

**Upper Marlboro, MD  
District Court Trial Session  
December 16, 2023**

This morning, there were 16 people in Room 262B and 25 separate cases. 10 were nolle prossed, 5 continued, 5 indicted, 2 stet, 1 guilty plea, 1 trial with a guilty verdict. Eric Abraham was the PD, Christopher Sonnefeld the ASA, and Patrice Lewis the judge.

The name of Mr. L was called, but he was not on the docket. Judge Lewis said to ASA Sonnefeld, "I need you to tell me if Mr. L was notified about today, because we have had some problems..." Her voice trailed off and I didn't hear the rest. Since Mr. L was not there, Judge Lewis told the arresting officer, Officer Bankhead, that he could leave. Bankhead is a Graham Report cop. After he was gone, Judge Lewis asked ASA Sonnefeld, "What's the charge?" Sonnefeld said, "Failure to stop at a stop sign." Judge Lewis then said, "Really? That's where we are now?!" Then she chastised Sonnefeld for saying the charge would be nolle prossed. That was a "mistake," she said, because, if the traffic stop was nolle prossed, there was no probable cause for charges arising out of the stop. She added that, "maybe a New Year's Resolution for your office" would be to put these cases together more coherently.

There was one trial and it took two hours. It was the first time I've seen a trial involving a civilian complainant. The civilian complaint was brought by a Korean-born cashier at a beauty store, Ms. M, against a Black customer, Ms. P, 22 years old. Jeff Campbell was the PD. Ms. M does not, by her own admission, speak English well, so there was a translator.

I'll try to sum it up, but it's still long! Ms. P and her sister went to the beauty store in May to get a hair dryer. They paid with a credit card, but the card reader blanked and didn't indicate the payment was made. Ms. P then took out her phone, checked her bank account, and could see that the payment was processing. She showed this info to Ms. M and the store manager. The two sisters then waited for about 20 minutes, during which time the card reader remained on the blink. The manager told them to pay again. They refused, showing him the bank account again. Then they took the bag and walked out of the store to their car. The manager went after them and stopped them at their car, telling them to give him the bag and trying to grab it from them. They refused and held on to the bag. Ms. P's sister's phone and wallet were on the hood of the car and the manager grabbed those, went back into the store, and hid them under the counter. Ms. P's sister followed him back inside but Ms. P stayed out by the car. Ms. M stayed outside, too, and tried to take the bag from Ms. P who held on to it. Words were exchanged. (Ms. P said nothing in English in court today, but said that she spoke in English to Ms. M).

Then Ms. P's sister came back out (minus her wallet and phone which had been seized!) and saw that Ms. M was grabbing her sister's arm, so she tried to get between them and pushed Ms. M, who fell to the ground. That fall injured Ms. M's leg and she couldn't get up. The police and ambulance came. The police questioned everyone but did not arrest anyone. Ms. M was taken to the hospital. The next day, Ms. P and her sister filed charges against Ms. M. In that statement, they acknowledged the pushing and said that Ms. P's sister had pushed Ms. M (they did not know the outcome of that push yet). At the hospital, tests showed that Ms. M's hip was broken and she needed a hip replacement. It took her some time to recover. Six weeks later, after Ms. M found out that charges were filed against her, she got a lawyer and filed charges against Ms. P, saying that she had pushed her to the ground.

PD Campbell said that both sisters had agreed that Ms. P's sister was the one who pushed Ms. M, and so the charges were filed against the wrong person. This case, therefore, should be dismissed. He asked Ms. M questions that implied she was not able to distinguish very well between people who were Black. She insisted she could (even saying, via translation, "I also have a friend.") The ASA pointed out that one sister was several inches taller than the other and so Ms. M could tell who was taller or shorter. Ms. M insisted that it was Ms. P, not her sister, who pushed her. PD Campbell repeated that the sisters had filed charges first, and their statement as to who pushed who was more credible. (My own thought is that, when Ms. M went to file charges after finding out that Ms. P had filed charges against her, she had no idea what the sister's name was. She only knew the name of Ms. P, since her name was on the credit card and she was the one who paid the bill, so she filed the charges. So, Ms. M only knew Ms. P's name – not her sister's name. Regardless of who pushed Ms. M, she would likely have filed charges against the person whose name she knew. But no one in court raised that issue).

Turns out, the hair dryer was paid for at that time, as Ms. P said. The credit card reader had just failed to reflect that. Ms. M acknowledged that, on the stand.

What do you think the verdict was?

It took Judge Patrice Lewis no time at all to say to Ms. P in a tone that, to me, sounded triumphant and supremely self-assured: "I'm finding you guilty on both counts. I'm sentencing you to eighteen months, all but 90 days suspended." A group of people were in the courtroom in support of Ms. P and they all gasped and began crying. Then Judge Lewis went on, "Only merchants determine if goods are paid for. The merchant has the right to detain customers." She cited merchant's "privilege," etc., etc.

PD Jeff Campbell put up a measured legally-phrased protest. He told Judge Lewis that Ms. P has absolutely no priors, has a 6-month old baby, and is a year from graduating from the University of Maryland Eastern Shore. As he spoke, Ms. P began sobbing, too. Then Judge Lewis seemed to realize the implications of her cold-heartedness and said she would postpone sentencing. She more or less told PD Campbell that he could appeal. He pointed out that he could not appeal until his client was sentenced. Judge Lewis said something to the effect that he could ask for probation before judgment, mixing her remarks with admonitions to Ms. P about how she can't "solve problems by pushing and shoving," and other righteous posturing. (Her sister's phone and wallet had been stolen by the manager, at this point, and this was the context in which the sisters were resisting having goods they had paid for being snatched back!)

Judge Lewis also said she believed Ms. M's account of Ms. P pushing her to the ground, and said, "it is not lost on me that the two sisters' stories are identical," implying they had colluded, and added, "I was persuaded that the person who testified that it was Ms. P, was credible." (Both sisters were present for all the things they testified about, so why wouldn't their stories mesh?!)

Then Judge Lewis said, as if to demonstrate her generosity, that she would not "have Ms. P taken from the courtroom in handcuffs." (This did not impress anyone).

Ms. P's sentencing is on January 11, 2023, at 10AM in courtroom 163.