

**Upper Marlboro, MD**  
**District Court Trial Session**  
**August 26, 2022**

There were 31 cases this morning. 14 (45%) were nolle prossed; 8 (26%) were continued; 4 (13%) were en route to indictment; 3 (10%) were statted; 1 (3%) was FTA and a bench warrant was issued; 1 loved one was referred to Mental Health Court.

The public defender was Sean Link, the ASA was Brandon Ly, and the judge was Ada Clark-Edwards. A number of the nolle pros dispositions came after the ASA requested a continuance, either because no witnesses were present (police officers involved in these cases often do not show up) or because the ASA had not been able to give the “discovery” to the defense. When the ASA requested a continuance, the defense would object, saying they had not received “discovery,” or the state should have produced the witnesses. If this was the second time the state had asked for a continuance, the judge denied the request, whereupon the state moved for nolle pros. This is a common scenario.

Officer D. Cheatham was an arresting officer in the case of Loved One L, who was charged with prostitution (nolle pros’d today). **Cheatham was involved in the death of Leonard Shand, killed by PG officers on September 26, 2019.**

Officer Michael O’Connell was an arresting officer in the case of Mr. M, who was charged with theft. **O’Connell was one of fourteen officers indicted yesterday for double-dipping.**

Mr. N is a slight Black man who is disabled. His right hand trembles constantly, and he held it with his left hand when he was before the court to keep it steady. He appears to have less control over his entire right side. He had four cases, the oldest going back to September 2020, and all involving similar charges: Rogue and vagabond, petit theft, etc. There were no witnesses present for any of his cases, and all but one were nolle prossed.

The last case called, and by far the longest, was Mr. Q. He is 42 years old and charged with disorderly conduct and failure to obey. Neither of these charges was certified by the commissioner as having probable cause. The third charge was resisting arrest. There were seven arresting officers listed. Three of them are cited in the Graham Report. One, Officer Ingram, 3702, stayed in the courtroom to the bitter end, just for this case. The case dates from January 2020, when Mr. Q was released on his own recognizance. PD Link and ASA Ly had crafted a plea agreement in which Mr. Q would plead guilty to resisting arrest, the sole charge with probable cause. Mr. Q would have none of it. Judge Clark-Edwards asked him why. He pointed to Officer Ingram, sitting near him on the left side of the court, and said, “He’s wrong! I’m not going to make myself believe something that I know is not correct. That’s psychotic.”

The judge told him that if he did not accept the guilty plea he would go to trial and asked him again why he did not. "Maybe because I don't understand," he told her. "They made up those charges." Then she began a long interrogation of him, asking him if he understood why he was here ("Yes, ma'am, I was wrongfully charged"), if he knew who she was ("Yes, you're the boss!"), did he know who the man on his right (ASA Ly) was, ("He wasn't there so he doesn't know what happened"), did he know who Sean Link was, ("he's trying to help me out"). At some point, PD Link pointed out to the judge that the commissioner had not found probable cause for the charges of disorderly conduct and failure to obey, and had released Mr. Q on his own recognizance back in January, 2020.

If Graham Report officer Ingram had not been there, I believe this last case would have been nolle prossed along with the rest. Judge Clark-Edwards kept pressing the man before her to admit something that he did not want to. She told him to ask her questions about anything he didn't understand, and, when he began to say something about being wrongfully charged, she interrupted to say, "No, no, I'm talking to you about the process." Then she told him he could only talk about the process, not the case. "It's like you want me to say guilty," he said. She denied that and he was then silent, trying to think. "I ain't going to plead guilty and resisting because I didn't do that." She told him he would only be pleading guilty to "fleeing and eluding." He challenged that; "I don't plead to fleeing and eluding because it wasn't no high speed chase." She asked him if that was what he thought "fleeing and eluding" was. He said yes. At that point, the conversation in the courtroom moved to discussing whether this should be referred to mental health court, and that was the outcome.

ASA Ly then came over to Officer Ingram and basically apologized to him for this outcome, explaining that Mr. Q had no history of violence. Ingram responded by telling Ly, "I appreciate you not caving." And, as Ly was returning to his place in the courtroom, Ingram called to him, "Thank you for staying strong." All of this pointless retaliation against a man who appeared not in good physical or mental health and had no history of violence and in a case over two years old.

Why are such officers on our streets? Wouldn't people trained in de-escalation, mental health care, and basic compassion help our communities more?