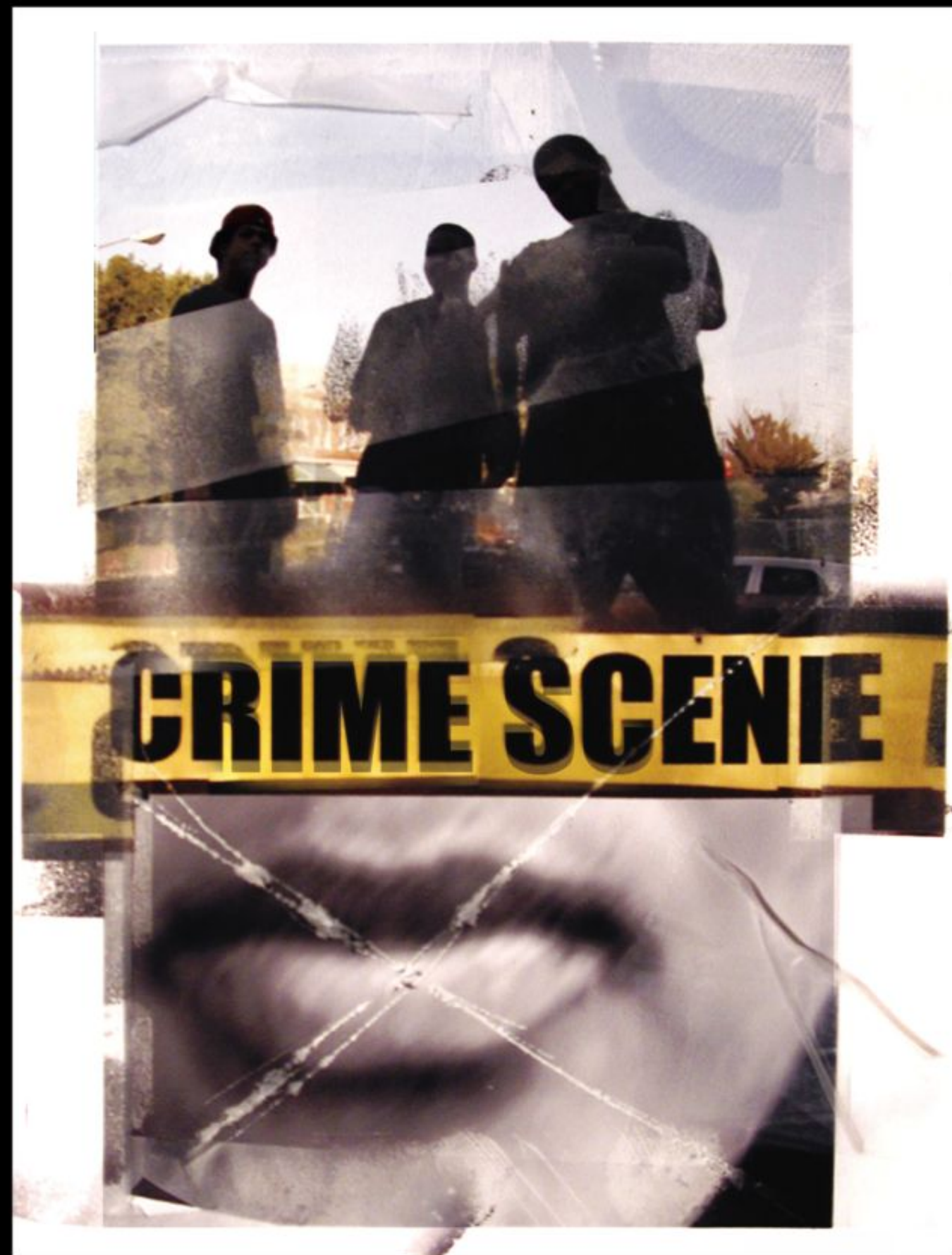


# THE STREETS ARE WATCHING

In Baltimore, Mia M. stood on her porch and witnessed a violent shootout unfold just a few feet away from her front door. Would she choose to follow the street code of silence, or would she agree to testify and risk being labeled a **snitch**? ESSENCE examines one woman's struggle to do the right thing

BY JEANNINE AMBER · ILLUSTRATION BY ANASTASIA VASILAKIS

**M**ia M. didn't live in the worst neighborhood in Baltimore, but it was definitely the 'hood, which meant it had your regular 'hood-type problems. Take her block, for instance. Mia's home, a large two-story house on the corner, had a beautiful lilac bush blooming in the yard, and her kids were polite and well taken care of. But just down the street on Oakford Avenue was all kinds of trouble: dilapidated houses run by absentee landlords, crackheads looking for a hit, and boys out on the street at all hours, selling drugs. In just over two years, from 2004 to 2006, cops were called to the short block 241 times, for everything from drug activity to assault. From Mia's white cinder block porch she had a view straight up Oakford Avenue and could see it all. But Mia, 41, who worked the night shift as a housekeeper at the Hyatt Regency downtown, had lived in this house since she was 5, and she wasn't about to leave. She figured if she kept her head down and minded her own business, nobody would bother her. ▶



The morning of May 16, 2005, Mia took the bus home from work. At around 8:00 A.M., as she was approaching her house, she noticed a handsome stranger with shoulder-length dreadlocks standing on Oakford Avenue, right in front of Darron West's house. West, who everyone called Animal, had a history of repeated arrests for drug possession, assault and attempted murder (none of the arrests had resulted in convictions). Now here was this dreadlocked fellow Mia had never seen before, who appeared, as she would later testify in court, to be selling drugs right there on West's turf.

Mia brushed off this unusual bit of business and went inside to lie down. She woke up at about three in the afternoon, showered, ate, stepped onto her porch, and was joined by her neighbor Miss Peggy. The two women chatted for about an hour, gossiping about the neighborhood and discussing Mia's recent promotion at work. The spring afternoon was warm and bright, and by four o'clock the sidewalk in front of West's house was bustling with small children chasing one another down the block. Mia, who had five children of her own, noticed the little girls' hair bobbles bouncing as they ran. She also noticed that the brother with the locks, whose name she would later learn was Antoine Hudson, was still standing outside West's house.

It was about five o'clock when Mia heard the loud crack of gunfire. She jumped from her seat, looking straight down Oakford, the direction from which the noise had come, and she saw Darron West. He had stepped out of an alley about halfway up the block and was looking toward Hudson, who was still standing in front of West's yard. Mia later testified that she saw West pointing a pistol in Hudson's direction. There was nothing between the two men except a sidewalk full of children. Mia held her breath as West squeezed the trigger and fired again and again.

Everyone scattered. Men and women ran into homes or crouched behind parked cars. The only ones who didn't get out of the way were the kids, who remained on the sidewalk even as Hudson reached into the bushes, pulled out a gun and fired back.

On the porch, Miss Peggy yelled, "Call 911! Call 911!" as Mia dashed into her house to the phone. As she frantically described to a detective what she'd just witnessed on the street, police cars

screamed to a halt on Oakford Avenue and an ambulance arrived to pick up West, who'd been shot in the leg and now lay bleeding on his front porch.

Mia ran back and forth from the phone to the window, and then, to her amazement, she spotted Hudson coming up her street. She watched as he turned onto Oakford and joined a crowd of onlookers gathered around the paramedics. "He was just mingling with the crowd, trying to see what they were doing," she says. Then, as she looked on, the cops grabbed a bystander and locked him in handcuffs. "That's not him!" Mia yelled into the phone. "They got the wrong guy! The one who did it is standing right there."

The detective on the phone relayed the message to the cops on the street, who, based on Mia's description, released the bystander and arrested Hudson. All that was needed, the detective told Mia, was for her to come down to the station and give a statement. She agreed but cautioned, "Just don't send any police to my house." The last thing she wanted was people in the neighborhood knowing she was talking to the cops. Fresh in her mind was an incident that had occurred not long ago when a neighborhood addict got stomped within an inch of his life by a group of young men. "Everyone knew he'd dropped a dime on somebody," Mia remembers, "and they were going to make damn sure he didn't do it again. Where I come from, snitches get killed."

### Snitching in the 'Hood

**F**or as long as there have been criminals, there have been people willing to turn them over to the authorities. Some are innocent bystanders, witnesses moved by conscience or concern to report wrongdoing. Others are "snitches," usually criminals themselves, who agree to strike a deal.

As part of the war on drugs in the 1980's, police relied heavily on information supplied by snitches as a way to catch even bigger fish. Give up your connects, bargained the cops, and we'll see what we can do for you. For criminals who face the prospect of doing time, snitching, with its promise of absolution, or at least a lighter punishment, can be tempting.

Loyola Law School professor Alexandra Natapoff, a leading researcher in the field of criminal informants, estimates that in some neighborhoods, as many as one-third of the men in contact with the criminal justice system are under pressure to snitch. And on the street, snitches are considered the lowest of the low, willing to violate the most basic code among criminals: You do not give up one of your own.

By rights, a hardworking woman like Mia shouldn't be concerned about being labeled a snitch. These days, however, the distinction between informant and witness has become so blurred that the term *snitch* is being applied to anyone who's talking to the cops—from the criminal trying to save his own skin to the little old lady who wants to get the drug dealers off her corner. But if every witness is a snitch, where does that leave someone like Mia?

### "Snitches Get Stitches"

Mia, a tall, sturdy woman with an infectious giggle, has known West's family since he was a child. She says she really had to think hard about giving the police a statement. "I was worried someone was going to kill me," she says. "Or that they were going to do something to hurt my family." Still, she couldn't shake the vision of the children who'd almost been caught in the crossfire. She kept thinking, *It could have been my own grandson out there.*

Nervous but determined, Mia decided to follow through on her promise to go down to the police station. By ten-thirty that evening, she was seated in front of a detective who handed her a page of photographs and asked her to identify the shooters. Later she would testify that she suffered a mild asthma attack while in the station and was still "very upset" as she signed her name to the back of two photos with a statement that they were the men she had seen.

Within days, West, 22, was charged with attempted murder, and Hudson (who also had an extensive arrest history), 29, was charged with a handgun violation. On July 19 the men were arraigned, and a few days later, in accordance with Maryland State Rules of Procedure 4-263, Mia's name was released to their defense attorneys. That's when the threats began.

One night as Mia was coming home, a masked man grabbed her from behind and held a gun to her head. "Bitch," he said, "you ain't gonna make it to court because you're gonna be dead." Another man, whom she recognized from Oakford Avenue, approached her in the af-



"The distinction between criminal informant and innocent witness has become so blurred that 'snitch' is being applied to anyone who's talking to the cops."

ternoon. "Snitches get stitches," he snarled. Worst of all, someone accosted her 13-year-old daughter on her way home from school. "Tell your mother to keep her f-----' mouth shut," the man threatened, "or something's going to happen to you." Mia called the detective assigned to the case, who sent the police. But by the time they arrived, the man was gone.

On September 29, the day she was set to testify, Mia readied herself and took the subway to the Clarence M. Mitchell Jr. Courthouse, a stately building on the corner of Calvert and Fayette streets in downtown Baltimore. As she stood at the bottom of the marble steps and looked toward the courthouse's large wooden doors, Mia noticed a group of teenage girls from her neighborhood. She froze. The girls spotted her at that same moment and raced down the stairs in her direction. Suddenly, Mia was surrounded. The girls moved in circles around her, screaming at her and telling her she was about to receive the beat down of her life. With the girls still yelling after her, Mia turned and ran.

### "They Tried to Kill Me!"

Robyne Szokoly, 34, is a thin woman with curly hair and an anxious face. As assistant state's attorney for the city of Baltimore, she has the job of prosecuting men like Hudson and West, but without Mia's testimony she didn't have a case. Mia didn't immediately tell Szokoly about the altercation on the courthouse steps. All Szokoly knew was that on the day of the trial, Mia was missing in action.

"For two months she didn't return my phone calls," Szokoly says. So on November 30, the prosecutor exercised her only option: She had Mia arrested. Mia, who'd been pulled out of her house and delivered to Szokoly's office in handcuffs, was livid. "She went between being mad and crying," says Szokoly. "When she finally told me what had happened in front of the courthouse, my heart just broke for her."

Szokoly could see that although Mia was distraught, she still wanted to testify. "She just knew it was the right thing to do," says the assistant D.A. Given the threats, Szokoly tried to >



The January 16, 2005, edition of *The New York Times* detailed the rise in cases of witness intimidation across the country.

talk Mia into having herself and her family put into protective custody. Mia refused. The witness security coordinator Heather Courtney was brought in, and she, too, implored Mia to move temporarily into a motel that would be paid for by the state. But Mia held firm. Her elderly mother was in the hospital in the final weeks of a long battle with cancer; Mia couldn't move halfway across the city when her family needed her. Reluctantly, Courtney and Szokoly watched as Mia gathered up her things and went home.

The new trial date was set for February 1. Mia promised she'd be there at 9:00 A.M. sharp, but she'd spent the night before in the hospital with her mother, who had taken a turn for the worse, and that morning she was running late. At 9:15 A.M. Mia called Szokoly and told her she was on her way. Her older daughter was going to give her a ride to the courthouse; they just had to drop her 5-year-old grandson at school.

By 9:30 A.M. Mia was standing on her front porch with the boy. Her daughter had run back into the house to get her keys. As she kept one eye on her grandson, Mia noticed a gray car

wearing a T-shirt and matching hat emblazoned with the slogan Stop Snitching. The prosecutors were forced to drop the charges. And in a quiet suburb of Philadelphia last June, police banned a high school class president from attending his graduation for his own protection. The student had been shot at after his sister agreed to testify in a murder trial. Another student had been left paralyzed in a related attack.

In major U.S. cities intimidation affects 90 percent of all murder cases, according to a CBS News investigation conducted last spring. Terrified witnesses will either change or recant their testimony or simply fail to show up for court. Nowhere is the situation as grave as in Baltimore, where witnesses will arrive at the courthouse only to be greeted by defendants' friends surreptitiously taking pictures of them with their camera phones or text messaging their testimony to associates on the street. In one well-publicized case in 2002, Angela Dawson and seven members of her family, including her five children, were killed when a man she had accused of selling drugs broke into her home, doused it with gasoline, and set it ablaze.

“Shots flew into her yard, her fence, a neighbor’s car. In all, 17 rounds were discharged on her property. With the bullets flying, Mia dropped to the ground, covering her grandson’s body with her own.”

slowing down and then stopping in front of her house. All at once the doors flew open and two men jumped out. “Bitch,” yelled one, “didn’t I tell you you weren’t going to make it to court?” Mia reached for her grandson. As the boy stumbled into her arms, she saw the two men raise semiautomatic 9 millimeter handguns and start firing wildly. Shots flew into her yard, her fence, a neighbor’s car. In all, 17 rounds were discharged on her property. With the bullets flying, Mia dropped to the ground, covering her grandson’s body with her own. “Crawl with me!” she yelled as she moved crablike, with the child nestled under her, through the open front door.

Her daughter, who’d been upstairs, flew into the room and grabbed her son. “Is he shot? Is he shot?” the women cried to each other. They picked up the boy and spun him around. Frantically they ran their fingers over his skull, peered in his ears, pulled up his shirt. When they found no blood, Mia called the police, her hands shaking so violently she could barely punch the numbers. As the detective answered, Mia screamed into the phone, “They tried to kill me!”

## A National Epidemic of Fear

Virtually no city in which there are guns, gangs, drugs or poverty has been spared the problem of witness intimidation. In San Francisco last November, two alleged gang members on trial for murder had the charges dropped after the prosecutor’s key witness was killed. Last March in Pittsburgh, a witness who was to testify against three men on trial for allegedly conspiring to kill him was ejected from court after he arrived

## The State Versus the Street

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altimore City’s chief prosecutor, Patricia C. Jessamy, calls the problem a public safety crisis. Jessamy, a no-nonsense woman who manages to be both imposing and maternal, has for years rigorously lobbied for harsher penalties for those who intimidate. “Without witnesses we’ve had to send criminals back onto the streets to injure more citizens,” she says.

“It’s important that we send a message that if you threaten and intimidate people, we will hold you accountable.”

In 2005 her efforts finally paid off when witness intimidation was reclassified in Maryland from a misdemeanor to a felony, punishable by up to 20 years in prison. Jessamy, the state’s attorney for 11 years, says there is more work to be done, especially given that the law does not include child abuse or domestic violence cases, areas in which she says intimidation is rampant. “What is so offensive,” says Jessamy, “is that gangsters are imposing their values on innocent people who happen to witness a crime, who are just trying to come forward because of the damage being done to their communities.”

Jessamy, who compares witness intimidation to terrorism, says the turning point was the release two years ago of a DVD called *Stop Snitching* that featured Baltimore-raised NBA basketball star Carmelo Anthony and alleged drug dealers bran-

dishing weapons and threatening to put “a hole in the heads” of snitches. (Anthony did not make any threats himself and has said he was unaware a film was being made.) In addition, cases involving high-profile rappers such as Lil’ Kim and Busta Rhymes, who refused to give information to police about criminal activity, have only further glamorized the mind-set.

Ironically, while the Stop Snitching movement is now being blamed as a major impediment to justice, its roots can be traced back to what one expert describes as a “principled response” to aggressive, often corrupt, policing tactics. As far back as the civil rights era, says Marc Lamont Hill, assistant professor of urban education and African-American culture at Temple University, police used informants to infiltrate and break up groups like the Black Panthers. “Nobody likes a snitch,” says Hill. “But for us there is also this racial dynamic, because it’s like you’re choosing the government over your people. There’s a certain sense of race treachery.”

According to Loyola law professor Natapoff, who lives in Los Angeles, community awareness of snitching grew during the war on drugs in the 1980’s, as a result of what many saw as an attack on Black men—the recruiting of criminal informants by the police, draconian sentences for drug offenses, and the incarceration of Black men in unprecedented numbers. But while the Stop Snitching campaign may once have been about opposing the police, Hill says the movement has lost its original meaning. “It’s become just as oppressive as what it was intended to prevent,” he says. “With innocent witnesses now being intimidated and worse to prevent them from testifying, the Stop Snitching movement has gone haywire.”

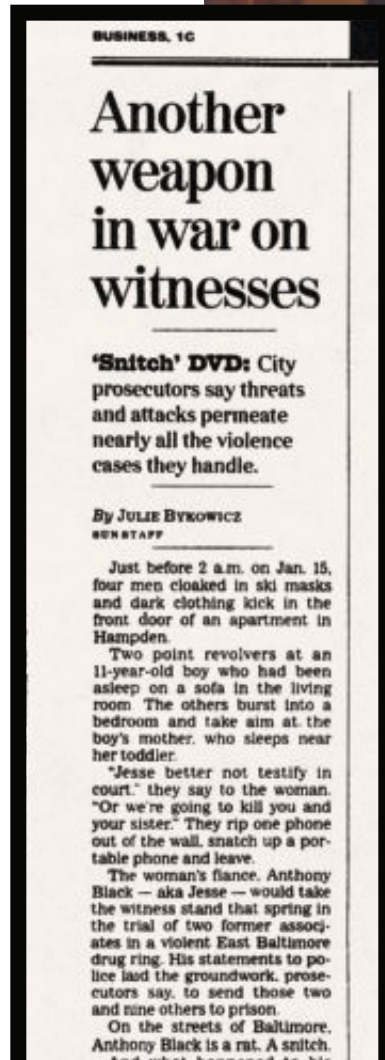
## Forced Into Hiding

What followed the shooting at Mia’s house was like something out of a movie. Squad cars converged on the block, sirens wailing, while police helicopters circled overhead. A detective called Mia with a plan to get her out of the house: She would drive by really slowly, and when Mia saw the car coming, she was to dash from her front door into the moving sedan. Her daughter and

grandson were to remain inside, with police cars stationed outside to protect them. (No one was ever charged in the shooting at Mia’s house that day, nor in connection with the threats made against her and her family.)

After the shooting, Mia was taken directly to the office of Courtney, the witness security coordinator. It took Courtney two and a half hours to calm her down. “She was frantic, crying, angry and going through all the emotions at once,” recalls Courtney. “I just wanted to put my arms around her, which is exactly what I did.”

To Courtney, it was clear that Mia was conflicted. On the one hand, she was adamant about not being run out of her house and away from her family. At the same time, she real-



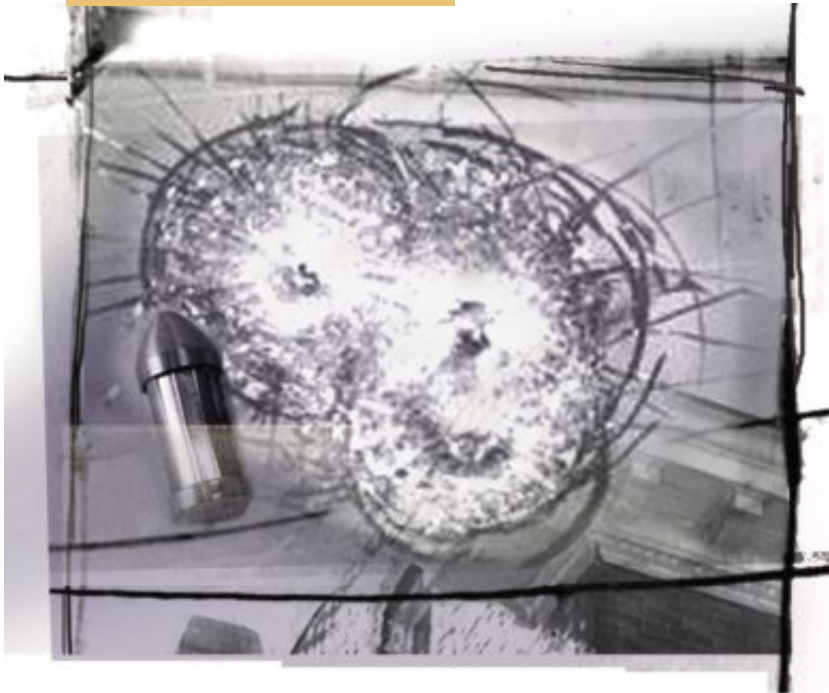
The Baltimore Sun featured this account of witness coercion on December 12, 2004.



Baltimore City's State's Attorney Patricia C. Jessamy is a tireless advocate for stiffer penalties for those who threaten witnesses.

ized that if she stayed, she’d continue to put everyone in danger. In the end, she agreed to relocate to a safe house outside the city. “The rest of the family was offered protection, as well,” explains Courtney. But they all felt that hiding Mia would end the threats.

Since 1994, Baltimore has participated in a state-run witness assistance program. Last year the program, which is staffed by two coordinators, served 242 families (up from 168 families the year before) on a budget of \$300,000. Unlike the federal witness security program, which uses \$40 million of the \$925 million allocated to the U.S. Marshals Service, and famously gives witnesses brand-new lives by relocating them to faraway cities with new identities and cash to live on, Maryland’s program provides only the basics: temporary housing for witnesses outside the city and assistance in finding permanent accommodations in >



new neighborhoods away from their harassers. “The public’s view of our program is that we are the Feds and they will be escorted everywhere in cars with blacked-out windows,” says Courtney. “We wish we were the Feds, but we don’t have that kind of money.”

For four months Mia lived so far from the city that one day she called Courtney to say she’d just seen a cow. The only contact she had with her family was phone calls arranged through the witness assistance program. When her mother died, five days after the house was shot at, Mia didn’t attend the funeral. The cemetery was in her old neighborhood; everyone felt the risk was too great. Months later, as she tells her story from a bleak safe room on the second floor of the Clarence M. Mitchell Jr. Courthouse, Mia weeps again at the memory.

On April 19, 2006, almost one year after the shooting, Mia finally had her chance to testify. Dressed in a red blouse with a bow at the neck, big hoop earrings and her hair pulled back in a bun, she was accompanied up the courthouse steps by an armed sheriff. Later she sat upright in the witness booth, facing West and Hudson. Over and over she invoked the image of children playing in the street while bullets whizzed by overhead.

“I saw the gun in his hand,” she said, standing up, holding her hand to mimic someone firing a pistol. “He started shooting down the street. These children were there. He had to see them!” she said, staring at West and raising her voice. “He had to see them!” In addition to having Mia appear, prosecutor Szokoly brought to the stand detectives, firearms examiners and a criminologist who specialized in gunshot residue. The defendants’ lawyers showed conflicting ballistics evidence and brought witnesses from the neighborhood. Many insisted Mia couldn’t have seen the shooting, that she was too far away. Even Miss Peggy said that Mia must be mistaken.

In his closing argument, West’s attorney, James L. Scott, criticized the police work in the case, arguing that they didn’t try hard enough to find other witnesses and that no guns were ever recovered from the scene. Scott also pointed to the night of the initial shooting, when Mia had gone to the police station and identified West in a photo. The picture, it turned out, wasn’t of him. A month later she had been brought back to the station to look at another photo array, and this time she correctly identified West. “I was really surprised I got that wrong,” Mia said on the witness stand, but she added, “Those two pictures look a lot alike.”

None of the jurors knew that Mia had been threatened, shot at, and forced to move from her home in order to testify. On April 25, after a day and a half of deliberation, the jury found both Darron West and Antoine Hudson innocent. The next day the men were back on the street. When Mia heard the news, she put her head in her hands and sobbed.

## A Life Changed Forever

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almost a year has passed since the verdict, and it’s still not safe for Mia to go home. It may never be. “If I went back there it would be like the word *snitch* was tattooed across my forehead,” she says. “And in my neighborhood, once you are labeled a snitch you will die.” So Mia now lives in a house hours away from her daughters and her grandson and the neighborhood she has known all her life.

Every day is a struggle to put her life back together. She’s still searching for a job, and when she gets one, she’d like

her family to come live with her. The enormity of it all hit her one evening as she was lying in the bathtub, trying to relax. “I just realized my life was over,” she says, tears pooling in her eyes. “I was going to have to start all over again.”

Since the trial, Mia hasn’t heard a word about Antoine Hudson. But May 20, 2006, a month after Darron West was found not guilty in the case of the shootout on Oakford Avenue, he was arrested again and charged with possessing a handgun. When that case went to trial last September, West pleaded guilty and was sentenced to three years’ probation. As far as Mia knows, he’s alive and well and living right down the street from the house she used to call home. □

Jeannine Amber is the senior staff writer for ESSENCE.

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