

Working Codebook for MLTRC Public Hearings

Largely based on a preliminary coding of the Baltimore Hearing

2-5-2024

The act states as follows “whereas lynching or the extra-legal murder of an individual in an act of mob violence is a violation of the rights to due process and equal protection of the law and whereas at least 40 African Americans were lynched by white mobs in Maryland between 1854 and 1933 and whereas no person was ever tried, convicted, or otherwise brought to justice for participating in these racially motivated lynchings. And whereas various state county and local government entities colluded in the commission of these crimes and conspired to conceal the identities of the parties involved, and whereas these crimes far exceeded any notion of justice, just retribution, or just punishment but were intended to terrorize African American communities and forced them into silence and subservience to the ideology of white supremacy, and whereas no victims family or community ever received a formal apology or compensation from state county or local government entities for the violent loss of their men, and whereas restorative justice requires a full knowledge and understanding and acceptance of the truth before there can be any meaningful reconciliation. Now therefore be it enacted by the general assembly of Maryland that there is a Maryland Lynching Truth and Reconciliation Commission.”

Note for Commissioners: My students and I will add to this as we go through the transcripts, but are there other themes that you have heard come through the Hearings that we should include from the start and/or keep our eyes out for?

1: Problems: Legacy of Lynchings/Current Manifestations of White Supremacy - Long-lasting impact of lynchings and white power, including how it manifests today. This includes “racialized oppression that happens through systems, through our government through our laws, through practices, through policies.” As Dana Vickers Shelley, the Executive Director of the ACLU-Maryland notes, “The systems, the institutions, the laws the practices that led to Howard Cooper's murder continue to thrive and perpetuate in our community. Racialized oppression, white supremacy, such as what Howard Cooper experienced must be fully dismantled.”

- 1.1 **Criminal justice system** including uneven justice, being denied counsel, not given a fair trial.
- 1.2 **Policing in Black Communities** – including police brutality, “over-policing,” racial profiling.
- 1.3 **Education** including racial disparities, not learning the US’s history rooted in White power
- 1.4 **Redistricting, Racial Gerrymandering, and Racial Vote Dilution** including actions that dilute Black votes at any level
- 1.5 **Unwanted development, urban renewal, and rezoning** including areas encroached by business and government, cutting down trees (and disparity in open public

Michelle Gawerc & MLTRC Reconciliation Committee
greenspaces), highways through Black communities, affordable housing that becomes unaffordable, and lack of protection and support by county government.

1.6 **News media** including perpetuating racial stereotypes

1.7 **Racially motivated violence**

1.8 **Other**

2: Recommendations (and Hopes)¹

2.1 Broad themes:

2.10 Center racial justice and equity

2.11 Accountability

2.12 Transparency

2.13 Truth-telling including having stories told, voices heard, and recognize and understand the harms inflicted.

2.14 Narrative/Cultural Change including recognizing that white supremacy which motivated lynching didn't go away and needs to be addressed/dismantled.

2.15 Structural/Institutional Changes

2.16 State of Maryland responsibilities including providing resources...

2.2 More specific and institution-focused:

2.21 News media/newspapers including

2.210 Being accountable for past reporting on Black communities including correcting the records, restoring humanity of the murdered, make the terror known

2.211 Diversifying reporting by assigning Black reporters to write on Black excellence.

2.212 *Develop consistent standards for when someone accused of a crime is identified by name and photo*

2.22. Economic redress including

2.220 Individual reparations

2.221 Community reparations including making sure money goes to communities where resources have long been withheld or pulled out, and communities who've lost individuals whether through murder, incarceration, etc.

2.222 *Conduct a study to determine if land was taken from African Americans through corrupt means and pay descendants the present value of the land*

2.223 *Create a fund to increase homeownership for people descended from people enslaved in Maryland*

2.23 Criminal justice system including

2.230 Legalizing marijuana

2.231 Reinvigorate search and seizure protections

2.232 Expunging people's records.

2.233 Shift focus of crime reduction from overreliance on incarceration to mentoring programs, job skills and training, and education

2.234 Need leadership by people directly impacted by the failings of the system

2.235 Ensure relief/redress for those harmed by law enforcement through legislative reform or executive orders

2.236 Expose governmental abuses through public records

¹ **Note:** Italicized items are not inductively drawn from the preliminary coding of the Baltimore Hearing but rather suggested by Commissioners based on an understanding of the literature and viable recommendations.

2.237 *Create a tool to evaluate sentencing disparities based on race adjusted for crime and criminal history and allow minority defendants and inmates to challenge their sentence whenever there is a significant statistical difference between their sentence and white convicts*

2.24 Police Reform including:

- 2.241 Open record laws for transparency in policing and prisons (which enable the public to obtain records of investigations into police and correctional staff).
- 2.242 Utilize Community Centered Approaches to Public Safety including citizen-composed Police Accountability Boards and Police Advisory Boards
- 2.243 *Require police officers to report misconduct of other officers and break the blue wall of silence*
- 2.244 *Create publicly available searchable database of officer misconduct and require departments to consult the database before making hiring decisions*
- 2.245 *Require officers to attempt de-escalation prior to use of force, whenever possible*
- 2.246 *Prohibit the use of deadly force against unarmed individuals*
- 2.247 *Create mentoring and training programs in majority-minority communities to increase the pool of police applicants from those communities*
- 2.248 *Provide body cameras/dash cameras to all officers who interact with the public, require cameras to be on during interactions and autosave footage for a designated period*
- 2.249 *Require officers to pay civil damages and penalties when it is proved that they committed intentional misconduct that harms civilians*
- 2.250 *Shift certain responsibilities of police officers to other civil servants who are trained to interact with people experiencing mental health crises or are in need of welfare checks, when feasible*

2.25. Legal system including

- 2.251 Acknowledge private and public wrongs
- 2.252 Undertake “soul-searching” of how the legal community has been a part of these crimes
- 2.253 Identify strategies that build equity and increase diversity of lawyers, judges, and elected officials
- 2.254 *Create a process to challenge and invalidate any law with a disparate impact on racial minorities and/or an intent to discriminate against racial minorities with no statute of limitations*

2.26 Education including

- 2.260 **Learning the truth/the whole history of the US** including: incorporating these stories into the existing curriculum around history and American civics, developing lesson plans that can contextualize the past and work towards a better future.
- 2.261 **Addressing school-prison pipeline and educational disparities** including:
 - 2.2610 Replace police with supports for children in classes
 - 2.2611 Implement art programs, after school programs
 - 2.2612 Address the disproportionate suspension rate

- 2.2613 Address the inequitable college and career opportunities and difference in readiness.
- 2.2614 Incorporating in curriculum that enables all children to see themselves as beautiful, smart, and capable.
- 2.2615 *Provide college scholarships for African American children whose ancestors lived where lynchings occurred*
- 2.262 *Add K-12 education standards about African history and culture including pre-colonial civilizations for elementary school and beyond.*
- 2.263 *Develop an adult education campaign to correct for misinformation adults learned in school*
- 2.264 *Increase funding and support to HBCUs*
- 2.27 **County/City Politics** including preserving Black communities being erased
- 2.28 **Restoration of Heritage** including
 - 2.281 *Provide information to any person whose ancestors were enslaved in Maryland including where they were enslaved, when their ancestor arrived in the United States, where the ancestors came from before arriving in the United States, any information about the cultural norms of the place where their ancestors were from, and create a fund to provide an all-expenses paid trip to their ancestors' community of origin*
 - 2.282 *Establish a cultural exchange/sister city relationship where the majority of enslaved Marylanders were stolen to facilitate greater learning and understanding directly from those communities*

3: Challenges (*worthwhile to include*)?