

Upper Marlboro, MD
District Court Trial Session
February 24, 2023

Of the 23 people brought in for trial in Room 262B, this morning, there were 18 Black men, 3 Black women, 1 Latinx man, and 1 Asian man. Robert Heffron was the judge and Lilian Baah the public defender. I did not get the prosecutor's name. Dispositions included 10 nolle pros, 6 continuances, 3 stets, 2 bench warrants, and 2 set for indictment.

The docket lists the session as beginning at 8:45, although it usually begins well after 9 am. However, by 8:50, or so, the public defender enters and asks if anyone needs to speak to them. At that point, people line up to speak to either the PD, or the prosecutor. This is usually over in 10 or 15 minutes and then we wait until the judge enters, which can be another 15 or 20 minutes.

At 8:30, this morning, as I sat down in the courtroom, a family behind me was speaking to each other in worried tones, saying they did not know what to expect, having not yet spoken to the public defender. I told them that, in my experience, the public defender usually comes in before the session begins and they would likely have an opportunity then. But this morning, Judge Heffron entered the courtroom at 8:44 (according to the clock on the wall to his left), and began the court session immediately. It was soon evident, as cases were called, that a number of people had not yet spoken to the PD or ASA. At that point, Judge Heffron scolded the PD and ASA for this, and concluded by saying, "when you saw my name on the docket, you should have known court would begin on time today."

In fact, the judges who preside in Courtroom 262 should get their act together and decide when court will begin, regardless of who the judge is. At present, it begins at the whim of individual judges, leading to unnecessary waiting and inconvenience for everyone else. Judge Heffron's rebuke of the PD and ASA for not anticipating his starting time, might better be directed toward his colleagues who each have their own random "starting time."

The family sitting behind me grew more anxious as the session dragged on. They were there with their 19-year-old son and grandson. He had been sitting in a parked car with some friends on December 21, 2022, at about 10:30 pm. The car attracted the attention of Officer Reddick who called it "a suspicious occupied vehicle" that was in a public park and "parked incorrectly in the parking spaces." Officer Reddick said that he could "identify the strong aroma of Marijuana," and so ordered the young Black men out of the vehicle and searched them and the

vehicle, “for the source of the marijuana aroma.” He found a handgun in the car, and the SOC says that “the defendant admitted the handgun belonged to him and was placed under arrest.” The Supreme Court has virtually nullified Miranda rights, and police routinely coerce statements like this out of those they are profiling and arresting. There are no charges involving marijuana in this case.

When the young man’s case was called, the prosecutor asked to continue it, saying that his office was “still reviewing the charges.” Judge Heffron then told the young man that it was better to set it for later because, if he contested it today, the state might send the case to Circuit Court immediately. The young man was asked if he agreed with this and he agreed, still not having spoken to the PD.

I spoke to his family members in the hallway outside while he waited inside for his paperwork. They told me that they did not know what was going on – did not know what sending it to Circuit Court meant, and now wondered if they should hire a private attorney. They also said that the young man had been doing very well at a university in a nearby city, and had never been in any trouble before, but with this hanging over his head he is despondent and doesn’t want to go back to campus in person. I told them about the Participatory Defense program that Life After Release has and gave them contact information for that.

The case is reset for Monday, April 3, 2023, at 1:15.