

**Upper Marlboro, MD**  
**District Court Trial Session**  
**July 22, 2022**

Today two of us went to Courtroom 262. There were two judges: Judge Carrington for the 8:45AM docket and Judge Bereano for the 10AM docket. Allison Heldreth was the PD and Elizabeth Amstutz was the ASA throughout the morning.

Around 9:10AM, the bailiff gave the usual warnings to everyone about turning off cell phones, etc., and then said, “when a judge is available, they will come to the courtroom. They will go through cases rapidly and efficiently so they can go back to their courtroom. Do not get up and lollygag in the hallway. We’ll be starting as soon as we get a judge.”

The hearing started around 9:20. There were thirty cases on the docket. There was 1 guilty plea, 2 bench warrants, 3 nolle prossed/indicted, 5 continuances, and 18 nolle prossed/stet. 1 case, in an unusual move, ended in a \$15,000 bond at 10%.

That case, Mr. E, arose from October 29, 2020, with charges of a handgun in a vehicle. Mr. E had FTAs in this case because he had been incarcerated in Baltimore (where he lives) and other places since October 2021. He is now in the PG County jail. PD Allison Heldreth asked for a bond review, and Judge Bereano had an interesting discussion with her about pretrial options. PD Heldreth suggested that Mr. E be given Pretrial level 3, and she and the judge agreed that that would involve twice-weekly drug testing check-ins in Upper Marlboro. PD Heldreth then asked whether the drug testing could be done in Baltimore, where Mr. E lives, instead of in PG County. Judge Bereano said, “I am not sure if Pretrial allows this.” He added, “If the Public Defender says I have the authority to do, say, Pretrial level 3,” he would make some arrangement. Then he said, rather sternly, “The onus is on you, that if Pretrial does not let me do that, you come back to me so I can instruct them – you need to let me know if my order is not being followed.”

I took this to mean that the Pretrial lawsuit is having a restraining influence on the reckless use of pretrial. The upshot was that PD Heldreth told the judge that Mr. E could afford a bond of \$2000, and Judge Bereano ordered a bond of \$15,000 at 10% without any Pretrial involved. The state objected, but the judge pointed out that Mr. E has been in jail since 2021 when a commissioner in that case had ordered a bond of \$3000. The state went silent.

Another case was that of a person who did not show up, Ms. F. A bench warrant was issued for her, but a call came into the court later that she did not have child care this morning. I don't know what the end result in that case was.

After that, we left the courtroom. We did not lollygag in the hallway.