

GLOSSARY

ASA – Assistant State’s Attorney

An ASA is a prosecutor. ASAs work under the State’s Attorney’s Office, [SAO](#). Commonly one prosecutor handles all of a day’s cases, though another may come in for special cases.

Bench warrant

When a loved one fails to appear for their scheduled court date, a judge issues a [bench warrant](#) for their arrest for failing to appear. (Bench warrants can be issued for other infractions of court rules as well.)

CBD - Cannabidiol

[CBD](#) is a non-intoxicating substance in marijuana that appears to have some important uses in medicine.

CDS – Controlled dangerous substance(s)

Illegal drugs, or substances that are illegal to possess without proper registration with the [Office of Controlled Substances Administration](#). Sometimes the term is used to include firearms.

Commissioner

A commissioner is like a low-grade judge (both are “judicial officers” as understood in [Rule 4-216](#)). After your arrest, the first judicial officer you will see is a commissioner, at your “initial appearance.” The commissioner will review the charges listed on the police report to decide whether there is “probable cause” to believe them, and to decide whether you can be released on your own recognizance or on bond, or must be held without bond until your bond hearing before a judge. To receive a public defender, you would apply to a commissioner.

Continuance

A [continuance](#) is when a judge pauses a trial or other hearing, to resume at a specified later date.

Discovery

Discovery is procedures for development of evidence before trial, such as the taking of depositions. Discovery includes the formal process by which opposing sides in a case ask for and (as required) give to each other the evidence they have amassed.

District Court

A [district court](#) handles most bond hearings and lesser criminal charges; a [circuit court](#) handles more serious charges and all jury cases. Trials in District Court are bench trials: heard by a judge without a jury.

Do Not Call list

Prosecutors commonly rely on testimony from police, and police often lie. The prosecutor’s office keeps a list of police officers they consider so unreliable that

prosecutors are instructed not to call on them to testify. The list is supposed to be public, but getting it released has been difficult. In October 2021, the head prosecutor, State's Attorney Aisha Braveboy, [released the list](#) as it was on that date; but she has not released updates. We have only that snapshot in time.

Docket

The list of cases for a session of court is called the docket. The PG County District Court [publishes](#) each evening the docket for the next day, so far as is known at that point; but some cases are added overnight. A more up-to-date docket is available on paper in the courthouse. And sometimes a judge will hear last-minute cases that are not on the docket, especially bond hearings.

Drug Court

This is conceived as a drug treatment program, but governed by a judge in a courtroom. When someone is charged with minor crimes, the judge in regular court can refer them to Drug Court, which means they will have their criminal charges dropped if they complete the prescribed drug or alcohol treatment program. But they must first plead guilty to the charges. There are [adult](#) and [juvenile](#) drug courts. For a sympathetic discussion of the PG County Drug Court and Mental Health Court, listen [here](#).

Drug Docket

The trial sessions of certain days are reserved for cases that focus especially on drug charges. The cases for these days are referred to collectively as the "drug docket."

FTAs – Failures to appear

When you face a charge, you have a court date. You might have received a summons to appear on that date. Or you might have been arrested and let out on bail before that date, or you might be held in the jail right up to that date. If you do not show up at the right place and time, that is a "Failure to Appear" or FTA, which is a black mark on your permanent record. The judge will probably issue a bench warrant for your arrest, and there will be a hearing to see if you must be held in jail until your trial.

Why do people fail to appear? Often it is because they did not receive the notice the court mailed. Why do people not receive such notice? Often because they have no stable place to live, or because of a clerical error in the court's record of their address, or because they were arrested on another charge elsewhere. Or they might have been without transportation, or sick, or confused.

Graham Report

In December 2018, the Hispanic National Law Enforcement Officers Association filed [suit](#) against Prince George's County for discrimination and retaliation. In connection with the suit, a lengthy expert [report](#) prepared by Michael Graham named many officers who were credibly accused of racist patterns of violence against civilians, and supporting racism within the PGPD. The county eventually [settled](#) the suit.

HWOB – Held without bond

Bond is bail, though sometimes the term is used to cover other forms of pretrial release. When the judge decides you are to be held in jail until trial and there is no amount of

money you could put up to get out before trial, you are held without bond. It can be legal for the judge to hold you without bond before trial, but only if it is done for one of the following two reasons: (1) because otherwise you are likely to flee rather than show up for your court date, or (2) the judge is genuinely persuaded by “clear and convincing evidence” that if they released you before trial (adding some orders and controls such as “stay away from Sandy Smith” or “stay home with an ankle monitor”), you would pose a real danger to others.

Initial Appearance

When someone is arrested and brought to the jail, they will soon have a hearing called an “Initial Appearance” in front of a low-level judicial officer called a “commissioner.” The commissioner reviews the police report, speaks with the loved one, decides whether the police report is sufficient to show “probable cause” for the particular charges the police recommend, and the commissioner decides whether the loved one is to be released on their own recognizance, held on a money bond, or held without bond. This decision is not reviewed until the loved one appears before a judge at a bond hearing, generally the next business day after the arrest. The commissioner also gives the loved one an application for representation by a public defender.

Sometimes a commissioner says for the record that it was impossible to hold an initial appearance hearing because the loved one was “uncommunicative” or “recalcitrant,” etc. In such cases the loved ones are held without bond until their bond hearing; such a hold is called a “temporary commitment.” In such cases the commissioner makes no official evaluation of whether there is probable cause for the police-recommended charges.

Levels of supervision

The Office of Pretrial Services (OPS; often called simply “Pretrial”) is an agency in the jail that is responsible for various things, including monitoring or supervising people who are released before trial on condition that they be supervised. There are four levels of supervision. Level 1 is the lightest, and Level 4 (home detention with an ankle monitor, sometimes with a clause allowing trips to the doctor etc.) is the heaviest. Not much about OPS is publicly known. They have not publicized the definitions of their levels of release. We believe the 4 levels are similar to the 5 levels [publicized](#) by a similar agency in a neighboring county.

Loved one

Much in the criminal legal system dehumanizes the people who are charged, arrested, jailed, and perhaps later convicted and sentenced. Human nature finds it difficult to inflict ruin upon those it sees as people. So in Courtwatch PG, we try not to use the word “defendant.” Instead we use the term “loved one,” to remind ourselves and others that these are people and that someone loves them. Or if it happens that nobody loves them personally, we at least can love them on principle, and work for fair and decent treatment.

MHC - Mental Health Court

Mental Health Court is at least loosely analogous to Drug Court. Exactly what the rules are is a little [obscure](#) to us. Prince George’s County Mental Health Court is discussed in a newspaper article [here](#), and discussed alongside Drug Court in [this video](#). People may not be referred to Mental Health Court without their consent.

Nolle pros

This is a two-syllable abbreviation for the five-syllable formal label for the state's decision not to prosecute a case, the Latin phrase [nolle prosequi](#).

OPS – the Office of Pretrial Services (See also “Pretrial”)

The Office of Pretrial Services is an agency within the Population Management Division of the Department of Corrections, i.e. the county jail. It has a number of responsibilities.

- OPS is to provide a record of each loved one's previous encounters with the criminal legal system to the prosecution, the defense, and the judge, in advance of any court hearing on that loved one: such matters as arrests, failures to appear, convictions, incarcerations, etc. Such a record is called a “Pretrial sheet.”
- If asked to do so by a judge, OPS supervises certain loved ones who are released before trial or before the completion of their trial and sentencing. See “Levels of Supervision.”
- The [Maryland Rules](#) say that in deciding whether to release someone before trial and under what constraints, a judge must consider “any recommendation of an agency that conducts pretrial release investigations.” OPS investigates the advisability and feasibility of release, e.g. by discovering whether there is an alleged victim who claims to be in fear, by verifying the residence of the loved one, and by applying [certain formulas](#). (OPS has not announced its principles or policies on this or other matters.)
- In practice, judges only very rarely ask for a recommendation from OPS. Instead, they commonly defer the decisions to OPS, by “authorizing” release before trial at this or that level; or even leaving the level up to OPS to determine.

Panel attorney

When public defenders have to defend several people charged in the same incident, those people should not be represented by the same attorney or even the same firm. Thus the Office of the Public Defender maintains on call a [panel of other attorneys](#) who are not part of the Office of the Public Defender, who can represent the second and third person charged in such a case.

PBJ – Probation before judgment

[Probation before Judgment](#) means you are put on probation as though you had been convicted and released, but in the eyes of Maryland law you have not been convicted (though in the eyes of federal law you have).

PD – Public defender

The Supreme Court held in *Gideon v. Wainwright* (1963) that since the Sixth Amendment gives us the right to counsel, the government must pay for a defense lawyer for those who cannot afford it. Maryland's [Office of the Public Defender](#) provides public defenders, formally Assistant Public Defenders, for this purpose.

Pray a jury trial

This odd phrase is the standard term for demanding a jury trial.

Pretrial, Pretrial release (See also “OPS”)

- On the one hand, properly the term “**pretrial**” means *before trial, or between arrest*

and trial; and the term “**pretrial release**” means release before trial, whether that be release on one’s own recognizance, release on bond, or release under some conditions (stay away from Smith) or supervision by some person or agency.

- On the other hand, in the courtroom, “**Pretrial**” is commonly used as an abbreviation for the Office of Pretrial Services (OPS), or for possible release under the supervision of OPS. See “OPS” and “Levels of Supervision.”
- And “**Pretrial release**” is sometimes used as an abbreviation for release under OPS supervision, or for a judge’s order of release under OPS supervision, or for a judge’s granting OPS the *option* of releasing the person under OPS supervision, i.e. delegating to OPS the authority to make the decision the judge was supposed to make in the bond hearing. (Courtwatch PG believes such delegation is illegal and unconstitutional, and there is an ongoing [federal lawsuit](#) against the county about that.) Hence when a judge says he is giving a loved one “Pretrial release,” the loved one may think they are being released pretrial, whereas in fact they are being placed at the mercy of a shadowy agency in the jail that may decide to release them after a day or a week or a month or more, or may decide not to release them before trial, and may not tell anyone about the latter decision.

The Pretrial lawsuit

Based partly on information from our courtwatchers, a federal lawsuit was filed on July 19, 2022, against Prince George’s County and several of its officials and judges. The suit was filed by three groups of lawyers: [Civil Rights Corps](#), Georgetown University’s [Institute for Constitutional Advocacy and Protection](#), and the [WilmerHale](#) law firm. For details, see our [Reports & Resources](#) page.

SAO – State’s Attorney’s Office. See ASA.

Stet, Stet docket

Sometimes, rather than trying a case or completely dropping it, a judge will “stet” the case or “put it on the stet docket” for a specified period of time such as a year. That is like putting the case in the court’s back pocket. If the loved one stays out of trouble, the case will simply be dropped at the end of that period. But if the loved one gets in trouble, the charges will be brought.

SOC - Statement of Charges or Statement of Probable Cause

The Statement of Probable Cause filed by police is the narrative report on an incident that led to an arrest on charges; it describes the incident and the arrest. The SOC (Statement of Charges) is a formal list of the precise charges with their code numbers, and shows the commissioner’s judgment about whether the charges have probable cause—whether they can reasonably be brought, given the information in the Statement of Probable Cause.

But people sometimes use “SOC” or “Statement of Chages” as a name for the pair of these documents together.

Specialty Courts

This is a general category covering Drug Court, Mental Health Court, and a few other things. Maryland also uses the term “Problem-Solving Courts.” For a list, click on the map

in this page.