

# THE JUSTICE REPORT

## STATE'S ATTORNEY, MAYOR'S AND COMMUNITY PARTNERS ANNOUNCE SUCCESS OF COVID CRIMINAL JUSTICE POLICIES

THE POLICIES ENACTED OVER THE PAST YEAR HAVE RESULTED IN A DECREASE IN ARRESTS WHILE HAVING NO ADVERSE IMPACT ON THE CRIME RATE

On March 26, State's Attorney Mosby announced the one-year success of the COVID Criminal Justice policies alongside the Mayor's Office on Neighborhood Safety and Engagement (MONSE) and partners from Baltimore Crisis Response Inc., Johns Hopkins University, the National

Association for the Advancement of Colored People (NAACP), and other stakeholders.

The policies enacted over the past year have resulted in a decrease in arrests while having no adverse impact on the crime rate, and addressed the systemic inequity of mass incarceration. Therefore, the

State's Attorney also announced the permanent adoption of these policies as the Office continues to prioritize the prosecution of public safety crimes over low-level, non-violent offenses.

One year ago, the Baltimore City State's Attorney's Office (SAO), consulted with public health experts to adopt a progressive, common-sense approach to crime and slow the spread of COVID-19 in prison and jails. As a result, the office decided to stop prosecuting the following offenses: CDS (drug) Possession, Attempted Distribution CDS, Paraphernalia Possession, Prostitution, Trespassing, Minor Traffic Offenses, Open Container, Rogue and Vagabond; and Urinating/Defecating in Public.

The data collected this past year demonstrates the results of these policies. What has been the results of these policies? According to data from the Department of Public Safety and Corrections System, the overall incarcerated population in Baltimore City is down 18 percent. The data also revealed a 39 percent decrease in people entering the criminal justice system. Click [here](#) to read the press release.



*"We set out to reduce the spread of COVID-19 in the criminal justice system by reducing the incarcerated population, while promoting public safety. The number of people we have charged is down. The incarcerated population is down. And crime is down. The era of tough on crime prosecution is over in the city of Baltimore. We must continue to rebuild the community's trust in the criminal justice system"*

**—State's Attorney Mosby**



## IN THIS ISSUE

### SAO'S SENTENCING REVIEW UNIT SECURES RELEASE OF MAN AFTER NEARLY 40 YEARS OF INCARCERATION

Donald Braxton entered the prison system at 16 years of age and has since mentored youth and earned his Associate's degree.

PAGE  
3

### SAO'S VICTIM AND WITNESS SERVICES TEAM HOSTS STATEWIDE MEMORIAL FOR SURVIVORS

This annual memorial service provides a safe, supportive, and trustworthy space for families of crime victims to gather and share their stories.

PAGE  
4

### STATE'S ATTORNEY AND COMMUNITY PARTNERS HOST NINE COMMUNITY TOWN HALLS

The SAO hosted nine community town halls via Zoom for residents to learn more about our permanently adopted COVID-19 policies

PAGE  
6

OFFICE OF THE STATE'S ATTORNEY FOR BALTIMORE CITY

Marilyn J. Mosby, State's Attorney



## STATE LEGISLATURE PASSES MARYLAND POLICE ACCOUNTABILITY ACT OF 2021

Baltimore City State's Attorney applauds passage after six years of police reform advocacy, says there's more work to be done."

This legislative victory is the culmination of six years of advocacy by the SAO and local partners, including the publishing of a comprehensive police reform plan in 2016 following the death of Freddie Gray Jr. The

bills address a variety of necessary police reform measures including: limiting no-knock warrants, requiring body-worn cameras for officers, establishing a statewide use-of-force policy, and prohibiting police officers from stopping civilians from recording their actions in public

Click [here](#) to read the full press release. •

*"The passage of this legislative package is a testament to the hard work of so many advocates, elected officials, and citizens who have been fighting for the substantive transformation of our country's law enforcement... I recognize that dismantling the status quo does not happen overnight. There is still very much more work to be done to rectify Maryland's police infrastructure and my office will continue to advocate on behalf of citizens to make that happen. These bills are only the beginning."*—State's Attorney Mosby

**This past April, the Maryland Legislature passed several police reform bills that signify the end of community damaging police tactics and marks the beginning of a holistic approach to law enforcement. The legislation included:**

- ▶ **HB670**— Maryland Police Accountability Act of 2021 - Police Discipline and Law Enforcement Programs and Procedures (Speaker Adrienne Jones - Workgroup to Address Police Reform and Accountability in Maryland)
- ▶ **SB600**— Maryland Police Accountability Act of 2021 - Surplus Military Equipment and Investigation of Deaths Caused by Police Officers (Sen. William C. Smith, Jr., Montgomery County)
- ▶ **SB71**— Maryland Police Accountability Act of 2021 - Body-Worn Cameras, Employee Programs, and Use of Force (Senators Sydnor, Smith, Waldstreicher, Jackson, Carter, Hough, Lee, West, and Hettleman)
- ▶ **HB178**— Maryland Police Accountability Act of 2021 - Search Warrants and Inspection of Records Relating to Police Misconduct - "Anton's Law" (Senator Jill P. Carter, Baltimore City)



## SAO'S SENTENCING REVIEW UNIT SECURES RELEASE OF MAN AFTER NEARLY 40 YEARS OF INCARCERATION

DONALD BRAXTON ENTERED THE PRISON SYSTEM AT 16 YEARS OF AGE AND HAS SINCE MENTORED YOUTH AND EARNED HIS ASSOCIATE'S DEGREE.

On April 29, a Baltimore City judge ruled in favor of a modification request that resulted in the release of Donald Braxton. A jury found Mr. Braxton guilty in 1982 of Felony Murder, Attempted Robbery with a Deadly Weapon, and Use of a Handgun in the Commission of a Crime of Violence after the fatal shooting of Dr. George Franklin Phillips during a failed robbery attempt

on September 21, 1981. Six teenagers, including Mr. Braxton, were arrested for the crime. Of those convicted as adults in this offense, Mr. Braxton is the last one remaining in prison. Mr. Braxton was 16 years old at the time of the crime and had served nearly 40 years of his sentence. After a thorough review, led by SRU Chief Becky Feldman, State's Attorney Marilyn



ATTORNEY GWENDOLYN WATERS AND DONALD BRAXTON.

Mosby agreed to support Mr. Braxton's release.

The Sentencing Review Unit worked with defense counsel Gwendolyn Waters & Michael Lawlor of Brennan, McKenna & Lawlor, Chtd., and Gary Proctor of Gary Proctor, LLC, who brought the case to the

attention of the SAO. The victim's family spoke about forgiving Mr. Braxton at the release hearing.

Click [here](#) to read the full announcement. •



## BALTIMORE CITY STATE'S ATTORNEY'S OFFICE FILES FCC COMPLAINT AGAINST FOX BALTIMORE FOR BIASED, INFLAMMATORY COVERAGE

On May 6, the Baltimore City State's Attorney's Office (SAO) filed a formal complaint with the Federal Communications Commission (FCC) requesting an investigation into the broadcasting practices and media content distributed by FCC-licensed station WBFF, a Baltimore City-based Fox News-affiliated network, specifically the content distributed to the public about the SAO and its lead prosecutor, State's Attorney Marilyn Mosby.

Under the FCC's rules, "[b]roadcasters may not intentionally distort the news," and "rigging or slanting the news is [deemed] a most heinous act against the public interest." Given that FCC guidance, an investigation into the persistent and slanted broadcasts of WBFF against the SAO and the State's Attorney would prove that the WBFF administrators are guilty of such "heinous act[s]." **"In my capacity at the States Attorney's Office, I have noted that the news coverage of the WBFF**

**persistently follows a disconcerting and dangerous pattern: beginning with a slanted, rigged, misleading, or inflammatory headline; followed by a conspiracy theory; and supported with guest commentary from disgruntled ex-employees or political opponents that lend false credibility to their biased coverage or omission of facts. Utilizing this pattern of practice in their broadcasts, citizens are not only consistently misinformed about the basis and intent of prosecutorial**

**policies, additionally the merit of criminal convictions are distorted to detract from the public good championed by prosecutors. Most disturbingly, there appears to be an intentional crusade against State's Attorney Mosby, which given today's politically charged and divisive environment, is extremely dangerous,"** said SAO Director of Communications, Zy Richardson.

To read the full letter to the FCC, click [here](#). •



## BCSAO TEAM HIGHLIGHT: PUBLIC TRUST & POLICE INTEGRITY UNIT

This dynamic team of nine, comprised of ASAs, a paralegal, an administrative assistant, and a victim and witness advocate, are holding police officers accountable to apply one standard of justice for all regardless of race, creed, religion, or occupation.

The Public Trust and Police Integrity Unit, also known as the "PTPIU," handles all criminal cases involving police officers. The PTPIU also independently reviews all "Resisting Arrest" or "Assaulting the Arresting Officer" cases, and handles all Brady and Giglio (exculpatory/credibility) files on police officers.

What sets PIU apart from other units? Steve Trostle, PTPIU Division Chief, has an unexpected answer.

***"It may seem obvious that the difference between the PTPIU and the SAO's other divisions is the fact that most ASAs are working with police officers, while the PIU is working 'against' them. But in reality, the PIU, like the rest of the agency, is seeking justice by holding those individuals accountable who cross the line and commit criminal behavior,"*** said Trostle.

The PTPIU team is made up of six ASAs, a paralegal, an administrative

assistant, and a victim and witness services advocate.

A case that evokes pride for the team is "State v. O'Sullivan," where Officer O'Sullivan provided false testimony during a Baltimore City district court handgun case. The ASA referred the officer's testimony to the PTPIU for review which resulted in the officer being investigated, charged, and successfully prosecuted by the unit.

***"In doing so, we were able to exonerate a citizen who spent nearly two months in jail based on false testimony. It proved that our system works,"*** said Trostle.

In contrast, the PTPIU team is equally proud when they clear the name of falsely accused police officers.

***"We're not just about charging and convicting police officers - we're about one standard of justice, applied equally to all. And if an officer has been falsely accused - which of course happens frequently - we're just as happy to clear that officer as we are to charge the guilty,"*** said Trostle.

The PTPIU unit is concerned about the unfortunate misconception that their unit is seen an "anti-cop." They however acknowl-



FROM THE UPPER LEFT: TARA SMITH - VWA, KATIE CHANG - ASA, KIM ROTHWELL - ASA, CHRIS AMBERGER - ASA, ERNIE REITZ - ASA, AND STEVE TROSTLE - DIVISION CHIEF. NOT PICTURED: CLOVER HAYDEN - ADMINISTRATIVE ASSISTANT, ALEX RODRIGUEZ - ASA, AND RAFAEL REGALAS - PARALEGAL.

edge and support the fact that good officers far outnumber the bad, and that principle continues to motivate their

In their work, collaboration with the Evidence Review Unit (ERU) is paramount to the PTPIU's success. Recently, the team has also collaborated with the SVU, ECU, MIS, and Criminal Strategies units for case assistance. Outside of the SAO, the

PTPIU regularly works with BPD's Internal Affairs division and the Inspector General's Office, Maryland State Police, the Attorney General's Office, the FBI, and the U.S. Attorney's Office.

To learn more about the Public Trust and Police Integrity Unit, click [here](#).

## SAO'S VICTIM AND WITNESS SERVICES TEAM HOSTS STATEWIDE MEMORIAL FOR SURVIVORS



On April 18, the SAO's Victim and Witness Services Unit, in partnership with the Governor's Office of Crime Prevention, Youth, and Victim Services, and the Maryland Board of Victim Services, hosted the Northern Regional Memorial Service during National Crime Victims' Rights Week. The memorial service featured inspirational speakers, musical performances; and moments of quiet reflection to honor over 4,000 crime victims of homicide, vehicular manslaughter, as well as 'missing crime victims' and their families.

This annual memorial service provides a safe, supportive, and trustworthy space for families of crime victims to gather and share their stories. The SAO's Victim and Witness Services Unit coordinated the memorial service as a positive outlet for families to cope with their grief and honor their lost loved ones. The Northern Region encompasses Anne Arundel, Baltimore City, Baltimore, Cecil, Harford, and Howard counties.

Click [here](#) to watch a recording of the memorial.

## ASAS: DELIVERING JUSTICE IN THE MIDST OF A PANDEMIC

SAO PROSECUTORS CONTINUE TO HAVE GREAT SUCCESSES IN THE COURTROOM DESPITE THE IMMENSE OBSTACLES THE PANDEMIC PRESENTED TO MARYLAND'S COURT SYSTEM.

1. In May, a Baltimore City Grand Jury indicted **Steven Melton for the murder of Dominic Carr** on the 2800 block of Edgecombe Circle on April 5, 2021. Melton was charged with; First Degree Murder, Use of a Handgun in a Crime of Violence, and Possession of a Regulated Firearm by a Felon. If convicted of all charges, **Melton faces a potential maximum of Life plus 35 years.**
2. In April, a Baltimore City Grand Jury indicted **Daquan Murphy for the murder of Marcus Bentely** on the 3400 block of E. Lombard Street on February 10, 2021; and charged him with three other crimes, which included Attempted Murder and Armed Carjacking cases. If convicted of all charges, **Murphy faces multiple maximum Life sentences.**
3. In March, a Baltimore City Grand Jury indicted **Correctional Officer II Zanel Santana, Correctional Officer Sergeant Monyette Washington, and Correctional Officer II Uchenna Okeke.** All three correctional officers were **arrested on charges related to the assault of a detainee and Misconduct in Office.** Santana was charged with one count of First Degree Assault and two counts of Misconduct in Office. Washington and Okeke were each charged with two counts of Misconduct in Office. If convicted, **Santana faces a maximum sentence of 25 years in state prison** for First Degree Assault. There is no maximum or minimum sentence for Misconduct in Office—it is a common-law crime that carries a sentence limitation that cannot be deemed cruel and unusual.
4. In March, a Baltimore City Grand Jury indicted **Sierra Hammond, 32, for Witness Intimidation in a Crime of Violence, Conspiracy to Commit Witness Intimidation in a Crime of Violence, and Solicitation to Commit Witness Intimidation in a Crime of Violence** against the co-defendant in her incarcerated son's homicide case. If convicted of all charges, **Hammond faces a maximum of 20 years.**

AN INDICTMENT IS NOT A FINDING OF **GUILT**. AN INDIVIDUAL CHARGED BY INDICTMENT IS **PRESUMED INNOCENT UNLESS AND UNTIL PROVEN GUILTY AT TRIAL.**

## INTRODUCING: THE GAVEL, A YOUTUBE SERIES FEATURING THE LATEST INDICTMENTS, CONVICTIONS, & SENTENCINGS

On January 27, the SAO released its first episode of The Gavel, a YouTube series that will highlight the agency's latest indictments, convictions, and sentences. Since that time, the series has published four episodes to keep viewers in the loop on the courtroom activities of the SAO.

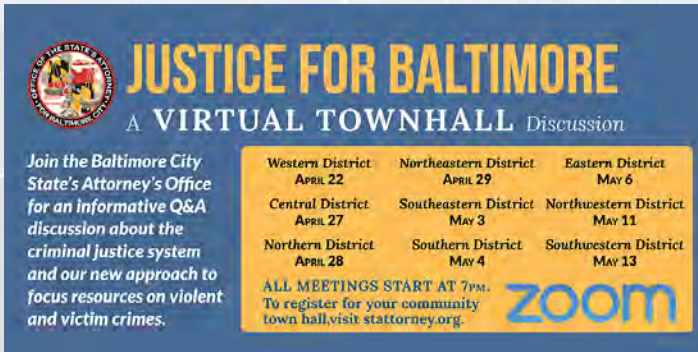
The series is an opportunity for viewers to glean a visual synopsis of the latest courtroom accomplishments by Baltimore City's State's Attorneys..

[Click here to watch The Gavel.](#) •





# STATE'S ATTORNEY AND COMMUNITY PARTNERS HOST NINE COMMUNITY TOWN HALLS



**JUSTICE FOR BALTIMORE**  
A VIRTUAL TOWNHALL Discussion

Join the Baltimore City State's Attorney's Office for an informative Q&A discussion about the criminal justice system and our new approach to focus resources on violent and victim crimes.

Western District APRIL 22	Northeastern District APRIL 29	Eastern District MAY 6
Central District APRIL 27	Southeastern District MAY 3	Northwestern District MAY 11
Northern District APRIL 28	Southern District MAY 4	Southwestern District MAY 13

ALL MEETINGS START AT 7PM.  
To register for your community town hall, visit [stattorney.org](http://stattorney.org)

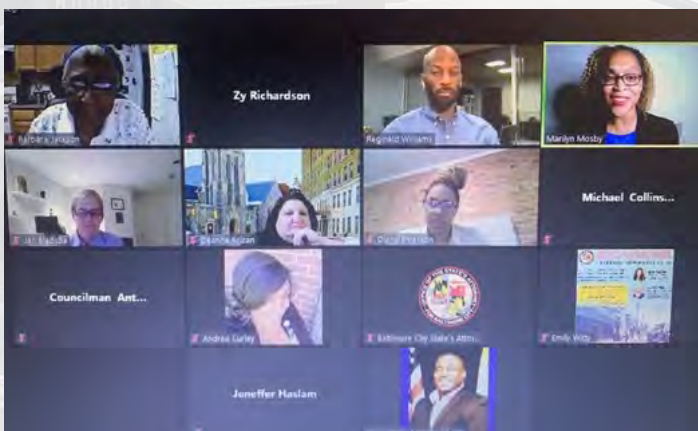
**zoom**

Beginning April 22, the SAO hosted nine community town halls via Zoom for residents to learn more about our permanently adopted COVID-19 policies. Joining State's Attorney Mosby and SAO staff on the panel were Edgar Wiggins, CEO of Baltimore Crisis Response, Inc.; Kate D'Adamo, Specialist with the Reframe Health and Justice Organization; Community Relations Council presidents, and the district's Baltimore City councilmember.

The community posed multiple valuable questions to better understand the policies, such as "who do

we call to report low-level offenses too?". Edgar and State's Attorney Mosby were able to clarify to residents that they can still call 9-1-1 or reach out to the BCRI hotline wherein all three lines would provide a direct response to the resident's immediate concern. In total, more than 500 residents participated in the virtual discussions to learn about the SAO's new approach to focus more resources on violent and victim crimes.

Click [here](#) to view a recent town hall •



## COMMUNITY ENGAGEMENT TEAM



### CITYWIDE & SOUTHWESTERN

Reginald Williams

443.984.6162 | [rwilliams@stattorney.org](mailto:rwilliams@stattorney.org)



### CENTRAL

Donovan Hatcher

443.263.8114 | [dhatcher@stattorney.org](mailto:dhatcher@stattorney.org)



### NORTHEASTERN

Andrea Curley

443.984.6047 | [acurley@stattorney.org](mailto:acurley@stattorney.org)



### NORTHWESTERN

Bria Lee | [blee@stattorney.org](mailto:blee@stattorney.org)