=y_2-y_1$$

for that algebra exam. Wow! How do you keep it straight and learn it too?

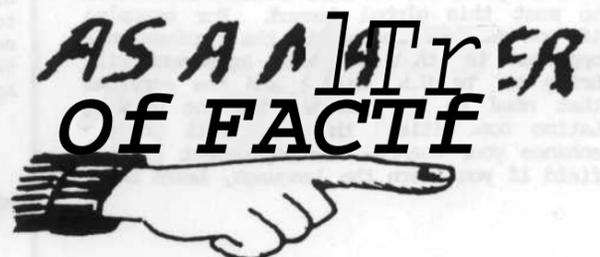
First, and foremost, when studying Math, you must be patient. The more frustrated you get, the less you'll learn and the harder it will seem. Thus, as soon as you begin feeling this overwhelming sense of frustration--STOP! Gather yourself; take a few deep breathes and forget about it (i.e., math) for a couple of moments. Now you're ready to begin again--relaxed and with a clear mind. In my opinion, this is the most important aspect of learning math—"BE TENSION FREE," and you'll be able to give the problems at hand your undivided attention.

There is something else I've encountered with students who are having problems in Math—no pun intended. They believe that reading the chapter will be sufficient enough to pass the test. This approach to math will simply not work.

Indeed, by reading the chapter you will know virtually nothing. The key to really understanding math is in solving problems—a lot of them. Repetition along with some variety in problems will really give you a good understanding of the concepts and formulas you've been studying. Ninety-percent of your effort and time should go into solving the problems at the end of each section within every chapter. You should refer to the theories and formulas as needed.

Teachers generally do not have much time to devote to individual students because of the size of the classes. Therefore, it's very that you get the most out of each lecture. How do you do this? In math classes, do not take notes or really do anything else except pay close attention to what the teacher is doing. It's not necessary to take notes because everything the teacher is doing and talking about is in your trusty text-book. It is much more important for you to be able to grasp what the teacher is doing than to worry about a bunch of notes.

Math is neither hard nor confusing, but it does take a bit of effort on your part and good study habits sure do help. A lot of students I have helped really began to enjoy math once they saw that it's not so tough after all. Remember, be patient with yourself, solve a lot of problems, and you'll find that learning math is much more enjoyable than you ever dreamed possible.



DECEMBER 1994

Improving Personal Skills

BY: ENRIZ RAMIREZ

Freshness dating by Pepsi, IBM's new personal computers, Motorola's new microprocessors, Reebok pumps, Wendy's new chicken sandwich, and GM's safety airbags. What do all these corporations have in common? Answer: They have successfully found new ways to improve existing products. Why is this important? Answer: Because in today's ever-changing global market economy, it is extremely important to stay competitive with new innovations, products, and ideas.

The concept of improvement and innovative change is not limited to products and services only, but also to people. The most important asset that any company has is the people that make up its workforce. Therefore, improvement and enhancement of skills should be a priority for everyone in the workforce. There have been numerous cases of massive lay-offs, plant closings, and substitution of labor for automation in recent years. This is a clear indication of what happens to our chances for employment when our present skills become obsolete.

For those of us who are preparing to join the workforce in the near future, it is imperative that we make our skills marketable for the workplace. Just like many corporations work endlessly to improve and market their products, we must work endlessly to improve and market our skills.

There are many ways for us to improve our personal skills. First and foremost, a higher is crucial for advancement in the workplace. Be flexible in your studies and learn more than one area of concentration. "Studies show that students who combine their major area of concentration with minors in other fields have better opportunities in the workplace. Vocational and technical skills are also important. Bookkeeping, typing, data processing, graphic art, and drafting are all transferable skills that will enhance your potential for employment.

Communication skills are essential in today's service oriented economy. Talk in a positive way, work on your speech and grammar skills, and practice interview

techniques. Socialization is important, thus we must work on our "people skills" in order to be effective in today's diversified and dynamic workplace. It should be noted that communication and socialization skills will be the life-line of our professional careers. If we can't communicate properly, demonstrate problem solving abilities, and willingness to be part of a team, we greatly reduce our chances for professional growth. We must truly know ourselves and know what our passions are. We must know what we want in our professional lives and go after it with extreme optimism and enthusiasm. Enthusiasm is the most contagious commodity that we can bring to any job interview and to the workplace.

Lets take a minute to reflect upon the conditions of the growing global market and economic developments around the world. Last year, NAFTA (North American Free Trade Agreement) was approved by the U.S. Congress and it is now an economic reality. Democratic and economic powerhouses are growing in South America with countries like Chile, Venezuela, Argentina, and Mexico leading the pack. In the Pacific, countries like Japan, China, Taiwan, South Korea, and Singapore are becoming industrial giants and competing every single day in global markets. In Europe, the unification of Germany, the unification of EEC (European Economic Community), and the fall of the Soviet Communist block have created enormous opportunities for free markets and economic developments in the region. What does all this mean to us? Answer: The professional workplace is no longer based upon our local geographical area. Professional opportunities are growing at a rapid pace among many companies and corporations that do business in the international arena. Therefore, if we want to be a part of the growing global market and the opportunities that it presents, we must enhance our skills to meet this global demand. For example: if you are interested in the professional opportunities that the NAFTA agreement will bring to the U.S. market and the services that need to be provided for the growing Latino communities, then you will greatly enhance your chances for employment in this field if you learn the language, learn their

customs and way of life, and learn what products and services appeal to this target market the most. The same can be said for the growing Asian target market of the Pacific Northwest, and the European target market of the Northeast.

We must always remember that upgrading our personal skills equals better employment opportunities. These are exciting and dynamic times that we are living in. We must be capable of adapting to the ever-growing demands of the workplace and the diversified markets that make up our capitalist system.

The key to our future professional success is not to allow our personal skills to become obsolete. In essence, NEVER STOP LEARNING!

Why Go to College

By: Clement Butler

Aye, Yo! Why you goin' to college?!

Hearing that question so often, indeed, I wonder if it is heard by anyone other than myself. Personally, the question "should I go to college as an inmate" is one that resonates at E.C.I., more times than I care to recall. In addition, such a question also leads me to believe that if you are an inmate and a college student, it's very likely, at some point during your enrollment, someone will ask, be it friend or foe, the perennial question—why?

Why is it that those of us who have decided to willingly concede to one of life's constants and general truths—i.e., change—have to endure questioning the wisdom and practicality of the decision to improve through education. I am not saying that everyone ask this question in a derogatory manner; some people ask me about college innocently enough. However, there are those who ask the "college" question in such a tone that I virtually see the venomous negativity dripping from their fangs as they secretly hope to undermine my progress.

Regardless of being surrounded by such negativity, I remain an optimist. I believe as a person in search of "higher-ground" it is incumbent upon me to answer the subconscious wail of my brother . . . to reassure him that although life has had many pitfalls and tricks up its sleeve, going to college isn't one them. For instance, I am attending college in prison because I need to take hold of my past. I need a "starting point." And I did not find it in better understanding my "ancestral" ties to Mother Africa or any other distant land. I am not denying or diminishing the importance of my rich heritage; I am merely saying that the "lion's share" of who I am has more to do with my parents than Shaka Zulu.

My hopes, dreams, and aspirations were first my parents. They instilled within me the deeply rooted desire to finish high school and go on to college. Their dreams for my future were becoming a living reality before their eyes—but I distorted reality. And somewhere along the track—I jumped.

My Brothers, every college student here at E.C.I., as well as every college student in general, has his own reason for attending. Personally, for me, college represents restoring my parents dreams; it represents getting back on "track." For me, attending college brings into sharp focus the degree of preparation one needs to just make the right life choices. For instance:

- * to get a good education—or not.
- * to give it all you got—or to give it only half.
- * to drive a Volkswagon—or to drive a Mercedes.

Such choices as the ones above are indicative of the culture and society in which we live. The choice of attending college while you are incarcerated is yours alone to finally decide. Be true to yourself. And if I happen to be a source of inspiration to you, then I also encourage you to let me know because I draw strength from you as well. However, if I am not a source of inspiration to you, and you think that I am just "spinning," then please keep your fears and judgements to yourself; life is difficult enough—and it surely has its share of pessimists and "DOOM-SAYERS".

Aye, Yo? Do you understand now?!

What Every Graduate Needs

BY: TONY MICHIE

How many employers, do you think, will care that you can tell the difference between Dada and Impressionism? Obviously, the answer is not many—even if they knew the difference themselves. On the other hand, how many employers, do you think, will care that you know the difference between a "mouse" and "windows"?

If you are a degree seeking undergraduate, like me, and have at least an inkling of how important computers are within our society, then you must also agree that a basic knowledge of computers is essential to the intellectual development of every U.M.E.S.-E.C.I., undergraduate, especially if he is to be molded into the "enlightened and responsible citizen" of U.M.E.S.'s aspirations.

Take, for example, the terms "mouse" and "windows"; a mouse is a computer device used to speed up the movement of the cursor—not the last name of someone named "Mickey". On the other hand, windows is a software (i.e., program) package which enables programs to operate with multi-tasking (i.e., handling more than one task at the same time)—not a target for the "Window." Terms like mouse and windows are considered mundane among the computer-literate. So you can be sure that most employers will care whether you have a basic knowledge of computers.

Everyday there are discussions in newspapers, in magazines, and on radio talk-shows about the significance of computers in our society. In a recent Baltimore Sun article, "Business Opportunity On-Line", Mark Smith said, "If [Business Opportunity On-Line—an electronic multiple-listing service that links small business owners who want to sell their business or buy other businesses and financiers looking for good business investments] can get an entrepreneur, who may be [computer-literate] to sit down and learn the the program, then it will be a great service."

The point is as communication's technology advances, students who have a command of computer concepts will be the ones best prepared for enlightened and responsible citizenship. Students without a command of computer concepts may find themselves left behind as their little brothers and sisters and children race ahead with the rest of society along "Super-Information Highways".

For example, "Internet", a global electronic-network where more than 20 million people around the world exchange information using computers, is only one of many information highways U.M.E.S.-E.C.I. students could benefit from after taking a basic course in computer concepts and being released back into society. I mean, I am no "computer expert" or M.I.T. graduate, but even my fledgling knowledge of computer concepts will make getting a white-collar job a little easier for me than someone who is computer illiterate. Yet, such is not the case for many U.M.E.S.-E.C.I. students.

Recently, Mrs. Shackelford, who holds a master's degree in computer-science, gave U.M.E.S.-E.C.I. students a computer-literacy quiz as part of the summer seminar. And even though the classroom atmosphere that night was "static" with enthusiasm, the degree of obvious computer-illiteracy was very depressing. One student thought that to "boot" a program—you had to "kick" the computer. Another student, his interest captivated by the novelty of a computer concepts discussion, said, "Man, this [computer concepts] is what's happening!" Of course, not every student was as enthralled with the class that night. However, every student did reveal a rare interest normally reserved for more challenging classes and gratuitous videos.

Really, when you think about it, today you learn the difference between a "byte" and a "bit", and tomorrow you can be on Internet—having a sensuous conversation with "Patra" from Jamaica. Well . . . maybe talking to Patra is stretching it a little. Okay! It's stretching it a lot! The point I am trying to make is that all knowledge has an origin. When the time arrives for you to get going on the road towards computer-literacy, don't back away from the challenge. Instead, as a student of one the four African-American Universities of our "fair" Maryland, eagerly "seize the day" and christen the University of Maryland-East Shore as the ship upon which you set sail towards a bright horizon of ever increasing computer-literacy. Once you learn about computers, who cares if you know the difference between Dada and Impressionism?!

◆◆◆◆◆
 Make a Note
 ◆◆◆◆◆



DECEMBER 1994

BOOK REVIEW

*Hake. Ale. Wanna Molie.**

By Nathan McCall

A A I read the first half of Nathan McCall's autobiography, I felt as though I was heading my own. In fact, most of any African-American male born and raised in the inner city before 1970 will more than likely identify wholeheartedly with the trials, exploits, and milestones described—McCall takes the reader from his childhood, naive; elementary days through his teenage, and prison days. Those of you who have gone through the rites of young, Black notoriety yourselves, heading the first half of *Hake, fie. Wanna Voile.** will be like reliving the pain, a rehashing of Aorts. However, the *deja-vu* effect will not diminish the pleasure you will get from McCall's ability to place you back in time and articulate your feelings of yesterday. Even if you have already lived part of Nathan McCall's life, you can still grow from reading his autobiography. And for you who have not traveled the same path as McCall in your teenage years, the final half of his book will undoubtedly be an eye-opening, learning, experience. You will understand why some youth, especially those of African descent, do what they do.

The second half of *Make Me Wanna Holler* will intrigue both the reader with experiences identical to McCall's and the reader without such experience. He narrates his forage into mainstream White journalism flawlessly, easily allowing the reader to feel his anxiety, confusion, and insecurity: "There were always two conversations floating in my head when I interacted with whites. These were what I thought and what I said. Practically everything I said was to counter some stereotype whites hold about blacks."

What makes Nathan McCall's book so refreshing and clean is the way he tells his story—no sugar-coat. "In many ways, adapting to the white mainstream was a lot like learning to survive in prison: you had to go in and check out the lay of the land, you had to identify the vipers and the cutthroats and play the game by rules that are alien to nature and foreign to any civilized society."

-W.A.S.-

Mama Day

By Gloria Naylor

If you're anything like me, on occasion you long for the friendly atmosphere of family. You know... to hear the uninhibited laughter of children frolicking on the front lawn with the family dog. "Champ" on to inhale the hypnotic aroma of a home-cooked meal straddling the cool breeze of Spring evenings while (grandma reminisces about dau long gone but as the two of you sit nocking on the front porch you favorably recall the H.W. T. L. W. N. J. Y. Z. A. Gloria Naylor's *Mama Day*, homesick will be the word that best describes the experience.

Naylor's appealing, novel will cause moments in "time" you once wished would last forever to noan fiercely back to life as she spins a fast-paced tale of undying love, enduring bond, and African-American folklore. And if those qualities are not enough, *Mama Day* is also an easy, entertaining read that flows from chapter to chapter with a playful rhythm as you get acquainted with the main characters—Mama Day, Ophelia, and George.

Mama Day, the matron of the Georgia sea island called Willow Springs and a powerful "healer" and "conjure-woman" who can summon lightning, from the sky, is personable and witty. She is revered—and even feared—by the other island inhabitants. And *Mama Day* is the type of character that doesn't let any forget that she comes from a long, line of feared and respected island matriarchs. However, where *Baby Girl* (Ophelia) is concerned, *Mama Day* flaunts a vast reservoir of love and tolerance.

You will find *Baby Girl* instantly likable. She possesses the right amount of arrogance, witticism, and feminine passion which have caused "kings" to abdicate kingdoms. Naylor makes *Baby Girl* the object of everyone's affection. The specialty becomes the center of George's life, a successful businessman and engineer who risks his very "soul" to save *Baby Girl* from a "dank evil" which has fixated upon her life.

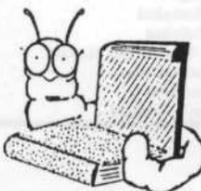
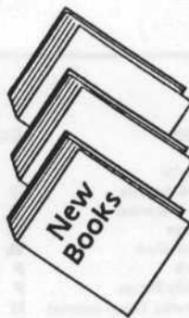
Finally, George adds the right amount of variation to the characters. Unlike the other characters, George is not as instantly personable. In fact, George is the "mundane" character that makes you wonder: "now did a boring Aap like George manage to enchant such a jewel like *Baby Girl*?" Nevertheless, George works because Naylor weaves him into the plot with all the deftness of a master storyteller at the top of her craft.

-T.M.-

Song of Solomon

By Toni Morrison

Toni Morrison's novel is a wide-lens telescope that peeks into the living, noom, dining, noom, kitchen and—especially—bedroom of a family as it goes about its growing pains over a generation. Quite often, the telescope becomes a microscope that isolates and zooms in on particular acts of love, hate, communication and miscommunication between immediate and extended relatives. These, is also reconciliation. The sad part is, as in most families, it comes too little, too late. The good part is, as in most families, at least it comes.



Book Review



Book Review

The novel's focus on Aex is not graphic, but it is specific, and Morrison allows the reader to perceive the ineffable but palpable miasma of Harlem on many levels. A wife and a mother was denied Aex by her husband for twenty years. Among siblings, a sister sees her brother's "hog's gut" as a big part of what is wrong with their household. He pissed on her lower and pissed on her life, she tells him. He also had Aex with a cousin, who consequently loses her mind. All of Toni Morrison's characters have attitudes about something, and a personal flaw here and there. The ebb and flow of their

daily lives is both farfetched and real. People you dislike in one chapter, you feel sympathy for in the next.

Milkman, the protagonist, and Guitar, his best buddy are the two most interesting characters. They are close to each other, but as different as day and night. One comes from the middle class; the other from the 'hood'. Like Guitar, Milkman does not like the atmosphere, but basically he sees the glass as half full. To Guitar it is half empty. "Listen, baby," he tells his friend, "If a man don't have a chance, then he has to take a chance." To Milkman, an eye for an eye still leaves you half blind. Their different philosophies keep them at odds. A day of reckoning looms between them. The two men, who start out fighting for one another, wind up killing one another. It is the final irony in a story filled with manu.

-H.H.-

INTERVIEW

Freedom's Journal is fortunate enough to have gotten a brief—but all important—interview with two students from different Eastern Shore universities. The students have firsthand witnessed higher education and prison inmates in the same setting—their perspective mirrors the "real" truth about the subject; and hopefully, their perspective will cause some naysayers to reconsider their own preconceptions about higher education and prison inmates.

No longer are inmates of penal institutions allowed to receive Federal Pell Grants—courtesy of Crime Bill '94. When asked, "How do you feel about Pell Grants being banned for prisoners?" A certain SSU senior had this to say:

"I think it's a shame that Pell Grants will be banned from inmates. I understand the argument that the grant money should be spent on deserving college students who are not incarcerated, on the other hand, education is a powerful deterrent against recidivism, I believe, and, as such, will save money for more grants to be given to more people when we are not paying to maintain the guys who have stayed out of prison because of college."

It sounds like that SSU student has done some serious cogitation on the matter, and at the risk of sounding biased—Freedom's Journal thinks she has reached the right conclusion. In answering the same question, a certain UMES senior agreed with the other with no less certainty.

"Personally, I think that Pell Grants should be given to inmates."

Quite a courageous statement made—especially in this crime hysteric time, huh? But her reasoning supported her position:

"I think that college classes will help the prisoners a great deal in adjusting to the society. Of all the money being spent in the state, the Pell Grant has been one of the most productive, as far as criminal rehabilitation is concerned."

The benefit of Grants for inmates is definitely seen by that UMES student. In fact, both of the open-minded college students think education is a necessary element of rehabilitation. The question, "Do you believe that rehabilitation and education are closely related?" brought forth similar truths from the two:

"Education is a main component of rehabilitation. Without knowledge and skills, going into the world will only lead to discouragement, going back to old ways of surviving, resentment and disenfranchisement. I don't think you can have true rehabilitation without education."

Complimenting the SSU student's sentiment and driving the point home, the UMES student held firmly:

"I think that any type of education is very helpful in rehabilitating a person. In the relationship between education and rehabilitation, it is prominent to say that it can become difficult to rehabilitate without education."

If only more people were as insightful, thoughtful and open-minded about the same issue... But ironically, the UMES student revealed how those who are closest to us can actually be farthest in answering "What do you think the general perception on campus is of the UMES/ECI student?"

"The general perception of the UMES/ECI student is a somewhat negative one. The majority of the students feel that inmates should not be allowed to have college classes."

Obviously, there lies a difficult way ahead for Freedom's Journal, but we crew are on the voyage wholeheartedly. And thanks to people like the two student interviewees, the waters may not be too rough after all.

W.A.S.

DECEMBER 1994

Whatever mood you find yourself in, UMES definitely has a serious rhythm to complement it. If you ain't already down with UMES' 91.3, then you better get down!

AN EXISTENTIALIST SPEAKS

WESM (91.3) PROGRAM SCHEDULE					
DM	Program	Pars	Jffit	Program	Days
5:00- 7:00 AM	First Lijhi	M	7:30- 8:00PM	Soundprint	T
5:00- 1:00AM	First Light	T,W,Th,F	7:00- 7:30PM	Is Black America	w
7:00- 8:00AM	Riverwalk	M	7:00- 8:00PM	Like It Is (encore)	w
8:00- 10:00AM	Morning Edition	M,T,w,Th,F	7:00- 7:30PM	Soundings	Th
10:00- 12:00PM	Yesterday's Music Makers	M,Th	7:30- 8:00PM	The Law Show	Th
10:00- 12:00PM	Stardust Ballroom	T,W	7:00- 7:30PM	In Touch	F
10:00- 11:00AM	Swingin' Down the Lane	F	7:30- 8:00PM	University Forum	F
11:00- 12:00PM	Blues Before Sunrise	F	8:00- 10:00PM	My Favorite Things (encore)	M
12:00- 3:00PM	Jazzology	M,T,W,Th,F	8:00- 10:00PM	Stairway to Heaven	T,Th
3:00- 5:00PM	Traffic Jam	M,T,W,Th,F	8:00- 10:00PM	Reggae Nights	W
5:00- 7:00PM	All Things Considered	M,T,W,Th,F	8:00- 9:00PM	JazzSel	F
7:00- 8:00PM	New Dimensions	M	9:00- 10:00PM	Four Queens Jazz Night	F
7:00- 7:30PM	Horizons	T	10:00- 2:00AM	Urban Beat	M,T,W,Th,F

SUNDAY		SATURDAY	
5:00- 6:00AM	Gospel Sunday Morning	5:00- 7:00AM	First Light
6:00- 8:00AM	Inspiration Across America	7:00- 8:00AM	Jazz from Lincoln Center
8:00- 9:00AM	Wade in the Water	8:00- 8:30AM	Local Jazz
9:00- 12:00PM	WESM Gospel Train	8:30- 9:00AM	Jazz Revisited
12:00- 12:30PM	Common Ground	9:00- 12:00PM	My Favorite Things
12:30- 1:00PM	like It Is	12:00- 1:00PM	Blues in the Afternoon
1:00- 2:00PM	Parent's Journal	1:00- 2:00PM	Blues Project
2:00- 4:00PM	Sunday Rounds	2:00- 3:00PM	BluesStage
4:00- 6:00PM	Downbeat	3:00- 4:00PM	Blues Unlimited
6:00- 7:00PM	McPaland Piano Jazz	4:00- 6:00PM	Jazz Unlimited
7:00- 8:00PM	Brazilian Hours	6:00- 7:00PM	Music from the Wax Museum
8:00- 9:00PM	AfroPop Worldwide	7:00- 9:00PM	Magical Memories
9:00-11:00PM	Rhythm Revue	9:00- 11:00PM	Rhythm Revue
11:00- 2:00AM	Night Flight	11:00- 2:00AM	Rhythm & Romance

The largest scale that we humans know of is that occupied by clusters of galaxies of stars. And our astronomers concern themselves with distances measured in light-years—the distance travelled by light in a year at 186,000 miles per second.

An intermediate scale is that occupied by single worlds like our Earth which contains us and all the plants and animals that surround us. And Earthlings measure things in miles, yards, feet, and inches.

The scale of minuteness, that is occupied by microbes, molecules, singles atoms and fractions thereof, is measured in infinitesimal wavelengths of light.

In these scales of size, objects such as human beings rank as relatively insignificant in comparison with the boundless universe.

Therefore, it would pay us to bear in mind that when we boast of our achievements and think of ourselves as masters of the universe, we are bragging unconsciously.

By: Ralph M. Ruark—College Attendance Clerk.

STUDENT ATHLETE

Baltimore Sun entitled "Young Gifted, Black." Afridm-Ajaurican student* in this article was quoted as saying "they felt their teachers expected more of white students than of them." The students also said that an outstanding performance on the court would reap more praise at school than an "A" on a science exam."

And the praise for physical prowess over academic achievement continues into the college scene. As long as they are useful on the court or field, collegiate athletes are treated like kings and given anything they want: cars, money, women, and also grades. It is my opinion that universities are sending a distorted and disturbing message to our youth by promoting college athletics as a springboard to stardom. Sure, there are some students gittard enough to make the quantum leap to stardom, but what about the overachieving others who will not make the cut?

Even of more concern is the devaluing effect on the importance of education that the professional dollar has on student athletes. The money-chase of college athletes at firms a yet-rich-quick, money-is-everything mentality. Given the economic background from which most of these athletes come, I am not condemning the making of money by college athletes - I am defending the process of social and intellectual development. The flow of underclassmen into professional sports should not be allowed. Just as we have minimum age requirements for working and marrying, there should be an age requirement for collegiate athletes turning pro.

Freeman A. Hrabowak III, president of the University of Maryland Baltimore County and founder of The Meyerhoff Program, recalled asking his first African-American group of scholars to name an achievement of which they were proud. Not one of a roomful of excellent students mentioned an academic honor. "It's not cool for Black kids to be smart in general and it's more so the case for males, what can you expect when their only role models are entertainers and sports figures?"

Society does not encourage young African-American males to pursue intellectual endeavors-they're told, "you'll make a great football player." So it's understandable that since so many of them feel left out of the mainstream, they have embraced sports as a substitution for academics. And these student athletes often go along with their own exploitation.

CONTINUATIONS

There is nothing wrong with shooting hoops or wanting to be like Mike. But if that is all we allow our youth to do, then we are cheating them out of their social and intellectual development as well as their future: they are not just aspiring athletes, but undiscovered Pilbs, scientists, attorneys, world leaders. These athletes can learn their exelling in the sciences, arts mathematics, literature and medicine can give them an even greater satisfaction and deeper gratification than shooting a hoop or scoring a touchdown could ever equal.

Student athletes need more influential academic mentors to step in and assist them in discovering the value of education. These athletes need guidance to help foster wisdom, insight, and values and to realize that short-term values can get a person in trouble, and that short-term values do not last long anyway.

After all, developing the mind is the most challenging frontier a human can encounter.

MINDING YOUR BUSINESS

It is the above-average student—and only this student—who benefits, financially, from the Scholarship War. In essence, many colleges are practicing a new form of discrimination—grade discrimination. And just as with gender and racial discrimination, society as a whole suffers a great loss when students are denied equal access to a higher education.

Average and below-average students are the majority in comparison to the high achieving students. But despite their majority status, many fall victim to a process known as "admit-deny." This is a cruel and deceptive practice employed by sane colleges that admit low-income/marginal students, but deny their enrollment. This practice is a direct result of the Scholarship war. Many colleges simply don't have the money to meet the financial needs of indigent students. In fact, studies show that nearly all private and the majority of State schools have discontinued "need-blind" admissions and are admitting students solely on their ability to pay. Average and below-average students who can afford to pay will have to pay. With colleges' budgets already being drained by the highly sought after students, there is no incentive, financial or otherwise, to offer scholarships to marginal students; although it is the tuition revenue of the marginal students that subsidize the education of scholarship recipients. There are no absolute winners in the Scholarship War; neither colleges nor students.

aries, and other programs. Instead of offering "filler" courses and overpaid professors, colleges will have to offer the best possible; in turn, better programs will beget more productive students. Then as students of a college become more productive and successful, the colleges at which they attend will become more prestigious. That prestige will attract more funding and high-achieving students to the college—and so the cycle will continue.

Casualties and sacrifices are inevitable in the Scholarship War, as are in any war. Educators and courses will be hit with friendly fire, but such occurrences are singular battles lost in the war for the common good of both colleges and students.

FRESHMAN'S CORNER

One Key to Success In College: Solid Study Habits

Sometimes, freshmen enter the collegiate lifestyle with preconceived notions based on glamorized television depictions of experience in higher education. Out soon after classes begin, reality hits the unsuspecting Freshman of UMES/BCI and he realizes that college is neither just saue fun way of earning good days and getting a monthly paycheck nor the easy life of little or no homework.

No matter what their major goals may be, in college students agree on one fact: in order to "keep up," many hours of hard work are required. For students who wish to gain a competitive edge on the rest of the class preparation. The serious Freshman is soon aware that the key to getting ahead and staying there is solid study habits.

In my efforts to develop solid study habits, I discovered that without a study plan, one can easily develop poor and inconsistent study habits. A useful study plan, for me, begins with good note-taking, listening lectures, and even while completing

homework assignments, I have developed the habit of taking down all important points. But sometimes "hurry-up" situations leave gaps in my notes. When this situation occurs, I fill in the holes as soon as possible while the information is still fresh in my mind. Also, when my notes look like "scribble-scrabble," I rewrite them in an organized fashion so that they will be easy to understand when I refer to them while preparing for exams.

Note-taking is of little value without study time; therefore, it is important to do the maximum amount of work with little or no interruptions. This means that while studying, I keep the radio and television off. I have also found that studying at a set time everyday makes the habit a part of my daily routine. Although it is important to maintain the same time each day, your study plan should not be so restrictive that it can't be altered. Sometimes you may want to attend a program or basketball game, but your daily study schedule should not be altered to cater to every whim.

A daily review of my work has become an important part of my study habits. I make sure that I devote sufficient time everyday to every subject. While doing homework assignments, I jot down notes and questions for the instructor that may be helpful for discussion in class.

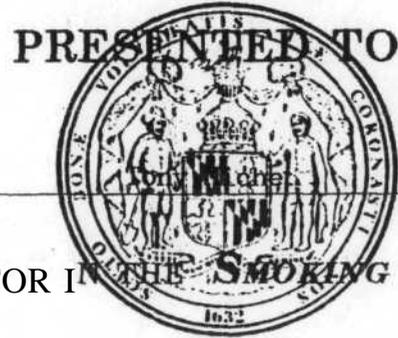
Having a work study planned as a social gathering helps. Before exams, my fellow classmates and I get together in the recreation hall and compare notes. Then we clear up any discrepancies. Also we

will quiz each other from our notes, allowing us to benefit from our combined knowledge and have fun in the process. This helps studying become routine and almost second nature.

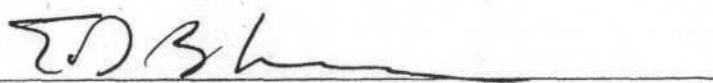
College students, particularly Freshmen, can indeed meet the challenge of (Uglier education by incorporating solid study habits in their daily routines. By proceeding with firmly grounded study skills, Krauhman, of UMES/BCI, have no limit on the academic excellence that they can maintain.



Certificate of Achievement
Smoking Cessation Workshop



THIS 7th DAY OF October 1995


WARDEN

STATE OF MARYLAND
 DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES
 DIVISION OF CORRECTION

PAFFIO N. GLENDENING
GOVERNOR

KATHLEEN KENNEDY TOVYNSENO
LT. GOVERNOR

BISHOP L. ROBINSON
SECRETARY

F R O M	EASTERN CORRECTIONAL INSTITUTION 30420 REVELLS NECK ROAD WESTOVER, MARYLAND 21890	AGENCY MAMS A ADDRESS
	<i>Alperts</i> Alan Jantsch, VAC III	NAME & TITLE
	Tony Michie #192-865	SUBJECT

CSMM33K3NER
MELAMB a PSHEBIA
DEPUTY CC #U3S0NEH

HARL O. 3E3HEAR3
WACEN

KATOLESt 3. a REEN
A33T. WARDEN

RALPH V. LOGAN
A33T. WARDEN

QEFIROs KALOKOUMAKIS
FAC3JTY ACMinSTITUTCR

TO: Maryland Parole Commission

DATE: 07-10-96

The following is a job/program performance evaluation on the above inmate.

- EXCELLENT: Performance is considerably and consistently above the requirements of the assignment
- GOOD: Performance is usually above the requirements of the assignment
- SATISFACTORY: Performance meets the basis requirements of the assignment.
- POOR: Performance below the requirements of the assignment

L WORK QUALITY: Consider accuracy, nearness, knowledge of the work and the amount of follow-up required.

_____ Poor _____ Satisfactory _____ Good X Excellent

EL WORK ATTITUDE: Consider dependability, cooperation toward directions and ability to work with others.

_____ Poor _____ Satisfactory _____ Good x Excellent

HL WORK HABITS: Consider attendance, use of work time and the abuse of privileges on the job.

_____ Poor _____ Satisfactory _____ Good X Excellent

"* rv. SUPERVISION: Consider the need for supervision. A poor rating indicates a need for constant supervision, excellent indicates minimum supervision required.

_____ Poor _____ Satisfactory _____ Good X Excellent

V. ATTENDANCE: Date assigned: Nov 1995 Inmate has worked ill of Jiff days assigned to this detail. Comments regarding attendance: _____

Mr. Michie has achieved perfect attendance in his job performance. ^

VL COMMENTS: (Optional) Use back of form if needed. Mr. Michie is the Editor of the institutional news-paper and as such has demonstrated excellent job performance skills.

He has achieved his college degree and is essential to the publishing of the monthly paper.

SIGNATURE: _____

Alperts

DATE: _____

7/10/96



The Circuit (Eouri far Jtolitmars County

THIRD JUDICIAL CIRCUIT OF MARYLAND

DANA MARK LEVITZ
JUDGE

COUNTY COURTS BUILDING
TOWSON, MD. 21204
410-887-2630
TDD 410-887-3018
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May 16, 1997

Katy O'DonneU, Esquire
Assistant Public Defender
Capital Defense Division
Maryland Bar Center
520 W. Fayette Street
Baltimore, Maryland 21201

State's Attorney's Office
County Courts Building
Towson, Maryland 21204

Re: State of Maryland vs. Tony Michie
87 CR 0100

Dear Counsel:

This will confirm that a hearing has been scheduled regarding the Defendant's Motion for Reduction of Sentence on Wednesday, July 16, 1997, at 9:15 a.m.

Very truly yours,

Janis Crew
Judicial Assistant to Judge Levitz

cc: Criminal Assignment

The Defendant is in ECI. Please have him present for this hearing.
#192-865

r
GlennG.Loveland
Department of Social Sciences
Benjamin Banneker Building
University of Maryland Eastern Shore
Princess Anne, Maryland 21853

30 March 1995

Stanley DeViney, PhD, Chair
Department of Social Sciences
Benjamin Banneker Building
University of Maryland Eastern Shore
Princess Anne, Maryland 21853

Doctor DeViney:

There's some detail about the statistics course vis-a-vis this class and the one last year that I want to share with you.

For the class last year, I had a bold plan to cover the entire text, and to divide the class into work groups or "mini-labs," to keep going over the stuff until everybody was on board. The fly in that ointment was that while I had good-enough students, I didn't have any super-stars who both understood the material well enough AND had a proclivity for teaching/training. So, I lugged the class along as one group, and, of course, we would get bogged down as different people had different problems understating different stuff.

THIS TERM I've got TWO SUPER-STARS! On the first quiz, Anthony Grahe (whom I know from Sociology where he was also a super-star) and Tony Michie (whom I didn't know) set the curve on a grand scale. I immediately "yanked" them to run mini-labs. It is a very fortuitous mix. Grahe is an Army guy, and he just takes his guys through "by-the-numbers." His style is more of the trainer-you should hear him: it takes you right back to boot camp! Michie, on the other hand, is more of the patient teacher. He will work to the point of pain with the slower guys and explain and explain again, and his style gets them doing problem after problem until they finally GET IT. I rotate the guys between "Tony 1" and "Tony 2" (I call 'em), and Michie ultimately ends up with the problem guys, and brings them along. The guys respect both Tonys-and Grahe is a white guy and Michie is a black guy-and that helps, too.

We take from an hour to 1 1/2 hour for the mini-labs. I go between the groups and look/listen for problems, where my de facto student aids are having any confusion. Then I wrap-up with a plenary session discussing the few things the Tonys stumble over. The Tonys understand that I am teaching them in this process. It's not a critical review in any way, it's presented as (for example) "Here's what I think was a little confusing. Tony 1, can you tell Tony 2 and the rest of us why he couldn't find a Z-score of 5.0? And how somebody had to have plugged in some wrong numbers to be looking for a Z above 4.00 in the first place?"

The way it's going, I think we will stick with the schedule/agenda, and that we will get the whole text covered. More importantly, I think most of the guys are going to GET IT, too.

I've got the process formalized to the point that the Tonys have check-off lists for the class to "certify" that each guy understands/can do each operation. (Copies attached.)

Tony Grahe and Tony Michie, who are bright and have excellent mathematical ability, and the aforementioned proclivity for teaching/training, are learning their statistics very well. They would anyway, but their being "up-front" with the mini-labs provides a bit of motivation to do even a bit more. (As Alexander Pope noted, "Thoughts become clear in passing over the tongue.") Furthermore, they are exercising some natural abilities, and learning a bit more about management and group dynamics and control.

I wish every class could go as well as this one seems to be going, and I wish every class had the benefit of the abilities of Tony Grahe and Tony Michie!

If you have any comments or recommendations as regards any of this, please advise.

Thank you again.

Sincerely,



Glenn G. Loveland, Ph.D.

cc: Anthony Grahe
Tony Michie

The NATIONAL Dean's List

17TH ANNUAL EDITION
MEMBER:
American Association for Higher Education
Educational Sociation
National Association of Student Financial Aid Administrators
Professional Fraternity Association

NOMINATED BY:

April 8, 199U

Herman Franklin
V P for Student Affairs

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SCHOLARSHIP COMMITTEE

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Counsdor
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Guilford College

Tony Kichie
C/O De. Franklin
V P for Student Affairs
Univ of Hd Eastern Shore
Princess Anne, WD 21853

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ID: 02106-32-0678

Dear Tony:

Congratulations^ -You have been selected, as indicated above, to receive honorary award recognition by having your biography published in the 17th Annual Edition of THE NATIONAL DEAN'S LIST, 1993-94.

THE NATIONAL DEAN'S LIST is the largest, most prestigious publication in the country recognizing academically gifted students selected by their college dean or comparable faculty representative. Each year 2,500 of our nation's finest colleges and universities use the publication as a special award to recognize their most outstanding students. Only 1/2 of IS of our nation's college students receive this award. We commend you for your accomplishments.

As a NATIONAL DEAN'S LIST student, you may compete for a \$1,000 scholarship from the \$25,000 to be awarded this year and you may use the Student Referral Service (SRS), a valuable reference service for students applying to graduate school or seeking employment. The SRS form and scholarship application will be sent to you after your biography form has been processed. Additionally, each year approximately 2,000 newspapers nationwide publish announcements recognizing their local recipients.

We wish to emphasize that there are no financial obligations whatsoever attached to this award. Since you may wish to have a copy of the book, for your personal library, ordering information is included on your biography form. Because this award represents a significant honor for your school, as well as yourself, please return your completed form for publication by May 6, 1994.

Best wishes for continued success,

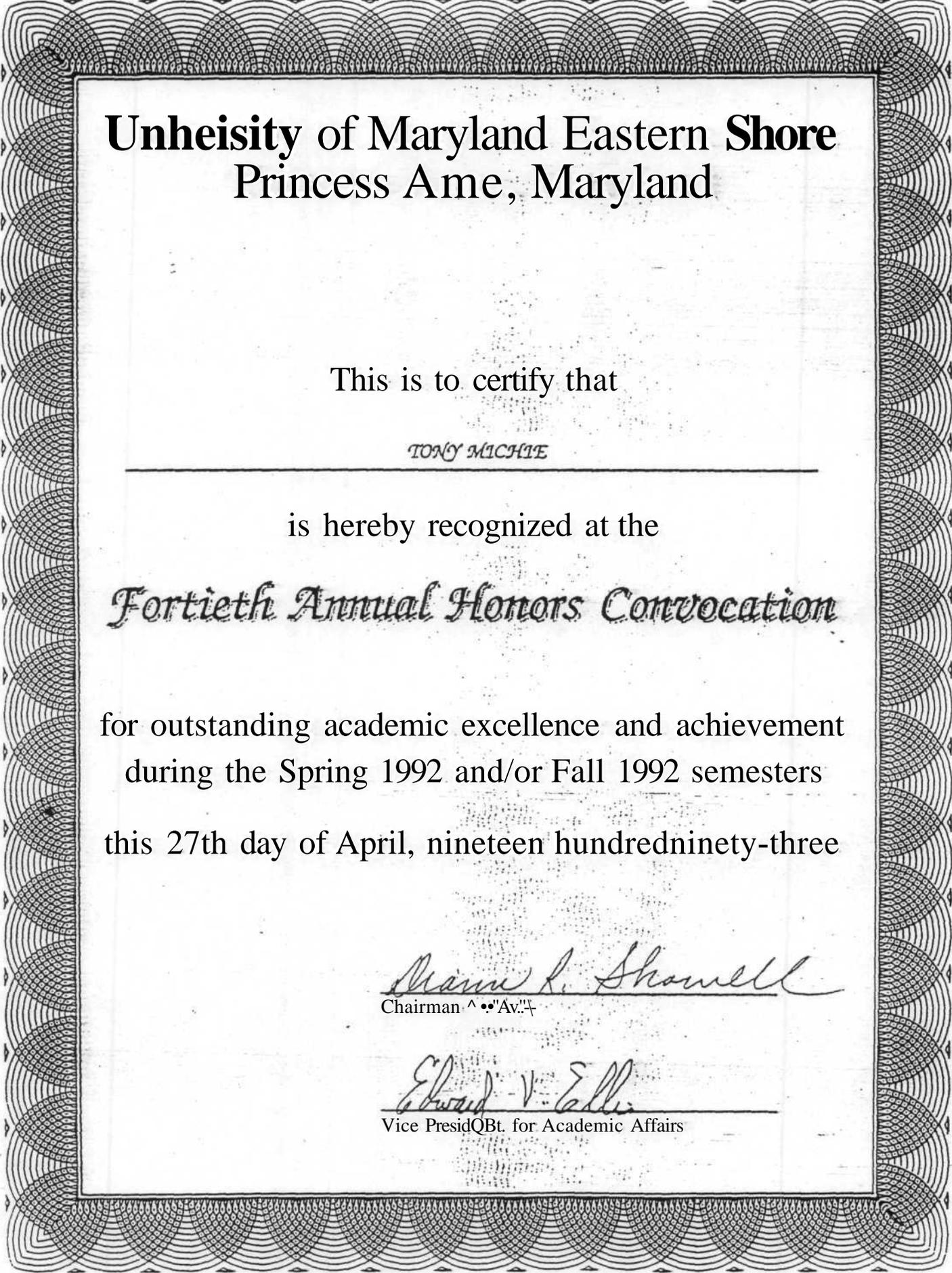
THE* NATIONAL DEAN'S LIST



Paul C. Krouse, Publisher

EDUCATIONAL COMMUNICATIONS, INC
721 N. McKillop Road Lake Forest, IL 60045 (708) 295-6650

PLEASE RECYCLE - 100% RECYCLED PAPER - 100% RECYCLED PAPER



**Unheisity of Maryland Eastern Shore
Princess Ame, Maryland**

This is to certify that

TONY MICHIE

is hereby recognized at the

Fortieth Annual Honors Convocation

for outstanding academic excellence and achievement
during the Spring 1992 and/or Fall 1992 semesters
this 27th day of April, nineteen hundredninety-three

Mary K. Howell
Chairman ^ ••"Av."

Edward V. Ellis
Vice PresidQBt. for Academic Affairs

Appreciation

We hereby express our sincere appreciation to

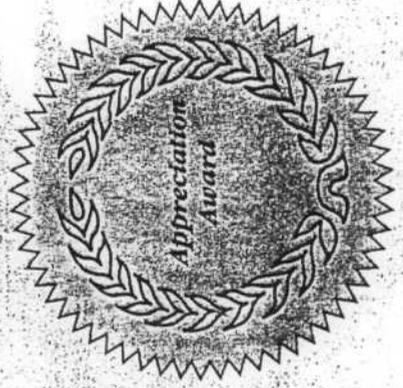
TONY MICHLE

for ASSISTING WITH GRADUATION

Presented by EASTERN CORRECTIONAL INSTITUTION

This 17TH day of SEPTEMBER 19 93

Mary B. Lunneman
Dawn Wheeler



Appendix 4 to DCD 126-330
MARYLAND DIVISION OF CORRECTION
SOCIAL SERVICES PROGRAM

GROUP MEMBER EVALUATION

H.U. 2D-31

NAME: Tony Michie DOC#: 192-865
FACILITY: ECI-W GROUP NAME: Relationship #41
Group, begin 3 - A? - tfs and end f) - 11 ~ tfs date.

I. Quality of Participation

He was highly active verbally and took on a role of initiator in many of the group discussions. He seemed eager to promote positive ideas.

II. Commitment to Continuing Growth

Mr. Michie seems committed to participating in (Mvof/f>lsMn.6rn4l or activities that will provide learning experiences and help him to progress through the system.

III. Further Treatment/Issues to be Addressed

He would like to get more skills in business office work to prepare for the job market.

Group Leader Signature C. Marie Carter, LCSW-C
Date 5-25-95

g'yj^i^y'g^

Certificate of Achievement

Social Work Program

Decisions #94

This is to certify that Tommy Michie DOB #192-865

has completed 40 hours of group counseling in
problem solving, decision making and communication skills



this 14th day of January 19 91

C. Marie Carter LCSW
Program Supervisor

Chugman Ellen MSW
Social Worker

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ikc ZL:iM

0/8 <

Certificate of Acknowledgment

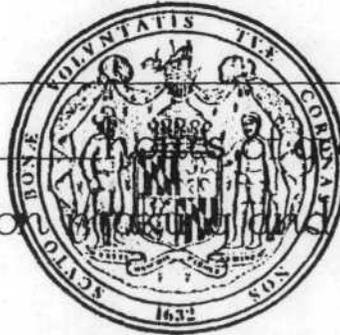
Social Work Program

RELATIONSHIP #41 ^

TKI is to certify that

TONY MICHIE #192-865

Kas completed 22. _____ of group counseling in
problem solving, decision making and communication skills



tki is. _____ 11th _____ day of _____ MAY _____ 19 _____ "

C. C. Carter, LCSW

Pvocjvam Supervisor

*Tracy Helton, SWP
Sue Fisher, SWP
Jennifer A. Kibben, MSW
C. Marie Carter, LCSW-e MSW*

Social Work

Southern Career Institute

presents this

Certificate of Completion

(Paralegal Entry Level)

to
Tony Michie

This
s certifies that the aforementioned
the entry level section of
their program of study at Southern Career Institute, and in doing so has
satisfied the requirements for advancement into the specialized section of the
(Paralegal Specialized Practices Program.

1990 under the seat of Southern Career
Institute at Boca Raton, Florida.

Susan F. Schurz
Director of Education

Richard L. Bizzah
Trtsiitn



Southern Career Institute
i presents this
Certificate of Graduate
Achievement
to

Tony Michie

With this Certificate, the undersigned acknowledges and commends the outstanding professional achievement and unique contribution to the public good of the above named graduate as representative of the students who have attended Southern Career Institute

In recognition of these achievements, we award this certificate with all the rights, privileges and immunities thereto appertaining.

Given this 11th day of August A.D. 1990
under the seal of Southern Career Institute at Boca Raton, Florida

Nancy Newman
Director of Training

L. W. Rava
President

^i>I

STATE OF MARYLAND

vs.

TONY MICKIE

CASE NO. 87 CR 0100

IN THE

CIRCUIT COURT

FOR

BALTIMORE COUNTY

MOTION FOR REDUCTION OF SENTENCE

Defendant, Tony Michie, by his attorneys, Katy C. O'Donnell and Patricia L. Chappell, Assistant Public Defenders, moves this Honorable Court to reduce, modify, and/or strike the sentence imposed and for reasons states the following:

1. That on November 18, 1987, the defendant appeared before the Honorable Dana M. Levitz of the Circuit Court of Baltimore County pursuant to the above-captioned matter.

2. At that time, the defendant entered a plea of guilty to Murder in the Second degree and Use of a Handgun in the Commission of a Felony or Crime of Violence pursuant to a binding plea agreement wherein the defendant agreed to testify truthfully and accurately as a witness for the State against the Co-Defendant, Kenneth Collins in Case Number 37 CR 3963 and in exchange, the State agreed to recommend, and the Court agreed to impose, a sentence of thirty years to the Division of Correction on the charge of Murder in the Second Degree and ten years consecutive on the charge of Use of a Handgun in the Commission of a

Felony or Crime of Violence. The Court further agreed as part of the binding plea agreement to consider a modification of the sentence imposed and to hold a modification hearing upon the request of the defendant.

•gftt

The full text of the "Memorandum of Plea Negotiations" is attached and hereby incorporated as a part of this motion. "

3. On March 21, 1988 and March 22, 1988 the defendant did in fact testify truthfully and accurately as a witness for the State in its prosecution of Kenneth Collins, providing over seven hours worth of testimony. Mr. Collins was subsequently found guilty of First Degree Premeditated Murder and sentenced to death.

4. On June 15, 1988, the defendant again appeared before the Honorable Dana M. Levitz for sentencing in the above-captioned matter. At that time, pursuant to the binding plea agreement, the Court imposed a sentence of thirty years on the charge of Second Degree Murder and ten years consecutive on the charge of Use of a Handgun in the Commission of a Felony or Crime of Violence. The Court additionally, made an affirmative recommendation that the defendant be evaluated for admission into Patuxent Institution."

5. At the time of sentencing, various written materials were introduced on behalf of the defendant.

including a lengthy psychological **evaluation** prepared by Lawrence Donner, Ph.D. The evaluation in full is attached and hereby incorporated as a part of this motion.

6. Dr. Donner's evaluation indicates that the defendant was the product of a chaotic family environment in which he was exposed repeatedly to various negative male role models. As a result, the defendant was influenced by family members to participate in criminal activity at a very young age. By the age of seventeen, the defendant had been convicted as an adult of a serious assault and given an eight year sentence to the Division of Correction.

7. The defendant was incarcerated for a period of five years during which time he obtained his G.F.D.

8. Upon release from incarceration, the defendant was determined to continue his education and make a better-life for himself. Consequently, for the next four years, the defendant dedicated himself to various courses of study. The defendant attended the Data Processing Institute, Sojourner Douglas College and the Community College of Baltimore, studying **computer** operations, cable television administration and business administration. He eventually entered a pre-nursing and surgical technician's program and was involved in clinical work in the operating room at

Francis Scott Key Hospital and in volunteer work at the Emergency Room at Union Memorial Hospital.

9. Dr. **Conner's** report indicates that **during** the course of his studies, the defendant was consistently employed, often working two jobs to obtain the money to attend school.

10. Dr. Donner's report further indicates that in the summer/fall of 1986, only several months before, the present offense occurred, the defendant decided to embark upon a career in the military and made a truly concerted effort to gain acceptance into the Army National Guard. At the time of sentencing, defendant's attorney introduced a number of letters of reference written on the defendant's behalf which emphasized the defendant's motivation, resourcefulness and sincere commitment to bettering himself. Despite the defendant's efforts in October, 1986, he was denied acceptance into the military on the basis of his prior criminal record.

11. Dr. Donner surmises that the defendant took this rejection extremely hard and at this point, succumbed to the pressure of his peers and his male relatives to "enjoy the fast life." Dr. Donner states that the defendant's "ultimate downfall" was that he began free basing cocaine and after only a short period of time, was using drugs on a daily basis. Eventually,

when he was unable to meet his financial obligations, the defendant accepted an earlier proposal from Kenneth Collins to participate as a getaway driver in the commission of a robbery which Mr. Collins was to perpetrate.

12. The defendant was not the gunman in this offense and never, intended any physical harm to come to the victim. In fact, after witnessing the beginning of a physical altercation between the victim and Mr. Collins, the defendant tried to flee from the scene and leave Mr. Collins behind. The defendant did not know that the victim had actually been killed until homicide detectives attempted to contact him.

13. Upon learning that homicide detectives were looking for him, the defendant voluntarily went to the police station and provided police with both an oral and written statement implicating himself in this offense.

14. Following his arrest, the defendant again, contacted homicide detectives and told them that he did not kill the man, that it was not supposed to happen, that he felt sorry for the victim's wife and was full of remorse and that he wanted to tell the true story.

15. Within days of his arrest, the defendant, through counsel, offered to provide the State with the name and address of the shooter, however, the State

r

refused any negotiations at that time.

16. Later, when independent evidence convinced the State that the defendant was not the gunman,, the defendant was able to provide, .the name of Kenneth Collins. The defendant, was subsequently given a polygraph test which indicated he was telling the truth. The defendant then accompanied police to show them where Mr.' Collins lived and where Mr. Collins had disposed of the gun used in this offense.

17. Dr. Donner expresses in his report that the defendant experiences "genuine feelings, conflicts and remorse" for what he has done.

18. Dr. Donner concludes in recommending in his report that the defendant be evaluated for admission into Patuxent Institution and states that the defendant is "likely to respond favorably" to the programs and services that Patuxent can provide.

.. 19. The defendant has made .application for admission into Patuxent Institution-and defendant's attorney has received written notification from Arnold Hopkins, the Commissioner of the Division of Correction, that the defendant has been approved for a transfer to Patuxent for the purpose of an-evaluation and that he is presently on a list awaiting available bed space.

20. The evaluation process for admittance into

Patuxent Institution is a lengthy one, often taking up to six months before a final decision regarding acceptance is rendered.

21. Upon completion of the evaluation process, defendant's attorney will inform this Court whether defendant's request for admittance into Patuxent Institution has been granted or denied. . . .

22. The defendant is extremely remorseful for his conduct and earnestly desires to prove to this Court that in time with assistance from a therapeutic program, he has the ability to rehabilitate himself and become a productive and law abiding member of the community. . . .

23. . In light of all of the circumstances presented above., the defendant believes that while a period of time away from the community is both necessary and appropriate, the sentence imposed in this case is excessive and not in the best interest of the defendant or of society. . . .

24. The sentencing guidelines submitted by the State in this case were computed correctly and called for a sentence **within** ^{th¹} range of twenty to thirty years incarceration. . . .

WHEREFORE, the defendant respectfully requests that this Honorable Court: . . .

A.' Grant a hearing on this motion at the time that

defendant'. ^tornev U »bi« to inform **thl.** Court
w h e r the defendant's revest for admittance into
^{the} Patuxent **Institution** ha, been accepted or denied.

3. Modify, reduce, and/or strace the defendant's
sentence in accordance with **thft Motion**, and

C. Grant any further relief the court deems
appropriate.

Respectfully submitted,

Katy C. O'Donnell
Assistant Public Defender
500 Virginia Avenue
Towson, Maryland 21204
321-2990

Patricia L. Chappell
Patricia L. Chappell
Assistant Public Defender
500 Virginia Avenue
Towson, Maryland 21204
321-3688

CERTIFICATE OF SERVICE .

I HEREBY CERTIFY that a copy of the foregoing Motion for
Reduction of Sentence was delivered to the Office of the State's
Attorney for Baltimore County, County Courts Building, 401 Bosley
Avenue, Towson, Maryland 21204 this ~~10th~~ day of September,
1988.

...-..

Katy C. O'Donnell
... Assistant Public Defender

4

University of Maryland Eastern Shore

*By virtue of the authority granted by Charter of the
State of Maryland and the 'Board of Regents of the
University of Maryland System and in recognition of the
successful completion of the requisite course of study and
on nomination of the faculty
hereby confers upon*

Tony Michie

the degree of

Bachelor of General Studies
Summa Cum Laude

with all the honors, rights, and privileges thereunto appertaining.

*In witness whereof this 'Diploma, signed by the authorized officers
of the University and seated with the corporate seal of the **University**, is granted.
Given at the University of Maryland Eastern Shore on the twenty-first of May in
the year nineteen hundred and fifty-six*



George V. ...
Chairman, Board of Regents

Donald H. Ziegenberg
Chancellor, University of Maryland System

William ...
President, University of Maryland Eastern Shore

5

UNIVERSITY OF MARYLAND EASTERN SHORE



Certificate of Academic Achievement

Presented To

Tony Michie

*This Twenty-sixth day of April, 1995
at the 6/A Annual Convocation*

William R. Howell
Department Chair

William R. Howell
Acting Vice President for Academic Affairs

SSVJS



UNIVERSITY OF MARYLAND EASTERN SHORE

OFFICE OF THE
ASSISTANT DIRECTOR FOR CONTINUING EDUCATION

BIRD HALL, 3RD FLOOR
PRINCESS ANNE, MARYLAND 21853-1299

CAMPUS: (301) 651-2200
FAX: (301) 651-2270

TO WHOM IT MAY CONCERN:

This letter is in reference to the good character of Mr. Tony **Michie**. During Mr. Michie's matriculation at the University of Maryland Eastern Shore (UMSS), he has distinguished himself not only in academics, but also as a person who has grown tremendously. Consequently, I am more than willing to speak on Mr. Michie's behalf.

Mr. **Michie** has been a perennial UMSS dean's list student; his overall grade point average is (4.0). He has also shown great personal growth. For example, Tony co-founded the UMSS/ECI Freedom's Journal Newsletter, the first of its kind. He also participated in several tutoring projects, demonstrating a strong sense of fair play and willingness to help others.

I have been acquainted with Mr. Michie for approximately (4) years. And during that time, I have witnessed a good person become an even better individual. It is said that the road to success is always under construction; provided Tony always bears this in mind, I foresee only further progress for him.

Yours truly,

Alrethia McClees
Assistant Director
Office of Continuing Education

cc: Tony Michie

r

Mr. Tony Michie

C/O Alrethia McClees
UMES Campus, MO 21853

Mr. Tony Michie
C/O Alrethia McClees
UMES Campus, MO 21853

11/09/61

217-90-9138

*** TRANSFER CREDIT ***

Undergraduate Transfer Credit

COMM COLLEGE OF BALTIMORE 01/84 - 08/93

3IO 111	ANATOMY & PHYSIOL	2.00	#
SOG 101	INTRO TO SOCIOLOGY	3.00	it
BIO 109	MICROBIOLOGY	2.00	#
CHE 103	ALLIED HEALTH CHEM	3.00	#
ORT 101	OPERATING TECHNIQ	3.00	u
ORT 102	OPER RM CLIN PRACTICE	2.00	u
100	INTRO TO BUSINESS	3.00	it
101	GENERAL BIOLOGY	3.00	it
m1 101	PHILOSOPHY	3.00	it
?SY 101	INTRO PSYCHOLOGY	3.00	t
INSTITUTIONAL TOTAL :		27.00	

**** UNDERGRADUATE RECORDS ***.

Spring 1991 - Eastern Shore

MAJOR: General Studies

HISTT01	HIST APPR TO WEST CIV I	3.00	A
ENGL101	BASIC COMPOSITION I	3.00	A
ENVS101	INTRO TO ENVRNMNTL SCI	3.00	A
MATH102	SURV. OF COLL. MATH.	3.00	A
GPA ATT ERN QPTS			
SEMESTER	4.000 12.00 12.00 48.00		
CUMULATIVE	4.000 12.00 12.00 48.00		

Fall 1991 - Eastern Shore

MAJOR: General Studies

8ICL101	THEORY & APPL BIOL SCI	3.00	A
SNGL102	BASIC COMPOSITION II	3.00	A
HIST102	HIST APPR TO WEST CIV II	3.00	A
ENGL103	FUND OF CNTMPRY SPEECH	3.00	A
GPA ATT ERN QPTS			
SEMESTER	4.000 12.00 12.00 48.00		
CUMULATIVE	4.000 24.00 24.00 96.00		

Spring 1992 - Eastern Shore

MAJOR: General Studies

HUMA201	INTRO TO THE HUMAN I	3.00	A
HUMA202	INTRO TO THE HUMAN II	3.00	A
PSYC200	INTRO TO PSYCHOLOGY I	3.00	A
SQCI101	INTRODUCTIN TO SOCIOLOGY	3.00	A
GPA ATT ERN QPTS			
SEMESTER	4.000 12.00 12.00 48.00		
CUMULATIVE	4.000 36.00 36.00 144.00		

Fall 1992 - Eastern Shore

MAJOR: General Studies

ENGL305	TECHNICAL WRITING	3.00	A
HIST333	AFRO-AMERICAN HISTORY	3.00	A
SOCI201	SOCIAL PROBLEMS	3.00	A
BUS1261	PRIN OF ACCOUNTING I	3.00	A
GPA ATT ERN QPTS			
SEMESTER	4.000 12.00 12.00 48.00		
CUMULATIVE	4.000 48.00 48.00 192.00		

Spring 1993 - Eastern Shore

MAJOR: General Studies

ARTS211	ART HISTORY I	3.00	A
HIST201	HIST OF AMERICN CIVILI I	3.00	A
GEOG201	GEOGRAPHY	4.00	A
HUMA301	INTRO TO THE HUMAN III	3.00	A
GPA ATT ERN QPTS			
SEMESTER	4.000 13.00 13.00 52.00		
CUMULATIVE	4.000 61.00 61.00 244.00		

Fall 1993 - Eastern Shore

MAJOR: General Studies

MATH109	COLLEGE ALGEBRA	3.00	A
SOCI430	THE BLACK FAMILY	3.00	A
ECON201	PRIN OF ECONOMICS I	3.00	A
SOCI331	AMERICAN MINORITY GROUPS	3.00	A
GPA ATT ERN QPTS			
SEMESTER	4.000 12.00 12.00 48.00		
CUMULATIVE	4.000 73.00 73.00 292.00		

Spring 1994 - Eastern Shore

MAJOR: General Studies

SOCI326	SOCIAL PSYCHOLOGY	3.00	A
BUS1346	SMALL BUS MGT 4 ENTREPRE	3.00	A
SOCI422	MARRIAGE AND FAMILY LIFE	3.00	A
SOCI306	SOCIALIZATION	3.00	A
GPA ATT ERN QPTS			
SEMESTER	4.000 12.00 12.00 48.00		
CUMULATIVE	4.000 35.00 85.00 340.00		

Fall 1994 - Eastern Shore

MAJOR: General Studies

SOCI303	INEQUALITY IN AMERICA	3.00	A
SOCI221	RESRCH MTHOS IN 8EHVR SC	3.00	A
POLI200	INTRO TO AMERICN GOVERN	3.00	A
ENGL353	ETHICS IN COMMUNICATIONS	3.00	A
ENGL499A	INDEPENDENT RESEARCH	3.00	
GPA ATT ERN QPTS			
SEMESTER	4.000 12.00 12.00 48.00		
CUMULATIVE	4.000 97.00 97.00 388.00		

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06/14/95

Mr. Tony Michie

C/O Alrethia McClees
UMES Campus, MD 21853

Stt.

Mr. Tony Michie
C/O Alrethia McClees
UMES Campus, MO 21853

11/09/61

217-90-9133

Spring 1995 - Eastern Shore

MAJOR: General Studies

SOCI222	STATIS MTHO IN BEHV SCNC	3.00	A
ECON304	ECON OF BLACK AMERICA	3.00	A
MATH110	TRIG AND ANALYTIC GEOMET	3.00	3
SOCI360	SOCIAL GERONTOLOGY	3.00	A
5NGL499A	INDEPENDENT RESEARCH	3.00	A

	GPA	ATT	ERN	QPTS
SEMESTER	3.800	15.00	15.00	57.00
CUMULATIVE	3.973	112.00	112.00	445.00

UNIV. OF MD. (UGRAD) CUM TOTALS:

GPA	ATT	ERN	QPTS
3.973	112.00	112.00	445.00
TOTAL TRANSFER CREDITS:			27.00
TOTAL INSTITUTIONAL CREDITS:			0.00
TOTAL CREDITS TOWARD DEGREE:			139.00

*** ** E N O F R E C O R D *** **

STATE OF MARYLAND

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IN THE CIRCUIT COURT

vs.

*

FOR BALTIMORE COUNTY

TONYMICHIE

*

CASE NO. 87 CR 0100

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DEFENDANT'S SUPPLEMENT TO MOTION FOR REDUCTION OF SENTENCE

Defendant, Tony Michie by his attorney, Katy C. O'Donnell, Assistant Public Defender, respectfully requests that this Honorable Court modify, reduce and/or strike the sentence imposed in the above captioned case, and for his reasons states the following:

1. On November 18, 1987, the defendant appeared before the Honorable Dana M. Levitz of the Circuit Court of Baltimore County pursuant to the above-captioned matter/
2. At that time, the defendant entered a plea of guilty to Murder in the Second Degree and Use of a Handgun in the Commission of a Felony or Crime of Violence pursuant to a binding plea agreement wherein the defendant agreed to testify truthfully and accurately as a witness for the State against the Co-Defendant, Kenneth Collins in Case Number 87 CR 3962 and in exchange, the State agreed to recommend, and the Court agree to impose, a sentence of thirty years to the Division of Correction on the charge of Murder in the Second Degree and ten years consecutive on the charge of Use of a Handgun in the Commission of a Felony or Crime of Violence. The Court further agreed as a part of the binding plea agreement to consider a modification hearing upon the request of the defendant. The full text of the "Memorandum of Plea Negotiations" is attached and hereby incorporated as a part of this motion.
3. On March 21, 1988 and March 22, 1988, the defendant did in fact testify truthfully and accurately as a witness for the State in its prosecution of Kenneth Collins, providing over seven hours worth of testimony over a two day period. Mr. Collins was subsequently found guilty of First Degree Premeditated Murder and sentenced to death.

4. On June 15, 1988, the defendant again appeared before the Honorable Dana M. Levitz for sentencing in the above captioned matter. At that time, pursuant to the binding plea agreement, the Court imposed a sentence of thirty years on the charge of Second Degree Murder and ten years consecutive on the charge of Use of a Handgun in the Commission of a Felony or Crime of Violence. The Court additionally, made an affirmative recommendation that the defendant be evaluated for admission into the Patuxent Institution.
5. On September 13, 1988, defendant's counsel filed a timely Motion for Reduction of Sentence, a copy of which is attached and hereby incorporated as part of this supplemental motion.
6. On September 16, 1988, this Court reversed a denial of defendant's Motion, entered in error, and affirmatively ruled that a hearing would be scheduled. Defendant's counsel was advised to notify this Court when a hearing was desired.
7. As of today's filing, over ten years has passed since the defendant has been incarcerated pursuant to the present offense.
8. The defendant was denied acceptance into Patuxent's program on January 11, 1990 largely due to a series of altercations involving an inmate who purported to be Kenneth Collins "cousin" who reportedly orchestrated repeated retaliatory aggressive actions against the defendant and his cell partner.
9. The defendant was ultimately transferred to Eastern Correctional Institution on June 14, 1990 where he has been incarcerated for approximately seven years.
10. While at ECI, the defendant has made tremendous strides towards self improvement and has continually assisted others in constructive pursuits.
11. In 1990, the defendant enrolled in a correspondence course for Paralegal Studies through the Southern Career Institute and in 1992, received his diploma.
12. From 1991 through 1995, the defendant completed a series of social-work classes through the ECI institution for which he received certificates in the areas of "Decisions", "Communications" and "Relationships".

13. In 1991, the defendant enrolled in a college program through the University of Maryland Eastern Shore. In May, 1995, the defendant graduated *summa cum laude* with a Bachelor's Degree in General Studies and a concentration in the field of Sociology. The defendant earned a cumulative grade point average of 3.973. A copy of his diploma and college transcript are attached and hereby incorporated as part of this supplemental motion.
14. During 1992 to 1994, the defendant was chosen by ECI staff to coordinate an adult literacy program within the institution. As a result, the defendant was instrumental in assisting numerous inmates in furthering their education and ultimately obtaining their GEDs.
15. Additionally, from 1992 to 1995, the defendant has voluntarily served as a tutor in mathematics for the education department at ECI.
16. Presently, the defendant continues to be involved in productive institutional activities and works as a volunteer on "The Voice", an institutional newsletter distributed throughout ECI and in other departments of the DOC, and as an instructor in a smoking cessation class aimed at assisting inmates in overcoming their nicotine addiction.
17. The defendant has not received any infractions since he has been at ECI.
18. The defendant recently appeared before the Parole Commission for his first parole review. The defendant was denied parole and given a ten year set off date for his next parole hearing. This decision is consistent with the present parole guidelines requiring that an inmate serve at least 50% of his sentence before being considered for parole for any "violent" offense. This parole policy however was not in effect at the time the defendant was sentenced and certainly could not have been contemplated by the defendant, defendant's counsel, the Assistant State's Attorney or the Court at the time of sentencing.
19. As a result of this ten year set off, the defendant is not currently eligible to participate in any programs presently offered at ECI.
20. Both the State and the defense have acknowledged that the defendant was not the shooter in the present incident nor did he intend or expect any physical harm to come to the victim in this case. In

fact, when an altercation broke out among the co-defendant, Mr. Collins and the victim, the defendant attempted to flee the scene and abandon Mr. Collins. The defendant suffered immediate remorse for his involvement in the offense and the very day following the event, filed a job application at a car dealership in order to secure legitimate employment.

21. Indeed, the State relied almost exclusively upon, the defendant to provide invaluable testimony as to the specific circumstances surrounding the offense which led to the conviction of the actual shooter, Mr. Collins.
22. Under the terms of the plea agreement, all parties contemplated a possible reduction of the defendant's sentence at sometime in the future.
23. The defendant has exerted extraordinary effort to prove to this Court that he is worthy of a reduction of his sentence. He has shown he is capable of fully committing himself to academic excellence as well as to the assistance of others. Further, he has sustained his constructive efforts over an extended period of time illustrating a sincere commitment to obtaining his goals.
24. The sentencing guidelines submitted by the State at the time of disposition called for a sentence within the range of twenty to thirty years incarceration.
25. For all of the above reasons, including the nature of the defendant's actual involvement in the offense, his significant cooperation with the State and his outstanding accomplishments over the past ten years, defense counsel respectfully requests that this Court grant a reduction of the defendant's sentence.
26. An Appendix of Materials is attached and hereby incorporated as part of this supplemental motion in support of a reduction of the defendant's sentence.

WHEREFORE, the defendant respectfully requests that this Honorable Court:

- A. Grant a hearing on this motion.
- B. Modify, reduce and/or strike the defendant's sentence in accordance with this motion, and
- C. Grant any further relief the Court deems appropriate.

Respectfully submitted,



Katy C.-6'Donnell
Assistant Public Defender
Capital Defense Division
Maryland Bar Center
520 W. Fayette Street
Baltimore, Maryland 21201
(410) 333-1935

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Motion was mailed to the, Assistant State's Attorney for Baltimore County, County Courts Building, 401 Bosley Avenue, 5th Floor, Towson, Maryland 21204, this /^^ d a y of S^+J^ 1997.



Katy C^O'Donnell
Assistant Public Defender

APPENDIX

- 1) Memorandum of Plea Negotiations
- 2) Transcript of Sentencing Proceeding
- 3) Motion for Reduction of Sentence
Filed September 13, 1988
- 4) Diploma, University of Maryland Eastern Shore
Bachelor of General Studies, Summa Cum Laude
May 21, 1995
- 5) Certificate of Academic Achievement
University of Maryland Eastern Shore
April 26, 1995
- 6) Letter from Alrethia McClee,
Assistant Director, Office of Continuing Education
University of Maryland Eastern Shore
- 7) University of Maryland Eastern Shore
College Transcript
- 8) Letter Tom Miller
Maryland State Department of Education
Bureau of Vocational Rehabilitation and Correctional
Education
- 9) Letter Robert A. Harleston, B.G. (RET) U.S. Army
Director Criminal Justice Program
University of Maryland Eastern Shore

STATE OF MARYLAND

V.

TONY MICHIE

*

*

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IN THE CIRCUIT COURT

FOR BALTIMORE COUNTY

CASE NO. 87 CR 0100

MEMORANDUM OF PLEA NEGOTIATIONS

It is hereby agreed between the Defendant, Tony Michie, and his attorney, Katy C. O'Donnell, Esquire, and Patricia L. Chappell, Esquire, Assistant Public Defenders, and the State of Maryland by Alexandra N. Williams, Assistant State's Attorney for Baltimore County, that the following is the sum and substance of the Plea Agreement in the above-captioned case.

1. That the Defendant will enter a guilty plea to the charge of Murder in the Second Degree in Case Number 87 CR 0100, a violation of Article 27, Section 616, which is punishable by a maximum period of incarceration of 30 years. The Defendant will also enter a plea of guilty to the charge of Use of a Handgun in the Commission of a Felony or Crime of Violence in Case Number 87 CR 0100, a violation of Article 27, Section 36B, which is punishable by a maximum period of incarceration of 20 years.

2. That the Defendant agrees that he will testify truthfully, completely and accurately against the Co-Defendant, Kenneth Collins, in Case Number 87 CR 3963.

3. That should the Defendant testify truthfully, accurately and completely, the State agrees to recommend a period of incarceration of 30 years on the charge of Second Degree Murder and 10 years to run consecutively on the charge of Use of a Handgun in the Commission of a Felony or Crime of Violence.

4. That the State and the Defendant agree to hold the sentencing in this case sub curia until the Defendant has testified in the trial(s) of State v. Kenneth Collins.

5. That the Defendant knowingly, voluntarily and intelligently waives any and all rights and/or claims under the Double Jeopardy Clause of the Fifth Amendment of the U.S. Constitution as applied to the states through the Fourteenth Amendment and/or any and all rights and/or claims of Double Jeopardy arising under the Maryland Constitution and/or Declaration of Rights.

6. That the Defendant knowingly, voluntarily and intelligently consents to amend the Indictment in Case Number 87 CR 0100 to add the charge of Murder in the Second Degree, a violation of Article 27, §616, the maximum penalty for which is 30 years incarceration.

7. That should the Defendant fail to complete the terms of this Agreement, the State will withdraw this Plea Agreement and will proceed on all charges, including the charge of Felony Murder in Case Number 87 CR 0100 and is free to recommend the maximum incarceration allowed by law.

8. That the State hereby agrees that any statement made by the Defendant, Tony Michie, pursuant to this Plea Agreement will not be used against him in any subsequent re-trial of this matter.

9. That the Court hereby agrees to bind itself to this Agreement pursuant to the Maryland Rules.

10. That the Court agrees to hold a hearing on any Motion for Modification of Sentence timely filed.

ifClk'chi

TONY M HEE
Defend/nt

Alexandra N Williams

ALEXANDRA N. WILLIAMS
Assistant State's Attorney
for Baltimore County

Katy C. O'Donnell

KATY C. O'DONNELL
Attorney for the Defendant

Patricia L. Chappell

PATRICIA L. CHAPPELL
Attorney for the Defendant

ANW/jll

STATE OF MARYLAND

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IN THE CIRCUIT COURT

vs.

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FOR BALTIMORE COUNTY

TONY MICHIE,
Defendant

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MARYLAND

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Case No. 87CR0100

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REPORTER'S OFFICIAL TRANSCRIPT OF PROCEEDINGS
(Disposition)

Towson, Maryland

June 15, 1988

Before:

HONORABLE DANA M. LEVITZ, Associate Judge

Counsel:

For the State:

SANDY WILLIAMS, ESQ.

For the Defendant:

KATY O'DONNELL, ESQ. and
PATRICIA CHAPPELL ESQ.

WILLIAM C. FORAND
Official Court Reporter
M-08, 401 Bosley Avenue
Towson, Maryland 21204

June 15, 1988 - Courtroom 7 - 9:30 a.m.

PROCEEDINGS

* * * * *

MS. O'DONNELL: Again, good morning, Your Honor, for the record, Katy O'Donnell, Assistant Public Defender on behalf of Tony Michie, who is now present in the courtroom. Your Honor, we are here today for the sentencing of Mr. Michie on Case Number 87CR100. As Your Honor, of course, I am sure recalls, we did appear before you on November 18th of last year and at that time the defense and the State - you can have a seat, Mr. Michie - and the Court entered into binding plea agreements.

The plea agreement was as follows: That Mr. Michie pled guilty at that time to second degree murder and use of a handgun in the commission of a crime of violence. And as a condition of the plea agreement he agreed to testify accurately and truthfully against Kenneth Collins in the State's prosecution against him in Case Number 87CR3963.

Your Honor, in addition to that the agreement was that if Tony complied with testifying against Mr. Collins that the State would be recommending and the Court would agree to impose a 30 year sentence on the second degree murder charge and a 10 year consecutive sentence on the use of a handgun charge. Your Honor, the Court further agreed in the plea negotiations to hold a hearing at a later date on a motion for a modification of that

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ft

1 sentence, but that would be at a later date. The understanding
2 was that today Tony Michie would be receiving the 40 year
3 sentence, as I laid out.

4 Your Honor, Mr. Michie has complied with the terms of the
5 agreement. On March 21st and March 22nd he did testify in the
6 State's case against Kenneth Collins. He provided seven hours,
7 Your Honor, worth of testimony in that case. I understand Mr.
8 Collins was found guilty of first degree, premeditated murder in
9 addition to felony murder. I believe the jury was only out for
10 about 55 minutes, it was my understanding.

11 Your Honor, I understand by the terms of the plea
12 agreement that the Court is bound today to impose the 40 year
13 sentence; nevertheless, there are some materials that I would
14 like to present on Mr. Michie's behalf. We are going to ask the
15 Court today to consider a recommendation to Patuxent Institution
16 to have this young man evaluated to see if he would be a
17 suitable candidate for Patuxent program, and in light of that I
18 would like to briefly, if I could, introduce some materials.

19 , THE COURT: All right.

20 MS. O'DONNELL: Your Honor, simply before I do that
21 I just would like to say for the record that I by no way,
22 introducing these materials or talking about Mr. Michie's
23 background, or what I feel are mitigating circumstances, I am in
24 no way trying to minimize the severity of this crime in any way.
25 I believe this Court knows I deeply sympathize with the

1 someone's motivation for the treatment, I think they look for
2 someone who they feel is capable of actually benefiting from the
3 treatment, somebody who has the real potential and the ability
4 to respond to the program. And, Your Honor, I think after
5 knowing Mr. Michie for the length of time that I have, which is
6 close to, it was over a year and a half now, knowing his
7 background in detail, knowing his family and knowing him that
8 Mr. Michie fits all of those criteria.

9 Your Honor there has been a psychological evaluation. I
10 have had an opportunity to give that to the Court. Has the
11 Court had an opportunity to read it?

12 THE COURT: Yes, I read it this morning.

13 MS. O'DONNELL: Thank you, Your Honor. I gave that
14 to you. I was hoping you would have a chance to read it before
15 we continued on here today. I have given a copy to the State's
16 Attorney. I am not going to go through in detail all of the
17 things that Dr. Donner discusses in his report. Since you have
18 already been provided with a copy and read through it. There
19 are a couple of things, though, that I would like to point out
20 about Tony's background that Dr. Donner talks about.

21 What strikes me in reading this, Your Honor, primarily
22 what strikes me is not just that Tony comes from a very chaotic
23 family environment, but even more so than that, that there seems
24 to almost be a pathological pattern in his family. No male
25 individual in Tony's family, with the exception of himself, no

1 male individual has ever tried to make anything of himself. And
2 I think when you read through Dr. Donner's report and look at
3 the background, the people that he's associated with in his
4 family, not one of them has ever made any attempt to do anything
5 it
6 legitimate.

7 Dr. Donner points out that Tony has never had any
8 positive role models. And I think that you, when you look at
9 the background that goes really without saying. We have a young
10 man here, Your Honor, who was an unplanned child, who when he
11 was born he had two older brothers and an older sister, all from
12 different fathers. His father was different from his three
13 siblings' fathers. His own father was an alcoholic. His own
14 father left the family when Tony was only, seven years old.

15 Wasn't seen from or heard from again until Tony was about 13 or
16 14, and then died within a couple of years after that. His
17 mother remarried a gentleman by the name of William Ledge, that
18 everybody in the family agrees was an abusive and violent
19 individual with a violent temper. An individual who was
20 fascinated with guns and with violence, and who relayed that to
21 his children.

22 Tony has two older brothers, Your Honor. One of them
23 Reginald, started at a very early age becoming involved in
24 crime. And escalated on up and currently is serving a 60 year
25 sentence in Kentucky for murder. His older brother James got
into, followed sort of Reginald's footsteps and got into

1 committing burglaries and thefts and committed a number of those
2 and ended up, I believe with what was, I believe it was a 15
3 year term at Hagerstown for his involvement in all of his
4 criminal behavior.

it,

5 As a matter of fact, James has just been released from
6 prison after serving 15 years in Hagerstown, and I understand
7 that this young man was so petrified to go back into the
8 community after being institutionalized for so long, was so
9 scared to go back in that two days before his parole date,
10 mandatory parole date he swallowed razor blades and had to have
11 surgery. And it's amazing that there wasn't more injury done to
12 him, but he's out in the community now.

13 Tony's mother, in the report Dr. Donner sites that he
14 interviewed Tony's mother, spoke with her for several hours, and
15 Tony's mother made a point of saying to Dr. Donner that she was
16 hopeful all along that Tony wasn't going to grow up to be like
17 the other two boys, that he would be different and they wouldn't
18 have a bad influence on him. And, of course, that was not true
19 and Tony followed immediately in their footsteps as well.

20 And the records that Dr. Donner refers to shows that at
21 age 11 he was involved in stealing a bicycle, that his brothers
22 had instigated him into doing. And they just escalated on from
23 there, and by the age of, 17 before his 18th birthday he had
24 committed a serious assault, was charged, was waived to adult
25 court, was convicted and was given an eight year sentence in the

1 Division of Corrections at age 17. Tony served that sentence, I
2 understand, four years of that sentence, five years of that
3 sentence. I think it was just shy, Your Honor, of five years in
4 various institutions across the State. And he spent that time
5 incarcerated and then I think this is when a change occurs.

6 I think that something different happens, something
7 different in this family that doesn't follow the pattern, and
8 that's when Tony gets released from prison in 1982. He spends
9 the next four and a half years just prior to this incident, the
10 next four and a half years for change, trying to make something
11 of himself, trying unlike any other person in his family, and
12 certainly unlike his younger years, trying to do something.

13 He comes out of prison, Your Honor, this young man has a
14 ninth grade formal education, got his GED while he was
15 incarcerated. He came out of prison determined to get an
16 education. Just something nobody, which is something nobody in
17 his family had ever done, determined to get an education. He
18 comes out, he starts to work, works many jobs.

19 Dr. Donner on page 5 of his report, and I am not going to
20 list, you know, go through, because I am sure Your Honor has
21 already read them, every job and schooling that Tony attends for
22 the next four and a half years. It's listed on page 5, but Tony
23 starts to go to school. Tony ends up, gets an education, goes
24 to data processing institute to learn computer operations. I do
25 have a certificate here from that institute that I like to

1 present. He attends the Sojourner-Douglass College at a
2 different point in time to study cable administration. I have a
3 letter on behalf of Sister Douglas on his behalf. He attends
4 the community college of Baltimore for several years. He
5 studies for his business administration, then he studies
6 pre-nursing, then goes on a surgical technicians program.

7 During the course of this he's worked in an operating
8 room at Francis Scott Key in a clinical program. And at the
9 same time started doing voluntary work at the emergency room at
10 Union Memorial. While all this is going on he is working a
11 number of jobs to try to put himself through school, often he is
12 working two jobs at once, often he is attending school at night
13 and this young man is really trying. And it is not for four and
14 a half months, it's for four and a half years. And everything
15 seems to be to be going well. And Tony then makes a decision in
16 the end of summer of '86 beginning into summer, beginning of
17 fall of '86, again only a few short months before this incident
18 that he decides that he wants to get out of his environment, and
19 he is going to pursue a career in the military. And he puts
20 everything he has for the next several months, everything into
21 trying to get into the military, into the Army.

22 Now he knows that that's going to be very difficult
23 because of his prior record. But not only does he take the
24 necessary examinations and put in the necessary applications, he
25 spends the next several months going around and trying to get

June 15, 1988

1 recommendations on his behalf to try to convince the Army to
2 waive their requirement of having no prior record and allow him
3 to enlist anyway. And he makes a conscientious effort. Dr.
4 Donner refers to that in his report and, as a matter of fact, I
5 think also on, somewhere around there on page 6 or page 7 he
6 even refers to some of the numerous letters of recommendation
7 that Tony had gotten together to try to get into the Army.

8 And again I am not going to submit all of these to the
9 Court, I have just a few I would like to submit, these are
10 outstanding recommendations. There is a recommendation here
11 from Thomas Hubbard, who was a teacher of Tony's at the
12 Department of Science and Mathematics. There is a
13 recommendation here from the John Cadden, who is a professional,
14 a doctor, who has again an outstanding reference for Tony.
15 There is a recommendation here from Senator Robert Dalton.
16 There is a recommendation here from Glendel Adamson, who was his
17 Parole Agent at the time.

18 All of the recommendations, Your Honor, are extremely
19 positive. Each one of them emphasizes what they feel is Tony's
20 enthusiasm, his resourcefulness and his true commitment to
21 improving his life, to making changes and to live a different
22 kind of life than the one he led before and the one that he's
23 grown up in.

24 Your Honor, he worked very, very hard at getting accepted
25 into the Army and he almost made it. He got to the point in

16
1 October of '86, and now we are talking about a month and a half
2 before this incident occurred, October of '86 to the point of
3 signing his statement of obligations and responsibilities, and
4 he had to convince three commanders, I understand, to waive the
5 requirement of no prior criminal record in order for him to be
6 able to enlist. And he was able to convince two of them, and I
7 am just submitting a letter to the court that shows in October
8 that two of the commanders had already decided that this young
9 man was appropriate for the military, and based on his
10 recommendations and his enthusiasm could come in. And there was
11 one commander who did not sign off on that waiver and Tony was
12 not allowed to go into the service. He was rejected in the
13 middle of October, and that's when this four and a half years of
14 effort all went down the drain.

15 Tony, Your Honor, was living in the environment. He was
16 looking around, he was seeing his cousins, who he was living
17 with at the time, his cousins who, just like the rest of the
18 family, had never pursued anything legitimate. Cousins were
19 involved in drug dealing. Cousins were involved in selling
20 drugs. They didn't do any other kind of work. They made a lot
21 of money, had nice cars, everything's fine, everything; Tony's
22 just a fool, what's he doing working, getting paid minimum wage
23 for these things and none of his efforts are paying off. And
24 Tony gave in to that.

25 And Tony began, and in Dr. Donner's report he refers to

I''''''''••; 2
1 that, but only a couple of months before this incident Tony
2 began selling drugs, and not too long after he began selling
3 drugs he began using drugs. And I think that Dr. Donner talks
4 in his report, says that Tony began freebasing cocaine and it
5 became his whole life. He became freebasing cocaine on a daily
6 basis, that he was unable to pay his bills, not only his
7 legitimate bills, car bills, rent bills, things like that, but
8 illegitimate bills as well, because he was getting this from
9 suppliers and instead of giving them back what he was supposed
10 to be giving back he was using the drugs himself and he wasn't
11 able to supply them with the money he was supposed to.

12 It was a very quick downfall, Your Honor, and I think a
13 very pathetic one, very sad one in retrospect. This young man
14 had come a long way, I believe, and just completely blew it. At
15 that point when he couldn't pay his bills, the legitimate ones
16 and the illegitimate ones he accepted a previous proposition
17 from Kenneth Collins, who is the type of people he became
18 involved with when he became involved in drugs, a proposition
19 that he turned down before.

20 Kenneth Collins was the type of guy who was going around,
21 I understand, committing robberies on his bicycle and had asked
22 Tony before if he would drive for him so that he could have a
23 vehicle. He would be the getaway driver. Tony had always
24 refused to do that, but at this point Tony agreed, Tony gave
25 into that proposition. And Your Honor knows from hearing the

1 trial and the facts relayed what events took place.

2 Your Honor knows that Tony, well, and also we had the
3 benefit of hearing Tony's testimony in the Kenneth Collins case.
4 And I know Your Honor hasn't had the benefit of that, but you
5 did hear the trial and know that when this robbery occurred that
6 as soon as Tony saw a physical altercation taking place between
7 Kenneth Collins and Mr. Breedon, as soon as he saw Mr. Collins
8 hit Mr. Breedon over the head that Tony tried to leave him, came
9 to his senses, he tried to leave him behind. He was petrified.
10 Kenny Collins told him that Mr. Breedon wasn't dead, that he
11 hadn't killed him, that he had only shot him in the backside.
12 It wasn't nothing to worry about. Tony was very worried about
13 it, very concerned.

14 This very next day, I think this says something about
15 Tony, this very next day he went out and applied for a job,
16 which is how he got caught, as Your Honor probably recalls, he
17 was at the car dealership which is where Lieutenant Roller saw
18 his vehicle and saw that it looked like the vehicle that he had
19 seen before. Tony was out the next day trying to get a job,
20 decided I am not going to do this. I can't be involved in this
21 type of thing. Of course, you know he was apprehended and you
22 know that as soon as the detectives came looking for him that
23 Tony on his own went down to the police station and gave a
24 statement that minimized his own involvement but clearly
25 implicated him in this crime.

1 convinced at that point that Tony was, in fact, the shooter and
2 they weren't interested in any kind of negotiations and any kind
3 of discussions and it wasn't pursued.

4 And it wasn't until six months later when some
5 independent evidence became available at, I believe in the form
6 of Andre Thorpe, really that the State was willing then to
7 listen to what Tony had to say. At this point Tony did give the
8 name of Kenny Collins. Tony took a polygraph test and passed it
9 proving that he was being honest. The death notice, of course,
10 was dropped. I just wanted to point out that Tony was willing
11 to provide that information from the beginning, it was not Tony
12 sitting on it and not wanting to tell the truth about it.

13 Your Honor, he has been incarcerated now since December
14 9th of 1986. And as I said, I have known him for over a year
15 and a half. Your Honor, Dr. Donner's reports in his last few
16 pages where he is summarizing, he says the current test results
17 on Tony are that he is a bright, normal intelligence, attention
18 and he indicates that within the last year especially that Tony
19 has been learning to express himself and his genuine feelings of
20 conflicts and remorse for what he's done to others and what he's
21 done to himself.

22 And what Dr. Donner is referring to when he says that is
23 Dr. Donner has had the benefit of seeing a number of writings
24 that Tony has made, letters that he's written to me and just
25 other pieces that he has written and Dr. Donner's had the

1 opportunity to read those and examine those. And I think he has
2 concluded that this young man genuine feels remorse for what
3 he's done to other people. I believe that he is sincerely
4 remorseful for his participation in this. He's relayed that to
5 me many times. I think he's tried to relay that to Sandy, as
6 well, during the course of their working together on the Kenny
7 Collins trial.

8 Your Honor, his family is not here today. It is not a
9 surprise that they are not here today. His sister, however, did
10 write a letter and I would like to give that to the Court and
11 ask the Court to review it. She wrote that letter on behalf of
12 the family, but it does primarily come from her.

13 Your Honor, that letter asks for modification of sentence
14 and, of course, that's not the proper time to address that
15 issue. But what I would like to do is, at this time in light of
16 everything that's been introduced, ask Your Honor to consider a
17 recommendation to Patuxent Institution. Dr. Donner feels in his
18 report, and as I am sure Your Honor has already reviewed, that
19 this young man is an appropriate candidate for Patuxent. That
20 he is likely to respond to the treatment there, that he is
21 likely to respond favorably and per chance can be a success
22 there.

23 Your Honor, I believe that the three criteria that I
24 mentioned to begin with, I do believe that Tony fits those. I
25 believe he has emotional problems that can be treated. I

1 believe strongly that he has a very sincere interest in
2 motivation for treatment. And I believe that he has the
3 potential, I believe he has the potential to turn himself
4 around. I would ask Your Honor based on all the information
5 presented in Dr. Donner's report to request that he be evaluated
6 by Patuxent so they can determine his eligibility.

7 THE COURT: Mr. Michie, is there anything you like
8 to say to me before I sentence you?

9 DEFENDANT: Yes, sir. I don't think that I could,
10 you know, say anything, you know, verbatim from the top of my
11 head or remember everything that I would like to say so what I
12 did I wrote an allocution and if I can read it.

13 THE COURT: Sure.

14 DEFENDANT: Today I sit here in front of the court
15 and public, loved ones and the family of innocent victim who
16 lost his life to cruel person who had no regard for life aside
17 from maybe his own. In an attempt to say something that will
18 justify why I was involved with such a person I am, on that
19 dreadful night Mr. Breedon was so dreadfully snatched away from
20 us. I do not possess any magical words that could even come
21 close to justifying anything with such magnitude, as of
22 someone's life. So what can I say?

23 I won't say that I am sorry because sorry I feel would be
24 an ugly word to use today or have as an expression of regret for
25 what has happened. Sorry also tends to in many instances to

1 serve as defense for some people when they realize they have
2 sinned; however, I will never feel that an I am sorry expression
3 will ever depict the true sense of regret I actually feel for
4 what has happened. Nor could I ever use the word as a form of
5 defense consciously or unconsciously for the role I played
6 because I have learned to accept my guilt instead of trying to
7 defense my, place the blame somewhere else. I believe that in
8 accepting my guilt, acknowledge that it belongs to me alone, is
9 the healthiest, positive attitude I could have developed.

10 All of us will engage many times during our lives in an
11 act we know to be morally wrong and when we do the heathy
12 response is guilt in an appropriate quantity and quality to be;
13 therefore, accepting my guilt is helpful, it encourages me from
14 repeating the same or similar acts again. It leads to remorse
15 instead of the hatred of others, of myself. I really believe
16 that there is merit in the pain and heart that does not shy away
17 from the unscrupulous depth to which this soul has sank. I
18 could not be a human being without acquiring capacity for guilt,
19 therefore, as a human being I accepting of my guilt allows me to
20 grow, as I have freely done these past 16, 17 months of
21 incarceration to show that I am sorry rather than to say it.

22 THE COURT: All right. Is there anything else that
23 you'd like to say other than that?

24 DEFENDANT: No, sir.

25 THE COURT: All right. Miss Williams, is there

1 anything you want to say?

2 MS. WILLIAMS: Your Honor, just that, as you know
3 the basis of the plea agreement was that the State would
4 recommend 30 years on the charge of second degree murder and 10
5 years consecutive to the handgun charge should the Defendant
6 testify truthfully, accurately and completely at the trial of
7 Kenny Collins. I would indicate to the Court that, as Mrs.
8 O'Donnell said, the Defendant did, I believe, just that in seven
9 hours of testimony against Mr. Collins.

10 THE COURT: There is no question that this case is
11 a tragedy. It was a tragedy and is a tragedy and will remain a
12 tragedy for all the days of the Breedon family. Their husband,
13 son, father was killed so senselessly for \$80. A productive
14 member of our community was snatched away for no real reason.
15 It's also a tragedy for Mr. Michie. One can't help but think
16 how sad it is that a person with his abilities has gotten
17 himself to this point in life in the status that he's in; it's
18 just a shame.

19 It's interesting to me that the courtroom is almost
20 empty. It's interesting because the public and the press
21 decries plea bargaining, says how horrible it is. And here is
22 an example of exactly how plea bargaining should work. Here is
23 an example of exactly what should happen and why plea bargaining
24 is important and necessary and good and beneficial to society,
25 to the justice system. This is a perfect example of that.

1 As a result of the plea bargain in this case a murderer,
2 a killer, Kenny Collins, has been brought to justice. Without
3 that plea bargain it's doubtful that that would have been, would
4 have happened. At the same time Mr. Michie, who undoubtedly
5 bears, as he recognizes, responsibility for Mr. Breedon's death
6 is also brought to justice.

7 On the other hand, Mr. Michie gets the benefit of the
8 bargain. When this case was tried in August it resulted in a
9 hung jury with a vote of eleven to one for conviction. There
10 was no doubt in my mind that another jury, absent the one juror
11 who, in fact, committed misconduct while serving on the jury,
12 the one juror who voted for an acquittal, who lied to the court
13 in voir dire, that absent that one juror Mr. Michie would have
14 been convicted of first degree murder. And there was virtually
15 no doubt in my mind that on retrial that would have been the
16 result.

17 So what happens is two attorneys for the State and for
18 the defense realized that there is from the defense standpoint a
19 goal to be gained, avoid the first degree murder conviction,
20 with a possible consecutive sentence, a situation which will
21 require a Governor's pardon before he could be paroled
22 situation, which would mean that he in all likelihood with his
23 his record would spend the rest of his life in prison. And the
24 attorney tried and saw that it was in her client's interest to
25 avoid that.

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1 the recommendation is the history that's provided to me in his
2 report, and it's extensive. And it was helpful and I appreciate
3 having it. I think Mr. Michie deserves to be evaluated at
4 Patuxent and I intend to recommend that he be evaluated. I
5 don't control whether he is incarcerated there or not. And it's
6 up to the Division of Correction, but I am going to recommend
7 that he be evaluated there because I think he deserves to be.
8 And hopefully he will benefit if he is accepted by that because
9 I'd sure like to have at some point after the punishment I'd
10 like to be able, if Mr. Michie is out on the street to see that
11 he can fulfill his potential. The potential that is, that up to
12 this point has been wasted. And it's a shame, it's a loss to
13 him and to all of us.

14 Sentence of the court in regard to the second degree
15 murder conviction which, as you will remember, is both in Count
16 One and in the amended additional charge, Count Seven, is 30
17 years to the Division of Correction. In regard to the Second
18 Count, the sentence of the court is ten years, that's the
19 handgun violation, ten years to the Division of Correction,
20 consecutive with the sentence imposed in the First and Seventh
21 Counts. And the Clerk is going to have to note that the First
22 and Seventh Counts are identical. They charge the identical
23 offense of second degree murder, but I want that commitment to
24 show that I am sentencing on both those counts to 30 years.

25 And the reason why we are doing it this way is to avoid

1 possible, we discussed this at length at the time of the taking
2 of the plea. I think the record will be clear as to why we are
3 approaching it in this fashion. I will recommend and ask that
4 the commitment contain the Court's recommendation for evaluation
5 at Patuxent Institution.

6 Miss Williams, I am going to need guidelines.

7 MS. WILLIAMS: Your Honor, I have them in my other
8 file.

9 THE COURT: If you can supply them.

10 MS. WILLIAMS: I will send them down to your
11 chambers.

12 THE COURT: That will be fine. Mr. Michie, you
13 have 30 days to file an appeal to the Court of Special Appeals,
14 if you think some legal mistake was made in your case. You have
15 90 days to ask me to reduce or modify your sentence. You have
16 30 days to ask a three judge panel to review your sentence.
17 Those three judges would not include me. They would be three
18 other judges. There is a danger in doing that, however, because
19 once you ask for a three judge panel to review your sentence
20 those judges can leave the sentence the same, they can decrease
21 the sentence, but they can also increase the sentence, and in
22 this case they could increase it by ten years.

23 So that's something once you ask for you are kind of
24 rolling the dice, whatever happens happens. If you want to do
25 any of those three things they must be done in writing within

1 the time periods that I have mentioned. I am sure if you were
2 to relay that information to Miss O'Donnell she would be glad to
3 do what she can for you in that regard. Do you understand your
4 rights?

5 DEFENDANT: Yes, sir. Yes, I do.

6 THE COURT: That concludes the case.

7 MS. O'DONNELL: Your Honor, just so the record is
8 clear, also, Mr. Michie has been incarcerated since December
9 9th, 1986.

10 THE COURT: He will get credit for all the time
11 that he served.

12 MS. O'DONNELL: Thank you, very much, Your Honor.

13 THE COURT: You are welcome.

14 MS. CHAPPELL: Thank you.

15 MS. WILLIAMS: Thank you, Your Honor.

16 THE COURT: You are welcome.

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18 C O N C L U S I O N

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STATE OF MARYLAND * IN THE
vs. * CIRCUIT COURT
TONY MICKIE * FOR
CASE NO. 87 CR 0100 * BALTIMORE COUNTY

* * * * *

MOTION FOR REDUCTION OF SENTENCE

Defendant, Tony Michie, by his attorneys, Katy C. O'Donnell and Patricia L. Chappell, Assistant Public Defenders, moves this Honorable Court to reduce, modify, and/or strike the sentence imposed and for reasons states the following:

1. That on November 18, 1987, the defendant appeared before the Honorable Dana M. Levitz of the Circuit Court of Baltimore County pursuant to the above-captioned matter.

2. At that time, the defendant entered a plea of guilty to Murder in the Second degree and Use of a Handgun in the Commission of a Felony or Crime of Violence pursuant to a binding plea agreement wherein the defendant agreed to testify truthfully and accurately as a witness for the State against the Co-Defendant, Kenneth Collins in Case Number 37 CR 3963 and in exchange, the State agreed to recommend, and the Court agreed to impose, a sentence of thirty years to the Division of Correction on the charge of Murder in the Second Degree and ten years consecutive on the charge of Use of a Handgun in the Commission of a

Felony or Crime of Violence. The Court further agreed as part of the binding plea agreement to consider a modification of the sentence imposed and to hold a modification hearing upon the request of the defendant. The ¹⁰full text of the "Memorandum of Plea Negotiations" is attached and hereby incorporated as a part of this motion.

3. On March 21, 1988 and March 22, 1988 the defendant did in fact testify truthfully and accurately as a witness for the State in its prosecution of Kenneth Collins, providing over seven hours worth of testimony. Mr. Collins was subsequently found guilty of First Degree Premeditated Murder and sentenced to death.

4. On **June** 15, 1988, the defendant again appeared before the Honorable Dana M. Levitz for sentencing in the above-captioned matter. At that time, pursuant to the binding plea-agreement, the Court imposed a sentence of thirty years on the charge of Second Degree Murder and ten years consecutive on the charge of Use of a Handgun in the Commission of a Felony or Crime of Violence. The Court additionally, made an affirmative recommendation that the defendant be evaluated for admission into Patuxent Institution."

5. At the time of sentencing, various written materials were introduced on behalf of the defendant,

including a lengthy psychological evaluation prepared by Lawrence Donner, Ph.D. The evaluation in full is attached and hereby incorporated as a part of this motion.

6. Dr. Donner¹'s evaluation indicates that the defendant was the product of a chaotic family environment in which he was exposed repeatedly to various negative male role models. As a result, the defendant was influenced by family members to participate in criminal activity at a very young age. By the age of seventeen, the defendant had been convicted as an adult of a serious assault and given an eight year sentence to the Division of Correction.

7. The defendant was incarcerated for a period of five years during which time he obtained his GED.

8. Upon release from incarceration, the defendant was determined to continue his education and make a better life for **himself** - - Consequently, for the next four years, the defendant dedicated himself to various courses **of "Study"**. The defendant attended the Data Processing Institute, Sojourner Douglas College and the Community College of Baltimore, **studying computer** operations, cable television administration and business administration. He eventually entered a pre-nursing and surgical technician's program and was involved in clinical work in the operating room at

Francis Scott Key Hospital and in volunteer work at the Emergency Room *nt* Union Memorial Hospital.

9. Dr. Donner's report indicates that during the course of his studies, the defendant was consistently employed, often working two jobs to obtain the money to attend school.

10. Dr. Donner's report **further** indicates that in the summer/fall of 1986, only several months before the present offense occurred, the defendant decided to embark upon a career in the military and made a truly concerted effort to gain acceptance into the Army National Guard. At the time of sentencing, defendant's attorney introduced a number of letters of reference written on the defendant's behalf which emphasized the defendant's motivation, resourcefulness and sincere commitment to bettering himself. Despite the defendant's efforts in October, 1986, he was denied acceptance into the military on the basis of his prior criminal record.

11.. Dr. Donner surmises that the defendant took this rejection extremely hard and at this point, succumbed to the pressure of his peers and his male relatives to "enjoy the fast life." Dr. Donner states that the defendant's "ultimate downfall" was that he began free basing cocaine and after only a short period of time, was using drugs on a daily basis. Eventually,

when he was unable to meet his financial obligations, the defendant accepted an earlier proposal from Kenneth Collins to participate as a getaway driver in the commission of a robbery which Mr. Collins was to ^{it*-}perpetrate.

12. The defendant was not the gunman in this offense and never intended any physical harm to come to the victim. In fact, after witnessing the beginning of a physical altercation between the victim and Mr. Collins, the defendant tried to flee from the scene and leave Mr. Collins behind. The defendant did not know that the victim had actually been killed until homicide detectives attempted to contact him.

13. Upon learning that homicide detectives were looking for him, the defendant voluntarily went to the police station and provided police with both an oral and written statement implicating himself in this offense. _____

14. Following his arrest, the defendant again, contacted homicide detectives and told them that he did not kill the man, that it was not supposed to happen, that he felt sorry for the victim's wife and was full of remorse and that he wanted to tell the true story.

15. Within days of his arrest, the defendant, through counsel, offered to provide the State with the name and address of the shooter, however, the State

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refused any negotiations at that time.

16. Later, when independent evidence convinced the State that the defendant was not the gunman., the defendant was able to provide, the name of Kenneth Collins. The defendant was subsequently given a polygraph test which indicated he was telling the truth. The defendant then accompanied police to show them where Mr. Collins lived and where Mr. Collins had disposed of the gun used in this offense.

17. Dr. Donner expresses in his report that the defendant experiences "genuine feelings, conflicts and remorse" for what he has done.

18. Dr. Donner concludes in recommending in his report that the defendant be evaluated for admission into Patuxent Institution and states that the defendant is "likely to respond favorably" to the programs and services that Patuxent can provide.

19. The defendant has made application for admission into Patuxent Institution and defendant's attorney has received written notification from Arnold Hopkins, the Commissioner of the Division of Correction, that the defendant has been approved for a transfer to Patuxent for the purpose of an evaluation and that he is presently on a list awaiting available bed space.

20. The evaluation process for admittance into

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Patuxent Institution is a lengthy one, often taking up to six months before a final decision regarding acceptance is rendered.

21. Upon completion of, ~~the~~ evaluation process, defendant's attorney will ^{• kg.} inform this Court whether defendant's request for admittance into Patuxent Institution has been granted or denied.

22. The defendant is extremely remorseful for his conduct and earnestly desires to prove to this Court that in time with assistance from a therapeutic program, he has the ability to rehabilitate himself and become a productive and law abiding member of the community.

23- . • In light of all of the circumstances presented above, the defendant believes that while a period of time away from the community is both necessary and appropriate, the sentence imposed in this case is excessive and not in the best interest of the defendant or of society. • . .

24. The sentencing guidelines submitted by the State in this case were computed correctly and called for a sentence within th* range of twenty to thirty years incarceration. • .

WHEREFORE, the defendant respectfully requests that this Honorable Court:

A. Grant a hearing on this motion at the time that

defendant's attorney is able to inform this Court whether the defendant's request for admittance into Patuxent Institution has been accepted or denied.

3. Modify, reduce, and/or strike the defendant's sentence in accordance with this Motion.- and

C. Grant any **further** relief the court deems appropriate.

Respectfully submitted,

Katy C. O'Donnell
Assistant Public Defender
500 Virginia Avenue
Towson, Maryland 21204
321-2990

Patricia L. Chappell
Patricia L. Chappell
Assistant Public Defender
500 Virginia Avenue
Towson, Maryland 21204
321-3683

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Motion for Reduction of Sentence was delivered to the Office of the State's Attorney for Baltimore County, County Courts Building, 401 Bosley Avenue, Towson, Maryland 21204 this 13th day of September, 1988.

Katy C. O'Donnell
Assistant Public Defender

University of Maryland Eastern Shore

By virtue of the authority granted by Charter of the
State of Maryland and the Board of Regents of the
University of Maryland System, and in recognition of the
successful completion of the requisite course of study and
on nomination of the faculty
hereby confers upon

Tony Michie

the degree of

Bachelor of General Studies
Summa Cum Laude

with all the honors, rights, and privileges thereunto appertaining.

In witness whereof this Diploma, signed by the authorized officers
of the University and sealed with the corporate seal of the University, is granted.
Given at the University of Maryland Eastern Shore on the twentyfirst of April
in the year nineteen hundred ninety five



George V. McGowan
Chairman, Board of Regents

Donald H. Langenberg
President, University of Maryland System

William B. ...
President, University of Maryland Eastern Shore

UNIVERSITY OF MARYLAND EASTERN SHORE



Certificate of Academic Achievement

Presented To

Tony Michie

*This Twenty-sixth class of 1995
at the 6th Annual Honors Convocation*

Miriam R. Showell

Department Chair

Mortimer Mansfield

Acting Vice President for Academic Affairs

m



UNIVERSITY OF MARYLAND EASTERN SHORE

OFFICE OF THE
ASSISTANT DIRECTOR FOR CONTINUING EDUCATION

BIRD HALL, 3RD FLOOR
PRINCESS ANNE, MARYLAND 21853-1299

CAMPUS: (301) 651-2200
FAX: (301) 651-2270

TO WHOM IT MAY CONCERN:

This letter is in reference to the good character of Mr. Tony Michie. During Mr. Michie's matriculation at the University of Maryland Eastern Shore (UMES), he has distinguished himself not only in academics, but also as a person who has grown tremendously. Consequently, I am more than willing to speak on Mr. Michie's behalf.

Mr. Michie has been a perennial UMSS dean's list student; his overall grade point average is (4.0). He has also shown great personal growth. For example, Tony co-founded the UMES/ECI Freedom's Journal Newsletter, the first of its kind. He also participated in several tutoring projects, demonstrating a strong sense of fair play and willingness to help others.

I have been acquainted with Mr. Michie for approximately (4.) years, and during that time, I have witnessed a good person become an even better individual. It is said that the road to success is always under construction; provided Tony always bears this in mind, I foresee only further progress for him.

Yours truly,

A handwritten signature in cursive script that reads "Alrethia McClees".

Alrethia McClees
Alrethia McClees
Assistant Director
Office of Continuing Education

cc: Tony Michie

R

Mr. Tony Michie

C/O Alrethia McClees
UMES Campus, MD 21853

Mr. Tony Michie
C/O Alrethia McClees
UMES Campus, MD 21853

11/09/61

217-90-9138

**** TRANSFER CREDIT ****

Undergraduate Transfer Credit

COMM COLLEGE OF BALTIMORE 01/84 - 08/93

BIO 111	ANATOMY & PHYSIOL	2.00	\$
SOC 101	INTRO TO SOCIOLOGY	3.00	#
BIO 109	MICROBIOLOGY	2.00	#
CHE 103	ALLIED HEALTH CHEM	3.00	#
ORT 101	OPERATING TECHNIQ	3.00	#
ORT 102	OPER RM CLIN PRACTICE	2.00	#
100	INTRO TO BUSINESS	3.00	#
101	GENERAL BIOLOGY	3.00	#
Phil 101	PHILOSOPHY	3.00	#
PSY 101	INTRO PSYCHOLOGY	3.00	#
INSTITUTIONAL TOTAL :		27.00	

**** UNDERGRADUATE RECORDS ****

Spring 1991 - Eastern Shore

MAJOR: General Studies

HIST101	HIST APPR TO WEST CIV I	3.00	A
ENGL101	BASIC COMPOSITION I	3.00	A
ENVS101	INTRO TO ENVRNMNTL SCI	3.00	A
MATH102	SURV. OF COLL. MATH.	3.00	A
GPA ATT ERN QPTS			
SEMESTER	4.000 12.00 12.00 48.00		
CUMULATIVE	4.000 12.00 12.00 48.00		

Fall 1991 - Eastern Shore

MAJOR: General Studies

BICL101	THEORY 8, APPL BIOL SCI	3.00	A
ENGL102	BASIC COMPOSITION II	3.00	A
HIST102	HIST APPR TO WEST CIV II	3.00	A
ENGL103	FUND OF CNTMPRY SPEECH	3.00	A
GPA ATT ERN QPTS			
SEMESTER	4.000 12.00 12.00 48.00		
CUMULATIVE	4.000 24.00 24.00 96.00		

Spring 1992 - Eastern Shore

MAJOR: General Studies

HUMA201	INTRO TO THE HUMAN I	3.00	A
HUMA202	INTRO TO THE HUMAN II	3.00	A
PSYC200	INTRO TO PSYCHOLOGY I	3.00	A
SOCI101	INTRODUCTIN TO SOCIOLOGY	3.00	A
GPA ATT ERN QPTS			
SEMESTER	4.000 12.00 12.00 48.00		
CUMULATIVE	4.000 36.00 36.00 144.00		

Fall 1992 - Eastern Shore

MAJOR: General Studies

ENGL305	TECHNICAL WRITING	3.00	A
HIST333	AFRO-AMERICAN HISTORY	3.00	A
SOC1201	SOCIAL PROBLEMS	3.00	A
BUS1261	PRIN OF ACCOUNTING I	3.00	A
GPA ATT ERN QPTS			
SEMESTER	4.000 12.00 12.00 48.00		
CUMULATIVE	4.000 48.00 48.00 192.00		

Spring 1993 - Eastern Shore

MAJOR: General Studies

ARTS211	ART HISTORY I	3.00	A
HIST201	HIST OF AMERICN CIVILI I	3.00	A
GEOG201	GEOGRAPHY	4.00	A
HUMA301	INTRO TO THE HUMAN III	3.00	A
GPA ATT ERN QPTS			
SEMESTER	4.000 13.00 13.00 52.00		
CUMULATIVE	4.000 61.00 61.00 244.00		

Fall 1993 - Eastern Shore

MAJOR: General Studies

MATH109	COLLEGE ALGEBRA	3.00	A
SOC1430	THE BLACK FAMILY	3.00	A
ECON201	PRIN OF ECONOMICS I	3.00	A
SOCI331	AMERICAN MINORITY GROUPS	3.00	A
GPA ATT ERN QPTS			
SEMESTER	4.000 12.00 12.00 48.00		
CUMULATIVE	4.000 73.00 73.00 292.00		

Spring 1994 - Eastern Shore

MAJOR: General Studies

SOCI326	SOCIAL PSYCHOLOGY	3.00	A
BUS1346	SMALL BUS MGT 4 ENTREPRE	3.00	A
SOC1422	MARRIAGE AND FAMILY LIFE	3.00	A
SOCI306	SOCIALIZATION	3.00	A
GPA ATT ERN QPTS			
SEMESTER	4.000 12.00 12.00 48.00		
CUMULATIVE	4.000 85.00 85.00 340.00		

Fall 1994 - Eastern Shore

MAJOR: General Studies

SOC1303	INEQUALITY IN AMERICA	3.00	A
SOC1221	RESRCH MTHDS IN BEHVR SC	3.00	A
POL1200	INTRO TO AMERICN GOVERNMENT	3.00	A
ENGL353	ETHICS IN COMMUNICATIONS	3.00	A
ENGL499A	INDEPENDENT RESEARCH	3.00	A
GPA ATT ERN QPTS			
SEMESTER	4.000 12.00 12.00 48.00		
CUMULATIVE	4.000 97.00 97.00 388.00		

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06/14/95

Mr. Tony Michie

C/O Alrethia McClees
UHES Campus, MO 21853

Mr. Tony Michie
C/O Alrethia McClees
UMES Campus, MD 21853

11/09/61 217-90-9138

Spring 1995 - Eastern Shore

MAJOR: General Studies

SOCI222	STATIS MTHD IN 8EHV SCNC	3.00	A
ECON304	ECON OF BLACK AMERICA	3.00	A
MATH110	TRIG AND ANALYTIC GEOMET	3.00	B
SOCI360	SOCIAL GERONTOLOGY	3.00	A
ENGL499A	INDEPENDENT RESEARCH	3.00	A

	GPA	ATT	ERN	QPTS
SEMESTER	3.800	15.00	15.00	57.00
CUMULATIVE	3.973	112.00	112.00	445.00

UNIV. OF MD. (UGRAD) CUM TOTALS:

GPA	ATT	ERN	QPTS	
3.973	112.00	112.00	445.00	
TOTAL TRANSFER CREDITS:				27.00
TOTAL INSTITUTIONAL CREDITS:				0.00
TOTAL CREDITS TOWARD DEGREE:				139.00

*** ** END OF RECORD *** **



JOSEPH L. SHILLING
STATE SUPERINTENDENT

SPECIAL EDUCATION TTY 333-Zees'
VOC - REHABILITATION TTY 533-830X
FOR DEAF ONLY

RICHARD BATTERTON
ASST. DEPUTY STATE SUPERINTENDENT

DIRECTOR of COMMUNITY EDUCATION

MARYLAND STATE DEPARTMENT OF EDUCATION
BUREAU OF VOCATIONAL REHABILITATION
AND CORRECTIONAL EDUCATION
Eastern Correctional Institution
30420 Revell's Neck Road
Westover, Maryland 21871-9799

May 28, 1992

Dear Mr. Michie:

This letter is to commend you for your efforts to **promote**, Adult Literacy within our school.

Your advocacy and selfless efforts to promote adult literacy are known to me; therefore, I commend you for your unstinting desire to assist those individuals of your community who are academically less fortunate and needy.

You have been very helpful to the West Compound's Education Department, and we thank you for your time and assistance.

Keep up the good work!

Yours truly,

Tom Miller

Tom Miller
Principal - West

TPM/tm/llb

cc: T. Michie
File



THE UNIVERSITY OF MARYLAND EASTERN SHORE

DEPARTMENT OF SOCIAL SCIENCES

BANNEKERHALL
PRINCESS ANNE, MARYLAND 21853-1299

Si-

CAMPUS: (410)651-6585
FAX: (410)651-6105

January 4, 1996

TO WHOM IT MAY CONCERN:

The purpose of this letter is to relate my impression of Mr. Tony Michie with hopes that it will favorably impact on his parole consideration.

I have known Mr. Michie for several years. From June 1989 to June 1991, I served as Warden, Eastern Correctional Institution (ECI). Prior to my accepting the warden position, I spent thirty years in the U.S. Army and retired in the grade of Brigadier General. In 1991, upon leaving ECI, I became the Director of the Criminal Justice Program at the University of Maryland Eastern Shore.

My background is such that I feel very comfortable commenting on Mr. Michie's demonstrated performance and potential. As you are probably aware, in May 1995, he was awarded a Bachelor of General Studies degree. He demonstrated the ability to meet degree requirements, but perhaps more importantly, he exhibited the requisite determination to complete the course under less than optimum circumstances.

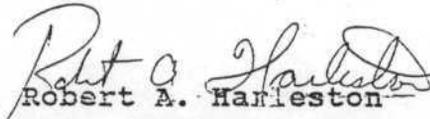
Each semester, I take students; enrolled in a Law of Corrections course here at the University to ECI to participate in a corrections - related forum. Mr. Michie has participated in those forums and his contribution reflected a positive attitude. It is clear that he accepts responsibility for past mistakes and is determined to "start a new life". I am confident that he has what it takes to succeed.

January 4, 1996
Page two

Lastly, I recently reviewed the results of studies which reflect a drastic reduction in recidivism among inmates who received a college degree while incarcerated.

Please feel free to contact me at (410) 651-6578 if I can be of further assistance.

Sincerely,



~~Robert A. Harleston~~

B.G. (RET) U.S. Army
Director, Criminal Justice
Program
University of Maryland Eastern
Shore ;

RAH:sb



186 ROUTE 9W • NEW WINDSOR, NEW YORK 12553 • (914) 562-8350

This is to certify that

EASTERN CORRECTIONAL INSTITUTION WEST CHESS CLUB

P6014543

is an Affiliate of the United States Chess Federation and is entitled to all the privileges thereof, including that of conducting nationally-rated events.

This certificate expires:

JANUARY 1999

USCF National Office

C O N S T I T U T I O N
O F
E C X - W C H E S S C L U B

ARTICLE I - Organization Name

SECTION I

The name of this organization shall be "ECI-W Chess Club."

ARTICLE II - Membership

SECTION I

Membership may be conferred upon an individual in general population on the West compound of SCI who exhibits an interest in playing chess.

SECTION II

No member of this club shall contract for or incur any debt or enter into any agreement or otherwise obligate this club.

SECTION III

- a. Members are required to pay club dues. Club dues are **defined** in the Bylaws.
- b. **Members** are required to pay United States Chess federation (USCF) annual membership dues. Federation dues are defined in the Bylaws.

ARTICLE III - Government

SECTION I

The government of this club shall be vested in the executive board, Constitution and Bylaws, **subject** to the will of the members, and all policies, rules, and regulations of the Division of Corrections (DOC), Eastern Correctional Institution (ECI), and the DSCP.

SECTION - II

- a. The executive board shall consist of club president, vice president, treasurer, membership secretary, and tournament coordinator. These officers shall serve at the will of the membership and are **subordinate** to the **membership**. They shall be **alactad** and serve in accordance with the Bylaws.

SBCTIOH III ^ Duties of -Officera

- a. It is the duty of the club president to call zhs meeting to order at the appointed ti:ne, to preside at all meetings, to announce the business before the club in it3 proper order, to state and put **all** qusstiens properly brought before the club, to preserve order and decorum, and to decide all questions of order (subject to an appeal). He shall be the official representative cf the club to the 3CI administration and the USCF. It is the duty of the president t» perform those duties further described in the 3ylaws.
- b. in the **absence** of the club **president**, the club vice-president presides and **performs** the duties of president. If the vice-president La not willing ho perform the duties of the president during his abs-snea or ;*hen ciccu.T»3tano3:3 aa'sa **It necessary** to **assume** the **presidency**, the **vice-president should** resign froa tha office. It is the **duty** of the vica-president to head **inportant** committees or share in **supervising committees**, **aa** outlined in the **Bylaws** or by th3 **president** of the club.
- c. ?ho club membership **secretary** shall **keep** a **record** of all proceedings. Ha shall record svsvry **resolution** or .-motion that ia adopted. He shall have tha **suatod/** of all papers **belonging** to the **slab**, not **especially** **under** charge of any other officer. He shall **maintain** i list cf all **officers**, board aie.ahers, and **general** .n^nh^rship. He shall notify all **aaabers** of aeatings, conduct correspondence as **directed**, >-ead i.aportant correspondence or the list of it at **meetings**. **^Ia** shall be responsible for continuous proiaotion of tha club to outside **organizations** and **groups**. He shall be responsible for pertinent on new **meo&ers** and an/ **other** **information** requestad by a.n/ aieraber. He shall be responsible for **submitting** count-outs in a timely **manner**. He shall **be** responsible **for** the coordination of tha preparation of all relevant **reports** to DOC, SCI, and USC?. He shall **perfora** other duties **as** spacifiad **In** the Bylaws or by the president of the club.

SECTION II

A vacancy on the executive board shall be filled in accordance with the Bylaws.

ARTICLE V - Meetings

SECTION I

The general club membership shall meet in accordance with provisions of the Bylaws and all policies, rules and regulations of the DOC, SCI, and USCF. Twenty-five percent (25%) of the total membership constitute a quorum of said Group.

SECTION II

The executive board shall meet in accordance with provisions of the Bylaws and all policies, rules and regulations of the DOC, SCI, and USCF. Three board members present constitute a quorum.

SECTION III

Special meetings of the board may be called at the request of the president or the request of two (2) board members.

ARTICLE VI - Amendments

SECTION I

This Constitution may not be amended except by a two-thirds (2/3) vote of the total membership provided written notice of said amendment has been given to each member at least ten (10) days prior thereto.

- d. The club treasurer shall be responsible for maintaining records of club finances. He shall act as a banker, holding the funds deposited with him, and paying them out on the order of the club signed by the members of the Audit Committee in accordance with the Bylaws. He shall submit an annual report consisting of a statement of the amount on hand at the commencement of the year, the amount received during the year (starting from what source received), the total amount paid out by order of the club, and the balance, on hand. The treasurer shall perform other duties as specified in the Bylaws or by the president of the Group.
- e. The club tournament coordinator shall be responsible for all aspects of tournament play. He shall be responsible for actively communicating with outside sources regarding the scheduling of tournaments at the club. He shall maintain contact with the USC in an attempt to obtain current information regarding tournaments throughout the country and any changes in tournament rules. He shall perform further duties as may be specified in the Bylaw or by the president of the club.*

SECTION-IV

- a. Robert's Rules of Order shall govern all business meetings.
- b. United States Chess Federation, FIDE interpretation, rules shall govern all chess matches and tournaments.

SECTION-V

The executive board member may be removed from office only in accordance with the provisions of the Bylaws.

SECTION-VI

The executive board may establish standing committees. The standing committees are responsible for the furtherance of various club activities and programs and shall function throughout the year.

ARTICLE IV - Elections

SECTION-I

Election for the executive board shall be in accordance with the provisions of the Bylaws.

DOCUMENT OS* OPERATIONS

- A. **NAMES** ECI-tf Chess Club
- B. **PURPOSE OF GROUP:** The development and expansion of analytical skills through the opportunity for beginners to improve skills and the more experienced to develop skills through play with more advanced players.
- C. **STATEMENT OF NECESSITY*** The club will benefit the general population as an outlet for learning and enhancing skills through competitive playing of chess.
- D. **PERSONS INTERESTED IN FORMING GROUP:** Andrew Ford, Sr., Tony Melchie, Paul Penwick, Maurice Morgan
- E. **PROJECTED MEMBERSHIP SIZE:** As stated in applicable OCOs
- F. **REQUIREMENTS FOR MEMBERSHIP:** Open to individuals in general population on West compound exhibiting interest in **chess***
- G. **FREQUENCY AND PURPOSE OF MEETINGS:** Weekly, on day and time conducive to space and Institutional requirements. Meets for the purpose of playing chess, developing strategies, and preparing for tournament play.
- H. **SPECIAL EVENTS AND PROJECTS:** **Periodic** events **designed** for purposes other than general club **meetings**. May include **monthly** tournaments, semiannual, and annual tournaments **involving** attendance of outside guests. The club represents SCI-V7 in any Invitational tournaments on this location. All events and projects **will be in accordance with existing** Division of Correction and SCI rules and regulations.
- I. **STATEMENT OF FINANCIAL REQUIREMENTS:** The club will have a treasurer who will be responsible **for maintaining** records of club finances. Funds **will** come from donations of members, membership dues, charitable grants and/or outside donations from interested parties and/or sponsors. All financial activities shall be conducted in accordance with existing Division of Correction **and** KCI rules and regulations.
- J. **LEADERSHIP STRUCTURE:** An executive board consisting of Club president, vice president, treasurer, membership secretary, and tournament coordinator, function of officers as indicated in the attached Constitution.
- K. **STIPEND FOR VOLUNTEERS:** As needed for tournaments.
- L. **SUGGESTED STAFF ADVISOR:**
- M. **CONSTITUTION AND BYLAWS:** Proposed constitution and bylaws are attached.

To: Assistant T<<arden R. V. Logan
Fran: Tony Michie #192-%5 
Chairman ^-noking Cessation
Associate Coordinator Youth Awareness Program
Object: Synopsis of Youth Awareness' Participation at
^Toking Cessation
Date: October 10, 1997

Recently, the Youth Awareness Program participated in a smoking cessation secession located in the multipurpose room of the gymnasium. The session began with a brief explanation of a video shown called "Death In The West," a 1975 documentary about a group of cowboys ("Malboro Men") who had all developed illnesses, such as emphysema and cancer, as a result of smoking cigarettes. In addition, the video also contained interviews of some of America's biggest industry leaders in tobacco rationalizing why nothing was wrong with smoking cigarettes.

After the brief explanation setting-up the video, the Youth Awareness participants settled in to watch the video. As a smoking cessation facilitator, I observed a good number of the youth paying close attention to the video. In fact, many of the asides going on during the showing of the video were directly related to cigarette smoking and the affects it has on health.

a.

After the showing of the video, some of the youth participants had a few questions, which I answered to the best of my ability. For example, one question was: "Is cancer already in your body or is it caused by smoking cigarettes?" I answered based on American Cancer Society information, on what I learned in a Anatomy and Physiology college course, and on information gleaned from newspaper articles that cancer is an auto-immune disease, which means the body's own immune system attacks itself, and is caused in many cases by the chemicals found in tobacco. I informed the Youth Awareness participants, in response to another question regarding what made cigarettes addictive, that the nicotine in tobacco affected the brain in very similar ways that cocaine affects the brain - by mimicking a particular brain chemical that causes the release of the neurotransmitter L-dopamine into the synaptic cleft. Furthermore, I told the participants that according to a, then, recent Baltimore Sun article ... tobacco is processed using the same method used to process "crack" cocaine - with ammonia to boost the affects of the nicotine the same as it boosts the "high" of cocaine. That bit of quasi-scientific information seemed to pique their interest even more; however, time had run out. As the youth were leaving, many of them thanked me for showing the video and telling them about the dangers of smoking. I must say the experience was gratifying.

However, the experience was not gratifying for any vain glorious reason ... but because my belief was confirmed that young African-American youth are intelligent. Too often we fall into the incorrect thinking of equating intelligence with degrees and book learning. This sort of thinking results in many of us treating our youth with low expectations and demanding less from them academically. ~~Then~~ In reality, intelligence is about so much more than just what you've done. It's about what you can do ... it's about making the decision to realize your full potential. The young people involved in

the Youth Awareness Program are like sponges; they will soak up more information than given credit for if it is presented properly and with respect for their intelligence.

My overall impression of Youth Awareness participants during the smoking cessation session was that they were very attentive, although in youthful way, posed questions that demonstrated that they were listening, and possess enormous potential to become assets to the greater society if provided with positive structure.

cc: File

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To: Assistant Warden R. Logan
From: Tony Michie #192-865 Xvjy
Subject: Youth Awareness Program structure
Date: December 01, 1997

Attached, you will find a copy of a proposed structure for the Youth Awareness program consisting of:

- Three phases
- Eleven sub-phases
- Rules
- Penalties
- Division of Labor
- Agreement Statement.

The program's coordinators will be meeting no later than Wednesday (12-03-97) to discuss the best way to implement the program's new structure. Consequently, we recognize your keen insight and skills of organization and welcome any suggestions you may have as to how we can improve the attached structure.

Thanking you in advance for all your cooperation.

cc: File
TM/tm

TOOTH AWARENESS PROGRAM STRUCTURE

The Youth Awareness program consist of three phases: (1) the athletic phase; (2) the social interaction phase; and (3) the academic phase.

I. Athletic Phase - consists of :

- Weight-lifting
- Basketball
- Work-out Regimens

H. Social Interaction - consists of:

- Outside Guest (Speakers)
- Group Discussions
- Project Planning
- Conflict Resolution

HI. Academics - consists of:

- Academic Competitions
- Reading, Writing, & Math Labs
- Entrepreneurship Workshops, etc.
- Public Speaking

Furthermore, records shall be maintained regarding each phase of the program so as to provide adequate documentation of member participation, attendance, and progress.

IA. ATHLETIC PHASE

During the athletic phase members shall participate in one of the three stated activities. A coordinator shall be present to instruct, and to serve as a role-model, at all times. No more than 1/3 of the group should participate in an/ activity at one time unless necessary. Members should participate in all three phases of the 'athletic Phase¹' of the program. Records shall be maintained by coordinators.

IA. (1) ROLES OF THE ATHLETIC PHASE:

- Good Sportsmanship
- No Fighting
- No excessive use of vulgar language
- Complete participation unless excused by a coordinator
- No more than 1 /3 of the total should participate in an activities at a time
- Records shall be maintained and compiled to provide documentation

IA.(2) DIVISION OF LABOR, ATHLETIC PHASE

- Weight-lifting, conducted by **Steve Holt**
- Basketball, conducted by **Charlie Chappell 4 John Haley**
- Work-out Regimen, conducted by **Darryl Johnson**

IIB. SOCIAL INTERACTION PHASE

During the Social Interaction phase members are expected to conduct themselves respectfully at all times. They are also expected to be attentive and limit conversation to a bare minimum during speaking engagements and group discussions. In addition, all coordinators should be present at all times during this phase of program.

IIB.(1) RULES OF SOCIAL INTERACTION PHASE:

- Onl/ non-sweat pants are to be worn
- Front row seats are to be filled during all speaking engagements
- No interruptions during speaking engagements/groups discussions
- Feet should be on floor and not in other chairs, during speaking engagements/groups discussions
- No excessive use of vulgar language

I B. (2) DIVISION OF LABOR

- Group Discussions, **all coordinators**
- Project Planning, **all coordinators**
- Conflict Resolution, **all coordinators**

HIC. ACADEMIC PHASE

During the academic phase of the program members are expected to apply themselves during each sub-phase. In addition, a coordinator shall be present.

HIC. (1) POLES OF ACADEMIC PHASE:

- Only non-sweat pants shall be worn
- No conversations during instruction
- Each member shall apply himself to assigned task
- Records shall be maintained by coordinators
- No use of vulgar language

IIIC. (2) DIVISION OF LABOR, ACADEMIC PHASE

- Academic Competition, **Tony Michie, Darryl Johnson-Bey & Calvin Ash**
- Academic Labs, **Michie & Ash**
- Entrepreneurship, **Charlie Chappell**
- Public Speaking, **Chappell**

IV. RECORD MAINTAINENCE

Before any of the commencement activity, records shall be made so as to provide adequate documentation of participation, attendance, and progress. A roster of names and activities members are participating in shall be maintained. If members are merely present, that does not equal participation and no check mark shall be made by that member's name. Regarding the academic phase, objective records shall be maintained of members' progress in addition to records reflecting attendance and participation.

IV. PENALTIES

- (a) **Fighting** - Any incident of excessive arguing shall result in a period of conflict resolution the first time. Any incident of fighting shall result in termination from the program.
- (b) **Non-participation** - If a pattern of non-participation is documented, a counseling session shall be held to determine its cause; thereafter, a warning shall be issued. If non-participation persists, termination shall result.
- (c) **Dress Code** - Any member not properly dressed during the social interaction or academic phase of the program shall immediately return to his housing to unit to change into the proper attire.
- (d) **Insubordination** - Insubordination to a coordinator will result in termination from the program.
- (e) **Excessive Use of Vulgar Language** - Warnings shall be issued for excessive use of vulgar language the first time. Thereafter, suspension for no more than 2 weeks shall result. If the problem persists, termination shall result.
- (f) **Disruptions** - Disruptions while outside guests are giving speaking engagements shall result in suspension for no more than 2 weeks. If the problem persists, termination shall result.

TM/tm

TOOTH AWARENESS AGREEMENT FORM

I, _____, agree to attend, participate and apply myself in every phase of the Youth Awareness program. I also understand that my lack of attendance (more than 2 unexcused absences) or my lack of participation can be a basis for my termination from the program. Furthermore, I agree to abide by all stated rules, including cooperating with program coordinators, and participate within the structure of the program to the best of my ability.

Signed on this day of _____ the _____ in the year _____.

Signature

THE CCMOEP2*ED BUDDY SYSTEM
ACTIVITIES PROJECT

To: Mr. Ralph Logan, Assistant Warden
West Compound Eastern Correctional Institution
Fr: The Concerned Buddy System, Coordinators
Youth Activities Project
Re: Special Project Proposal

February 15th 1998

Dear Mr. Logan:

Recently, it has come to our attention that funds are sorely needed for the purchase of new text books for Johnson Square Elementary, a Baltimore City Elementary School; whose school's district has been unable to provide new text books for over 15 years. An estimated 3,000 books are needed. Chaplain Scott brought this information to the attention of the religious communities' group leaders, asking for their help in the donation of funds for a text book drive project. After some discussion, it was suggested that an on going fund raising project would better serve the needs of the students at Johnson Square, as well as provide some much needed services for our inmate population. Upon, further discussion the participation of the CBS' youth activities program was contemplated, given to the concept that their participation would provide them with an opportunity to practice, in the spirit of contributing to community endeavors, and worth while public service project; as well as provide them with a chance to engage in commerce as a practical learning experience.

The following proposal is designed to facilitate the objectives suggested in the paragraph above:

- I. That the CBS' Youth Activities Project be allowed to maintain on-going fund raising projects whose:
 - a. Profits (all) will be designated as donation, strictly for the purpose for purchasing text books for Johnson Square Elementary School.
 - b. Whose on-going projects will be submitted by and in individual proposals form for approval such as:
 1. Special Occasion and Greeting Cards Project.
 2. Monthly Submarine Sandwiches
 3. Projects that would provide services that the commissary nor catalog ordering Companies are able to feasibly address that are approved for residents of E.C.I, to have in their property.
 - c. Whose primary funding source shall be:
 1. (Seeding) the initial investment principle, for the start up of these projects, will be funded through

designated donations from religious and self help groups for the Johnson Square Elementary School book fund.

2. Purchases for items sold for fund raisers will be made through picture tickets sold in the commissary.
3. Tickets will be turned in to the Administrative Staff member over seeing the financial phase of the project.
4. Monthly checks will be made out to the Johnson Square Elementary Text Book Fund.
5. Checks will be drawn from the IAC Account that reflects the redemption of picture tickets use for the project purchases.

2. The CBS program members participating in fund raising projects will also participate in business seminars/management classes; provided by and in cooperation with the West Compound's Educational Department which will offer participants:

- a. Practical application to relate learned business principles, and academic skills in the world of goal oriented capital investment.
- b. Opportunities to mature their business concepts and ideas through initiatives of research and development, when planning projects for entrepreneurial ventures.

This proposal also allows everyone in the E.C.I. Community an opportunity to participate in this worth while endeavor, whose goal is to assist in the educational needs of children, in an impoverished school district. The goal of providing 3,000 books would be a monumental task, when you consider the price of each text could run as high as \$15.00; when also taking into account that the average inmate here receives a stipend of only \$18.00 a month. Self help groups and religious organization can only maintain a \$500.00 limit on their individual accounts, of which would surely bound their individual agendas if they were to attempt to provide all of the money for this goal; and if each group were to offer up fund raising projects it would put too much competition on the meager funds available for such designation.

THE CONCERNED BUDDY SYSTEM

The CBS program initially began as a youth activities project, in mid August of 1997, and it was given a six week polite trial period. The activities of the initial project was to be coordinated by older inmates, whose shared experiences were to act as a guide to help in their adjustment to an institutional environment. The coordinators were also responsible for recruiting the first group of participants, whose ages were from 21 years and under. The designated group meeting days were scheduled for Tuesdays and Thursdays weekly, from 3:00 a.m. to 10:30 a.m., to be held either in the Gymnasium/Multi-purpose area or the Court Yard. Correctional Officer Gary Taylor was assigned to oversee the activities of the group, as well as being assisted by Chaplain Richard Scott, who has acted as an advisor in the programs development..

The Concerned Buddy System, began as an Administrative initiative to address the on going concerns of a growing juvenile population, in the adult environment of the West Compound of Eastern Correctional Institution. Assistant Warden Ralph Logan, wanted to experiment with a youth activities project that would allow some of these youthful offenders an opportunity to develop good social skills and positive directions. By their participation in structured sporting activities, with other outside youth programs, this project could afford some of these individuals with an opportunity to work off some of their excess energies, anxieties and frustrations; while learning to understand the need for order. It was also hoped that this initiative would motivate a desire in them to modify their attitudes towards authority, respect and discipline as a means of securing their earliest possible release. Although these sporting activities were to use as a vehicle for social behavioral modification, it was also stressed that this project was not to be just another recreational period; the continued existence of this venture depended upon its development into a program that would give these young men an opportunity to focus on their future, while realizing the uniqueness of their situation.

On August 12th 1997, the Youth Activities project's only direction centered on team sport activities; where these young men were to learn how to work together in a structured environment. Since this was a voluntary project the lure of a special recreational activity designated solely for their benefit was most appealing. So it was no problem in finding enough willing bodies to participate. Everyone anticipated a favorable response to increased recreational

facilities, but what was unknown was could they play together and create an atmosphere, amongst themselves, that was devoid of the stress and hassles associated with day to day institutional life: It was by chance that an opportunity came about to prove their commitment to the success of this project even though they didn't know what they were demonstrating. During the week of the project's initial start, Officer Taylor and the recreation workers were needed to do some landscaping and trash cleanup in the main court yard, so two of the youth activities' sessions scheduled were to be canceled; but one of the inmate coordinators made a request to allow the project's participants to help with the landscaping and cleanup during the time scheduled for their activities. Surprisingly, the work detail received a 100% Volunteer participation. Volunteer work details are not uncommon in a prison environment, but when you consider this age group and the perception usually formed by their innate rebellion and what is perceived as an aversion to manual labor, their effort was commendable; even to the point of encouraging, that it proposed ideas of expanding the Youth Activities Project, to an on going youth program concern.

When the activities were moved primarily to the Multi-purpose and Gymnasium area these young men continued to volunteer to help cleanup and prepare these areas for general use, by cleaning floors, walls and windows and room set-ups. They were also instrumental in putting up the football and soccer goals in the yard.

On September 23rd. 1997, the Concerned Buddy System was introduced as the expanded version of the Youth Activities project and was given an extension on its trial period. Having already participated in a Smoking Cessation session, chaired by Tony Michie, these young men were involved in their first group encounter. When introduced to the objectives of CBS, each of the (5) inmate coordinators outlined the purpose and goals of maintaining and establishing the CBS program as a viable means for support and positive direction.

At this session, after discussing and outlining the programs purpose and its implementation, it was stated that this program was not going to be just another extra auricular recreational period for them. They were, made aware, of the fact that as young men, whether it be caused by the hormonal influence of testosterone or their being naturally overly hyperactive, they have a tendency to react before thinking; which in most cases, in this environment leads to their having to address an adjustment proceeding. Since most of these adjustments are minor and foolish in nature they could be avoided with just a little self control and thought; as a result of this thinking, it was reasoned that self help group discussions centering on image and self improvement was necessary. Therefore, it was proposed, by the inmate coordinators, that the following topics [see outline below] would be discussed in group sessions,, after

video showings of films such as "First Time Felon" where the coordinators and the group focused on the themes and actions of the characters featured in the films, that were relative to their situation.

The outline below is a list of the topics and themes that each member and participant is asked to focus on during each group discussion:

A. Goal Orientations:

1. "An Inmate's Primary Objective": To get out of prison in better shape than how they came in
 - a. Mentally
 - b. Socially
 - c. Physically
2. Programming:
 1. Education - G.E.D.
 2. Shop - Job Skills: Finding something that you like to do, a skill that seems natural to you.
 - a. Self Help Groups
 - a. Learning and Practicing social group skills
 - b. " " " Parliamentary Procedure
 - c. " " " Leadership and Planning skills

B. Topics:

1. Image
 - a. Who do you think you are?
 - b. **How do you perceive what** others think of you?
 - c. How would you like to be remembered?
2. Confrontations:
 - a. What are the things that come to your mind when you are threatened
 - b. How does it make you feel when somebody calls you out of your name?
 - c. What do you think when you realize that you've been beat tricked, or conned?
 - d. What do you think when you see any of these things happening to somebody else?
3. Alternative Solutions:
 - a. Programmed response - meditate on how you would like to react to any given situation that could result in delaying you from achieving your primary objective.
 - b. Seek consultations - share your problem with someone you can trust to have your best interest at heart; someone who is also focused on your Primary Objective.'
 - c. Practice thinking through a situation, before reacting. If you keep your mouth shut, and consider the whole situation, before responding you maybe able to hear yourself think. A thinking man will always come out on top, if he thinks right.
 - d. Avoid open, and loud confrontations. If you have a disagreement with someone try to talk to them one on one, hear them out first without interruption and when you speak, speak softly, this

will allow all your words to be heard and listened to.

C. Groups

1. Group Size should be no larger than (10) participants.
2. Group Leader should strive to create an atmosphere where everyone can feel comfortable with each other and the topic being discussed. If or when a topic offends or makes anyone uncomfortable in the group that person or any member of the group will be allowed to close the subject.
3. Identification of individuals should always be on a personal level within the group by first names or nick name in accordance to how that person wishes to be addressed
4. Participation - Is a MUST!!! Participation will consist of circular responses to the initial topic question.
5. Time: Each session should not exceed (1) 45 minute session per week, unless the group desires additional time or sessions to complete the discussion.

In addition to feature films being used to keep the group focused on their objective, (to leave prison as soon as physically possible and in a better of condition than how they came in,) the coordinators and administrative staff wanted to get these young men involved in motivational discussions. It was suggested that once or twice a month a staff member or an outside civic leader would entertain them, during a session, with their thoughts and perspectives on life and other social issues that could prove profitable for them in the future.

In October of 1997, Chaplain Richard Scott, spoke at one these sessions on Attitude and Altitude, this discussion focused on thinking through a situation, both here as well as on the outside. How you think will determine how high or where you will go in life. It is your attitude that will determine your level for success in life.

Also, in October, the group heard from Mrs. E. Kuneman of the Psychology Department, who outlined the services available to them.

In the coming months, it is hoped that the CBS program will be able to schedule speakers who would serve as role models from area businesses and college campuses. Help is needed to fulfill this endeavor from staff members and community leaders to recruit speakers, as well as obtaining, feature films relevant to the. blight of the youthful offender.

As this program is given a chance to progress, each experience aspires to lay a blue print for the successful adjustment of each of its participants to the institutional environment; as well as give them direction in being a success in life.