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Public Defender Applauds Dismissal of Minor Charges as Effort to Stem the Spread of COVID-19 in Baltimore City Jail

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Today, Baltimore City State’s Attorney Marilyn Mosby instructed her staff to drop pending charges and cease prosecution on certain low-level offenses, in response to the ongoing public health crisis. The Baltimore City Office of the Public Defender identified approximately 60 individuals detained on the specified misdemeanors who should be released under this directive.

“Ongoing detention during this public health crisis threatens the lives of our clients and creates conditions that will exacerbate the spread of this pandemic,” said Kirsten Gettys Downs, District Public Defender for Baltimore City. “The urgency of the current situation requires leadership throughout Baltimore. The State’s Attorney’s exercise of her authority to reduce the detention population and focus on more serious cases will save lives.”

To effectuate the State’s Attorney’s directive, prosecutors will be dismissing pending cases, requiring immediate release of the defendant for charges of drug possession, attempted distribution, prostitution, trespassing, minor traffic offenses, open container and urinating in public.

“The individuals identified pose no significant safety risk in the community, but their continued detention would pose an exceptionally high public health danger,” said Downs. “There continue to be large numbers of people incarcerated at the jail who are vulnerable during this pandemic, but this step by Ms. Mosby represents tremendous progress in recognizing the criminal justice system’s role in this public health crisis.”

District Public Defenders throughout the state have been communicating with their local State’s Attorney and Judiciary to reduce the number of people incarcerated in the local jails.

According to Maryland Public Defender Paul DeWolfe, “While we are generally on opposite sides in the courtroom, some State’s Attorneys have recognized their important role in stemming this pandemic. We call on all State’s Attorneys to show this leadership with respect to their county jails; and for the Governor to address the large number of vulnerable people in the state prisons. Everyone must take responsibility to address the unique concerns and challenge with keeping large numbers of people incarcerated who pose no immediate danger.”

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