

State of Maryland,
City of Baltimore, to wit:
IN THE CIRCUIT COURT FOR BALTIMORE CITY

The State of Maryland

-vs-

Walter A. Wilson

Defendant:

INDICTMENT

The Jurors of the State of Maryland for the body of the City of Baltimore, do on their oath present that, on or about October 20, 2021 through October 22, 2021 in the City of Baltimore, State of Maryland, the Defendant, Walter A. Wilson, a sworn police officer did knowingly, intentionally, and unlawfully commit the crime Misconduct in Office against the peace, government, and dignity of the State.

MANNER AND MEANS

Among the manner and means by which the defendant conducted and participated in the act of Misconduct in Office are as follows:

1. On October 20, 2021 through October 22, 2021, at all relevant times, Officer Walter Wilson was on duty, in uniform, and working as a sworn law enforcement officer for the Baltimore Police Department (hereinafter "BPD").

2. That on October 20, 2021, at approximately 01:46 a.m., Officer Wilson responded to a call for service at 3714 West Mulberry Street concerning a deceased person (hereinafter "DOA").

3. That on October 20, 2021, at approximately 01:46 a.m., Officer [REDACTED] also responded to 3714 West Mulberry Street in reference to the DOA call for service.

4. That Officer [REDACTED] and Officer Wilson were standing on the front porch of 3714 West Mulberry Street sharing information regarding the DOA at that location.

5. That Officer Wilson placed his right hand on Officer [REDACTED] right shoulder and turned her around so that her back was facing him.

6. That Officer Wilson then ran his right hand with an open palm down Officer [REDACTED] back, slowly over her buttocks, then brushed her buttocks with his hand multiple times. This incident was captured on Officer Wilson's body worn camera.

7. That at no time did Officer [REDACTED] consent to being touched, groped, or rubbed by Officer Wilson. Officer [REDACTED] felt violated by Officer Wilson's offensive touching and considered it a form of sexual harassment.

8. That prior to the offensive touching, Officer Wilson and Officer [REDACTED] worked on the same squad, but otherwise had no relationship outside of the Baltimore Police Department.

9. That on/about October 22, 2021, Officer Wilson walked past Officer [REDACTED] in the parking lot of the BPD Southwestern District at 424 Font Hill Avenue and stated to another male officer, "[REDACTED] got those buns." The unsolicited comment caused Officer [REDACTED] to feel offended, upset, and humiliated.

10. That after the comment by Officer Wilson, Officer [REDACTED] sent Officer Wilson a text message indicating she felt uncomfortable about the unwanted touching and unsolicited comment about her body. Wilson replied by stating, "I only made a joke about buns because the other officers said something about it."

11. That on/about October 22, 2021, Officer [REDACTED] was too upset to remain at work and took sick leave until October 28, 2021. When Officer [REDACTED] returned to work on October 28, 2021, she reported the unwanted touching and offensive comment by Officer Wilson to

Sergeant [REDACTED] Sergeant [REDACTED] then notified the administrative lieutenant, watched the body worn camera footage, and made a referral to the BPD Public Integrity Bureau. Officer [REDACTED] was transferred to the Eastern District some time later as she no longer felt comfortable working in the same district as Officer Wilson.

12. Prior to becoming a police officer, Wilson was trained on all facets of the BPD's policies and procedures, including but not limited to: Policy Policy 301 - Code of Ethics, Policy 302 - Rules and Regulations, Policy 305 - Department Values, Vision and Mission, and Policy 1701 – Equal Employment Opportunity and Diversity. Wilson was also duly trained on the Constitution and what it allows, and prohibits, when interacting with fellow officers and coworkers.

On the dates in question, BPD's Policy 1701 specifically stated:

Prohibition against harassment and sexual harassment - All members have a right to work in an environment free from the demoralizing effects of unlawful harassment. For this reason, harassment based on race (to include traits associated with race, such as hair texture and hairstyle), color, age, national origin, ancestry, marital status, sexual orientation, gender, religion, veteran status, physical or mental disability, genetic information, gender identity or expression or any other status protected by law will not be tolerated. Inappropriate harassing behavior may include, but is not limited to, verbal abuse, slurs and negative stereotyping, offensive jokes and comments, threatening or intimidating behavior, the display or circulation of offensive objects and materials (including, for example, offensive graffiti, photographs, texts and emails) and any other behavior meant to mistreat someone because of his or her race (to include traits associated with race, such as hair texture and hairstyle), color, religion, ethnicity, national origin, gender, marital status, age, disability, sexual orientation, gender identity or expression, military or veteran status or other protected characteristic. This policy also prohibits sexual harassment. Sexual harassment includes: Unwelcome sexual advances, Requests for sexual favors, Sexually suggestive or offensive language, and/or Other sexual conduct that unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment. Examples of sexual harassment include, but are not limited to: Repeated and unwelcome sexual advances or requests for sexual favors, Offensive comments, jokes and innuendo, Sexually graphic or degrading comments about appearance, Sexually offensive gestures, whistling and leering, Offensive physical contact, and Displaying or circulating sexually suggestive objects and materials.

On the dates in question, BPD's Policy 302 specifically stated:

Any breach of the peace, neglect of duty, misconduct or any conduct or omission on the part of any member of the Department, either within or outside the City of Baltimore, and whether on or off duty, which tends to undermine the good order, efficiency or discipline of the Department, or which reflects discredit upon the Department or any member thereof, or which is prejudicial to the efficiency and discipline of the Department, even though these offenses may not be specifically enumerated or laid down, shall be considered conduct unbecoming a member of the BPD, and subject to disciplinary action by the Police Commissioner, unless such conduct is protected by the Constitution of the United States, the Maryland Declaration of Rights, or any other federal, state or local law.

On the dates in question, BPD's Policy 301 specifically stated:

I recognize the badge of my office as a symbol of public faith and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice. I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession...law enforcement.

13. All paragraphs herein are incorporated and affirmed as to the following count:

CHARGE

The Grand Jurors, having received evidence supporting paragraphs 1-12 herein, affirming and incorporating said paragraphs, do allege and charge the defendant, Walter Wilson:

COUNT 1

The Grand Jurors of the State of Maryland for the body of the City of Baltimore, do present that the aforesaid **DEFENDANT**, late of said City, heretofore on or about October 20, 2021 and October 22, 2021, in the area of 3714 West Mulberry Street and 424 Font Hill Avenue, in Baltimore City, State of Maryland, did willfully commit Misconduct in Office in the performance of his official duties, in violation of the common law; against the peace, government and dignity of the State.

Misconduct in Office [Common Law] 9X 0042.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ivan J. Bates", written in a cursive style. The signature is positioned above a horizontal line.

The State's Attorney for the City of Baltimore

Ivan J. Bates, State's Attorney for Baltimore City