

**Upper Marlboro, MD**  
**District Court Trial Session**  
**March 17, 2023**

Of the 19 people brought in for trial in Room 262B this morning, 17 were Black, 1 Latinx, and 1 white. The oldest case was from September 26, 2019. Donnaka Varner Lewis was the judge, Monica Wilson the public defender, and Kathleen Ayuk the prosecutor. Dispositions were 7 nolle pros, 3 continuances, 3 stets, 2 bench warrants, 2 indicted, 1 guilty plea, and 1 jury trial prayed. There were long lines at the front and the back of the courthouse that got longer as I waited outside. At each entrance there are two possible security lines, but only one was operating this morning.

Judge Varner Lewis called the court into session at 9:08AM. She noted the long lines outside and said she would pass cases lacking essential witnesses in the first run-through of the docket. By 9:26, the remaining cases all lacked essential witnesses, so she called a 30-minute recess. When court resumed most people had arrived.

There were two Graham Report officers in court, Cpl. Willie Stover, 3389, and Cpl. Steinebach, 3990. Cpl Stover wrote the Statement of Charges in the case they had come to court for. It says that on November 27, 2022, FedEx Field employees had asked him and Cpl. Steinebach to disperse people smoking near the ticket box window. They did so, but also tried to disperse people who were not smoking. The FedEx employees told the officers they could leave the non-smoking people alone. It appears that the two officers accused the non-smokers of smoking, and a verbal escalation ensued. Soon, the officers handcuffed two people whom they could have walked away from and left alone (as a reading of the police report indicates). When this case was called today, the defense attorney asked prosecutor Ayuk whether any of the officers involved in this arrest had disciplinary records. She replied, "there are no IAD [Internal Affairs Division] issues with these officers." The defense attorney then requested a continuance in the case (to get the officer's records) which was granted. I spoke to the defense attorney and his client when they exited the courtroom. The defense attorney had not heard of the Graham Report before, but said that he asked about disciplinary records because he had been an FBI agent for 30 years and that was always the first thing he wanted to know in these cases. I provided him with the link to the Graham Report and told him that it cited both officers as having numerous "use of force" complaints: 22 for Cpl. Stover, and 42 for Steinebach. (The Graham Report was written in 2020, so these numbers do not include complaints against them in the past three years).

There were 8 civilian-charged cases today. These cases can be problematic because the person filing the complaint is not always told that their filing will become a criminal matter, and the person they have filed charges against may go to jail. Incredibly, commissioners and police don't investigate to determine if the alleged complaint is warranted, but initiate warrants or citations on the basis of these allegations alone. Complainants need help resolving a conflict, but often do not want a carceral solution, which is the only solution that Prince George's County offers. This means warrants, handcuffs, jail time, stay-away orders, and other court-imposed conditions that practitioners who work with conflict and restoration deem more harmful than helpful. Once this carceral system begins to play out, many of those who have initiated a civilian complaint wish to drop it, but the state proceeds anyway. The only way to mitigate this harm is not to show up in court, as a witness, for a complaint that one has filed. This is what we see over and over in these cases. Today, of the 8 civilian charged cases, 6 were nolle prossed because witnesses did not come to court. Another case was put on the stet docket, and one person pleaded guilty with the provision of "Probation before Judgment," meaning that, if the conditions of community service and anger management classes were met, their record would be expunged.