

Annapolis police defend photo practice amid complaints of profiling

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The Annapolis Police Department took pictures of Annapolis teenagers as part of an investigation into an assault a week ago.

On Monday night, Police Chief Michael Pristoop defended the practice in front of the Annapolis City Council and some residents who alleged that this was racial profiling.

“This sometimes is part of the toolbox we ultimately use,” Pristoop said.

Over the last week, police questioned young African-American males in the Clay Street neighborhood about a July 21 robbery along Franklin Street.

As part of the questioning, Pristoop said, officers took photographs of at least four teenagers on the street to use in the investigation.

“It’s racial profiling, I’m going to call it as I see it,” said Robert Eades, a community activist in the Clay Street neighborhood.

Police listed five to seven potential attackers in the July 21 robbery.

In the incident, according to police, a group of 13- to 18-year old boys robbed two men, knocking them to the ground. One of the victims woke up in a “pool of blood,” according to a police report.

The report lists the suspects as African-American males. Residents at the City Council meeting said that many teenagers along Clay Street fit that description.

“If you’re young and black, you are going to find somebody to fit the description on Clay Street,” said Tarsha Beavers, publisher of *Urban Annapolis Magazine*.

Pristoop said suspects interviewed and photographed by police fit the descriptions of the suspects in the July 21 robbery in more detailed ways. He declined to identify those characteristics.

As officers investigated the robbery, they interviewed the teenagers informally and took their picture.

Police can legally photograph a suspect in a public place, Pristoop said, even if that person is a minor. Neither parental consent nor the consent of the subject being photographed is needed, he said.

“There’s not a reasonable expectation of privacy for people walking on the street,” Pristoop said.

Photos are used by detectives in investigations, the chief said. He said there are no general guidelines on photographing suspects.

Photos are private and are kept in a file, Pristoop he said.

Suspect photos are eventually expunged and removed, he said. An investigating officer makes a written request to the manager of the department's Digital Image Management System to remove the photo when "it is determined the individual is no longer a suspect or a person of interest in an open investigation, someone else has been charged, or the investigation has been suspended," Pristoop said in an email.

The chief said that photos and informal interviews avoid the potential hassle and stigma of arresting a suspect during an investigation.

Suspects cannot be arrested solely for police to take their photo, Pristoop said, but police can photograph someone booked for another offense.

Tanya Booth's 16-year old son was interviewed and photographed last week in connection with the July 21 robbery. Residents describe Booth's son as a model teenager who works two jobs while playing sports at an area high school.

Booth said she met with police on Monday and declined to file a formal complaint.

"When it comes to you running up to children and taking pictures and stereotyping them, I feel there's a problem," Booth said.

Pristoop and Mayor Mike Pantelides plan to meet with residents and review department policy on photographing suspects.

If the police department is not photographing suspects based on a pattern of racial bias, the practice is likely legal, said Scott MacMullan, a criminal defense attorney based in Annapolis.

Police have to allow suspects the right to walk away or shield themselves from a photograph, said MacMullan, who was not at the meeting. But police can photograph a suspect in a public area, he said.

Pantelides said he did not know about the police practice until informed by a resident Monday morning. He said other municipalities use the practice, but that he shares residents' concerns.

Pristoop said a thorough officer might be thought to be doing excellent police work even while others accuse him of infringing people's rights.

But he insisted his police department is not violating the rights of residents along Clay Street.

"I can't tell people what to fear," Pristoop said. "It's not reasonable to believe we are taking photos, sharing them and putting people's freedoms at risk."