

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

ROBERT L. WILKINS, *et al.*,

Plaintiffs,

v.

MARYLAND STATE POLICE, *et al.*,

Defendants.

Civil Action No. CCB-468

ORDER

On consideration of Plaintiffs' Motion for Enforcement of Settlement Agreement and for Further Relief; the Opposition thereto by Defendants; and argument held April 11, 1997, the Court hereby FINDS:

1. Plaintiffs clearly have made a reasonable showing that there was a pattern and practice of stops by the Maryland State Police ("MSP") on the basis of race, within the meaning of Paragraph 10 of the Settlement Agreement, on Interstate Highway 95 in Baltimore, Harford, and Cecil Counties between the City of Baltimore and the Delaware state line (the "I-95 corridor"), in the period of January 1, 1995 through September 30, 1996.

The Court accordingly ORDERS:

1. The Court hereby extends its jurisdiction pursuant to Paragraphs 1 and 10 of the Settlement Agreement through and including June 30, 1998.
2. Within thirty (30) days of April 11, 1997, the MSP shall file with the Court and serve on counsel for Plaintiffs the following additional information:

Wilkins v. Maryland State Police



PP-MD-002-009

a. An analysis, by quarter, of the race of individuals stopped and searched by the MSP in the I-95 corridor from January 1, 1995 through and including the first quarter of 1997.

b. One or more affidavits describing in detail the investigations and disciplinary actions, if any, taken by the MSP in response to racial disparities in data concerning stops and searches in the I-95 corridor. The MSP should submit internal documents concerning such investigations and disciplinary actions. If the MSP believes that in order to protect legitimate privacy interests, such documents should be confidential, in whole or in part, it may submit them to the Court with that request. It should serve counsel for Plaintiffs with redacted versions of those documents, or, if the MSP believes they should be confidential in whole, the MSP should notify counsel for Plaintiffs of the general nature of the documents submitted. The Court subsequently will determine whether such documents should be provided to counsel for Plaintiffs under a protective order or otherwise.

c. One or more affidavits describing identifying information that the MSP collected and/or maintained concerning the persons the MSP stopped in the I-95 corridor from January 1, 1995 to the present, when the stops resulted in either consent to search or a search by a drug-detecting dog.

3. The MSP immediately shall take all reasonable steps to preserve and not destroy, whether in the ordinary course of business or otherwise, any identifying information that the MSP collected and/or maintained concerning persons the MSP has stopped in the I-95 corridor from January 1, 1995 to the present, when the stops resulted in either consent to search or a search by a drug-detecting dog.

4. As soon as practicable, the MSP shall collect and maintain data as described in Paragraph 9 of the Settlement Agreement for all persons the MSP stops in the I-95 corridor, whether or not the stop results in consent to search or a search by a drug-detecting dog. The MSP shall provide that data to the Court and counsel for Plaintiffs in the same manner as it previously was required to produce data under Paragraph 9.

5. As soon as practicable, the MSP shall collect and preserve information identifying the persons it stops in the I-95 corridor, whether or not the stop results in consent to search or a search by a drug-detecting dog. This information should include, at a minimum, the name, home address, and vehicle license plate numbers of such persons. The MSP need not provide such information to counsel for Plaintiffs unless subsequently ordered to do so by this Court.

6. The Court defers ruling on Plaintiffs' request to sanction the MSP for contempt of court.

SO ORDERED.

April 22, 1997
Date

Catherine C. Blake
Catherine C. Blake
U. S. District Judge