



Office of the State's Attorney for Caroline County

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Wednesday, January 23, 2019 at approximately 3:00 pm I received a copy of the Post Mortem Examination regarding the death of Anton Black, who tragically died in police custody. It is a tragedy because a young man, 19 years of age who was an active member in our community, is no longer with us.

The Office of the State's Attorney for Caroline County is not empowered to prosecute tragic acts. We take an oath to pursue criminal charges that occur within the territorial boundaries of Caroline County. To determine whether a prosecutable criminal act occurred we must answer three questions:

1. The First question is what caused Anton Black's death? This fundamental question could not be answered until the Office of the Chief Medical Examiner (OCME) finished and finalized their report. The OCME is a separate agency entirely from this office located in Baltimore. The fact that this report was not made available until yesterday is concerning. In this case promises and dates when the report would be released were made to the family and this office by the

OCME and continually they were not met. This caused a great deal of anguish for the family and left a lot of unanswered questions that spread division in our community. The autopsy was itself performed on September 16th but, the additional testing, results and opinion were not completed and finalized until yesterday (1/23/19). Once I received the report I shared the results with the attorneys representing Anton Black's family. Their counsel asked that I give them until this morning before making the results public. I honored that request. The reporting of the results in the Baltimore Sun, Capital Gazette, and other media outlets was through copies of the report they obtained directly from the OCME according to their practices and policies. At no point did this office provide any news outlet with the results.

The report details that Anton Black's cause of death was a Sudden Cardiac Death resulting from a congenital heart defect known as an Anomalous Right Coronary Artery and Myocardial Tunneling of the Left Anterior Descending Coronary Artery and is categorized as an accident. The report finds that "A significant contributing condition was bipolar disorder." That diagnosis of Anton Black's mental health condition was not done by the OCME. The OCME found that, "per his medical record, he had recently been involuntarily hospitalized and diagnosed with bipolar disorder." A dissection of Anton Black's neck was done and revealed no hemorrhage, contusion, or other abnormalities. The hyoid bone and larynx were intact as were the bony elements of the posterior neck. Anton Black did suffer many abrasions and contusions during the struggle to place him in custody however, the report makes abundantly clear in its findings that: "no evidence was found that restraint by law enforcement directly caused or significantly contributed to the decedent's (Anton Black) death". The Medical Examiner's report corroborates, based on the finding of only one Taser prong was found to have pierced Anton Black's skin, the investigatory findings of the Maryland State Police that the TASER did not deliver a charge when fired and no current went through Anton Black.

A complete toxicology scan was completed (this is done on all ME reports for anyone that I have seen) and it was not positive for any controlled dangerous substances. NARCAN was used on the scene based on the belief that Anton Black's unresponsiveness could be caused from an opiate overdose. The NARCAN was provided by Anton Black's mother. No negative conclusions should be drawn from this, as my office in conjunction with our Local Drug and Alcohol Abuse Committee (LDAAC) has spent the last two plus years encouraging NARCAN training for all community members, not just law enforcement and emergency medical personnel. Regardless, NARCAN does not have any negative side effects, even if given to one that is not currently suffering from an opiate overdose. Nowhere does the OCME's report indicate that Anton Black's death was in any way attributable to the use of NARCAN.

2. The second question is to determine if Anton Black's death was caused by actions of anyone on the scene? The OCME report does say that it is likely that the stress and the struggle with law enforcement in conjunction with his mental health status and his congenital heart defects contributed to his death. However, again, the ME's report makes perfectly clear that, "there is no evidence that Anton Black was choked or that he was "physically struck by officers, or had force applied to his neck"
3. The third question is to determine if actions of individuals on the scene caused the death, were those actions a prosecutable criminal act? The actions of the individuals on the scene have been known and investigated thoroughly by the Maryland State Police since this tragic event more than four months ago. Officer Thomas Webster IV of the Greensboro Police Department responded to a call for service that described "an older male dragging a younger male.. approximately 12 years old." Officer Webster made contact initially with Anton Black and the juvenile while inside the town limits of Greensboro. Webster was mirandized and interviewed by Maryland State Police Detectives who as an outside agency were assigned to this investigation. Webster stated, he observed the older male (Anton Black) dragging the younger male down the road. Anton Black had the juvenile in

some type of “half nelson”. He observed Anton Black pin the juvenile against the hood of the patrol car. Anton Black identified himself as the juvenile’s brother. The juvenile emphatically denied that. The juvenile described Anton Black as “schizophrenic”. This occurs while the department issued body cam of Webster is powering up. On the body cam footage, the juvenile is clearly in distress and denies that Anton Black is his brother. At this point, Officer Webster is justified in arresting Anton Black. Officer Webster tells Anton Black he is under arrest, that he is not free to go, and once he flees the officer is authorized to use reasonable force to place him in custody. Officer Webster justifiably followed Anton Black. The juvenile on the scene was left in the custody of an adult who he ran to once the pursuit began. That individual spoke with the juvenile. According to that individual the juvenile informed him Anton Black was possibly intoxicated on a substance. That individual arrived at the scene while Anton Black was in distress and informed the officers of Anton Black’s possible intoxication. Webster is assisted by two off duty police officers (Chief of Ridgely Police Gary Manos and Centreville Office Dennis Lannon) and one citizen. They are likewise authorized to use reasonable force to place Anton Black in custody. The OCME again found that the force used was not a direct cause or a significant contributor to Anton Black’s death. The cause of death was determined to be accidental.

The family’s counsel has indicated that they will be conducting their own investigation and have requested the Office for the State’s Attorney for Caroline County empanel a grand jury to seek an indictment. A grand jury’s term in Caroline County is for one year. A grand jury was sworn in earlier this month. There is not currently enough evidence to establish probable cause to seek an indictment. There is no intention to place this matter before them at this time. The Office of the State’s Attorney for Caroline County remains committed to following the evidence in this matter wherever it leads and will evaluate all evidence that is shared. As for sharing information with the public, I am authorizing the law enforcement agencies to release the body cam footage pursuant their own internal policies regarding release.

Joseph A. Riley

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Caroline County