

Upper Marlboro, MD
District Court Trial Session
May 13, 2022

Judge Donnaka Varner Lewis heard 20 cases this morning in Courtroom 262B, 12 of which were nolle prossed.

The most disturbing case was that of a young Black woman who was charged with resisting arrest. Her private attorney informed the court that she will graduate from Bowie State next week and begin graduate school in social work at the University of Houston in the fall. Her case was put on the STET docket with three conditions: 40 hours of community service; a public apology to the two officers involved in her arrest (a Bowie police officer and a Maryland State Trooper); and to continue her mental health medication as long as necessary. The loved one turned to the officers and read her prepared apology out loud. She started crying as she read, but she would (bravely) look at them and was able to finish it. They sat stone-faced with no response.

Mary spoke to the mother outside the courtroom and returned with a very disturbing story: Her daughter is bipolar. She stopped her meds at some point. The officers did a traffic stop and escalated the situation, accusing the young woman of driving under the influence. She had not been drinking. One officer said she should go on a date with him. She struggled when they tried to put handcuffs on her. The past 9 months since the incident have been hell. We will get the police report. This was the first public apology we have heard: what was the reasoning behind it? Was it meant to humiliate the young woman?

The next case to note involved (retired) Officer Jeremy Bull, who is cited both on the State's Attorney's published Do Not Call list of unreliable witnesses and in the Graham Report on racism and violence in the PG Police Department. The defense entered a motion to dismiss because the state had not yet turned over all the discovery in a case that dated from November 2020. The defense also told the court that the state had not turned over Officer Bull's Internal Affairs file, which is required. The ASA tried to explain that the defense had received some of the cruiser camera videos but not all of them. The state had three officers present but not the officer who had been first on the scene, Officer Bull. The ASA didn't deny that she should have provided the Internal Affairs file but told the judge that she intended to make her case without him. The judge asked, "How can he not be essential when he was the first officer on the scene?" The defense attorney said that even with a delay Officer Bull still has problems. The judge agreed saying, "Everybody knows Bull has problems." The judge granted the defense

motion to dismiss. We see here that the ASAs still try to go forward with cases, even when impeachable officers are involved. It depends on the defense attorney to point out the credibility issue and the judge to rule appropriately. We could tell that the judge didn't make her ruling easily, saying that this was a serious case. "We have a gun problem." It seemed that she didn't want to see the charges dismissed but she wouldn't forgive the state's errors in preparing for today's hearing.

In another case the judge denied the state's request for a continuance. Again the state had failed to prepare for this trial (by filing a writ with Montgomery County where the loved one is detained to have him transported to Upper Marlboro for today's hearing). This is the second time the state has failed to do this. The charges date from October 2021. The judge said, "The state has to do its job." The charges were nolle prossed.