



December 21, 2021

Lawrence J. Hogan
Governor of Maryland
State House
100 State Circle
Annapolis, Maryland 21401

Dear Governor Hogan:

I deeply regret having to respond to you via a public letter but after my numerous attempts at collegiality, I recognize your entitlement, your privilege, and your political posturing are guiding your disrespectful refusal to meet or even speak with me for the past two years, despite being the twice-elected State's Attorney for Baltimore City.¹

For seven years, I have proposed that we set aside our philosophical differences in order to work toward the betterment of the City of Baltimore and for seven years, you've not only refused to collaborate and engage with me but you've consistently refused to collaborate and engage with almost every Black Baltimore City leader.² At this point, it's clear that you would much rather attack, disparage, and continue to use the City of Baltimore as your punching bag, in order to score political points with your conservative base.

As I expressed in November in response to your politically-motivated press conferences, Baltimore City is the heartbeat of the State of Maryland, which is why I'm baffled by your lack of leadership, disregard, and apparent disdain for our city. This is evidenced by:

- Your decision to cancel the Red Line, which would have provided economic opportunity and stability for the residents of our city;
- Your decision to veto the Kirwan Commission legislation, that would have provided more support to high poverty schools such as those in our city³;

¹ See <https://www.wmar2news.com/news/region/baltimore-city/city-states-attorney-marilyn-mosby-responds-to-governor-hogans-letter>

² See <https://www.wmar2news.com/news/local-news/gov-hogan-says-crime-seems-to-be-the-last-thing-baltimore-city-is-concerned-about>.

³ See <https://www.baltimoresun.com/education/bs-md-ed-hogan-blue-print-20210402-c7bp2m2xxzbbhc5qga3hab7moe-story.html>

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- Your lack of prioritization and disparate distribution of vaccines during the height of the global pandemic when you told the media that our city's elderly residents had [already] been given "far more than they [were] really entitled to;" and
- Your vetoing of the Baltimore Crime plan, drafted by the city's delegation, that would have required increased oversight of offenders on parole and probation.⁴

Coming out of a global pandemic that has significantly thwarted public health, the judicial system, jobs and the economy for the past two years, as the governor of this state, you have had a unique opportunity to showcase leadership that could have brought state, federal and local resources and agencies together in order to resolve the endemic challenges that our city has faced for decades. You have chosen to do otherwise.

We, the people that live in the city of Baltimore, are not naïve enough to believe that your attacks come from any form of sincere concern about the problems we face. Rather, your actions are purely political, which is why you continue your incessant dog-whistling attacks about Baltimore crime, which contrasts with your deafening silence on the increased crime in the rest of the state. In your time in office, you have blamed the Mayor, the Police Commissioner, the judges, the City Council, and even the State Legislature for the crime in Baltimore City yet many of the city's problems can be laid at the door of the state agencies you oversee.⁵

This past week you appeared on Fox News Sunday and were asked a question in connection with the attempted murder of a Baltimore City Police Officer, to which you shamefully responded that, "We have a prosecutor in Baltimore City that refuses to prosecute violent criminals, and that's at the root of the problem."⁶ None of this is true. In fact, the truth is that the lead suspect in the shooting of the police officer, who is currently fighting for her life, was supposed to be under the supervision of your state agency at the time of that horrific offense. That suspect, who is presumed innocent unless and until proven guilty, was not only on State-run pretrial supervision at the time of the brazen shooting, but he was released on his

⁴ See <https://www.wypr.org/wypr-news/2021-01-15/md-senate-overturms-hogans-vetoes-of-crime-fighting-bills>

⁵ See <https://www.wmar2news.com/news/local-news/gov-hogan-says-crime-seems-to-be-the-last-thing-baltimore-city-is-concerned-about>
<https://www.baltimoresun.com/news/crime/bs-md-ci-judges-reject-hogan-meeting-20170824-story.html>

⁶ See <https://www.youtube.com/watch?v=UGggZmA3Nlk>



own recognizance pending trial for being a felon in possession of a handgun in Baltimore County, not Baltimore City.

Disgracefully, you attempted to blame my office yet again in two recent press conferences, where you had the audacity to cite the case of a 69-year old woman killed in an East Baltimore church, spreading the falsehood that this is an example of my office not holding a "violent repeat offender" accountable.⁷ Once again, in reality, according to the murder suspect's bail review hearing, the suspect arrested in connection with that case was fresh off parole and was not given adequate state supervision by your state agency, given his level of violence against others, and his criminal history of violent rape by force, felony assault and robbery. The suspect actually committed a robbery while under State supervision in 2012. Despite numerous red flags and continued mental health issues, the state supervision level was lowered for this Violent Repeat Offender by your state agency and what's clear is that that suspect, who's also presumed innocent unless and until proven guilty, should have never been allowed off state supervision in the first place.

Similarly, in 2018, your Department of Juvenile Services Secretary erroneously attempted to blame my office for the release of a juvenile that ultimately killed a Baltimore County Police Officer. Once again, this was not true.⁸ In fact, your state-run Department of Juvenile Services pushed for the juvenile's release over the objection of both my prosecutors and his own mother. So yet again, your state agency failed to properly supervise an individual, who then took the life of a police officer.

You see, Mr. Governor, these breakdowns in your state agencies are not isolated incidents either, but are part of a pattern of malpractice on the part of your government. That is why I intend to ask the State Legislature for an audit by the Maryland Office of Legislative Audits, of not just DPSCS, but of the Division of Parole and Probation, and the Department of Juvenile Services, specifically to evaluate why these failures have occurred, continue to occur, and how we can prevent such tragedies from happening again. As I have said before, our seniors and our babies should be off limits, yet under your leadership we continue to see innocent vulnerable lives lost due to the ineptitude of your state agencies.

⁷ See <https://www.youtube.com/watch?v=FRqfzYSDCA>

⁸ See <https://www.wbalte.com/article/blame-game-over-who-is-responsible-for-releasing-dawnta-harris-to-electronic-monitoring/20891250#>

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In short, it is time that you accept your share of responsibility for the problems our city and state faces, problems that have occurred on your watch. The answer to the crime problems that continue to plague the city of Baltimore cannot just be found in the antiquated tough-on-crime and zero-tolerance policing proposals that you have introduced legislatively over and over again. "Re-funding" the police and more mandatory minimums do not deter crime. We know this because, for decades these antiquated solutions haven't worked. Utilizing holistic evidence-based solutions that address the root causes of crime deters crime. Ensuring economic stability, education, transportation, jobs, and housing deters crime, none of which you have been willing to do for the City of Baltimore.

As you are aware, Baltimore City has faced unprecedented challenges and expansive instability in the past seven years, which include: the constant change in leadership of four different Mayors; five Police Commissioners; the untimely killing of Freddie Gray and the subsequent uprising; a scathing 163-page report by the Department of Justice exposing a pattern and practice of discriminatory policing; the subsequent federal consent decree; dealing with the aftermath of one of the largest police corruption scandals in the history of the country – where police officers were planting guns and drugs on citizens for decades; and withstanding court closures, case backlogs, staffing and budgetary challenges due to a global pandemic.

Despite all of the aforementioned challenges, everyday my highly skilled and talented prosecutors, who are overworked and underpaid (even according to the Baltimore Sun), dedicate their lives to the pursuit of justice on behalf of the citizens of Baltimore City.⁹ As you will see from the data provided, every single day my prosecutors go up against voluminous case dockets, uncooperative witnesses, and demanding judges to ensure accountability against violent individuals in this city. How dare you say otherwise? For the past seven years, my office and my prosecutors have been the only stability in this city, and they should be valued and appreciated for the public service and commitment that each of them exhibit every day.

Had you chosen to meet with me, or simply picked up the phone, you would have realized that much of the data that you've publicly requested is already published on our website and is also already sent to your agency, the Governor's Office of Crime Prevention, Youth, and Victim Services (GOCPYVS) on a quarterly basis as part of the grant process.

⁹ See <https://www.baltimoresun.com/opinion/editorial/bs-ed-1029-por-city-states-attorney-20211028-4eep7wqm6je65hhjkbqqzdmnu-story.html>

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Turning to the data, you will find that despite every unprecedented challenge that this city has faced over the past five years, my office has maintained a **90% conviction rate on average for violent offenses, an average 88% conviction rate for mandatory minimum eligible cases, and a 92% conviction rate for violent repeat offenders**,¹⁰ all of which are consistent with the conviction rates of my predecessors over the past ten years.

According to our data, **the nolle prosequi and stet rate is also consistent with the last ten years. Please note that a nolle prosequi or stet does not mean the case was dropped and/or dismissed in its entirety.** In fact, on average over the past five years, **25% of cases nolle prosequi or steted were prosecuted elsewhere**, such as by our federal partners, where there are more resources and sentences are more severe, or the case is the subject of plea negotiations in another case.¹¹

Governor Hogan, I know that you are a lame duck Governor and you have your eye on another job, and feel the need to play to your base, but I implore you to focus on the job you have now. I urge you to work with me, the Mayor, the Police Commissioner, the public defenders, the judges, and every other stakeholder, to fix our justice system.

End the campaign of disinformation against our city, stop finger-pointing, and work together with every stakeholder to improve public safety in our city and our state.

Sincerely,

A handwritten signature in blue ink that reads "Marilyn J. Mosby".

Marilyn J. Mosby

¹⁰ We feel very confident about the accuracy of this data. Nonetheless, this was a large data request that we performed in a short span of time and we will continue to confirm the accuracy of the data to check for human error.

¹¹ Please note that per the APA standards, my office collects and reports data by case and/or tracking number not by the number of charges brought against a particular defendant. Hence, the data you've requested is reported by the number of cases my office handles in the Circuit Court for Baltimore City.

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STATE'S ATTORNEY
Marilyn J. Mosby



OFFICE of the STATE'S ATTORNEY for BALTIMORE CITY
120 East Baltimore Street | Baltimore, Maryland 21202

DIRECT DIAL
443-984-6000

Baltimore City State's Attorney

CC: Glenn Fueston, Executive Director, GOCOPYVS

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DATA SET 1: CRIMES OF VIOLENCE

The following data is for cases relating to crimes of violence, and includes 73 categories of violent crime offenses.

Q.1 *The number of cases your office has chosen not to prosecute, including a breakdown of the reasons for non-prosecution (nolle prosequi, STET, dismissed, etc.)*

FIVE YEAR SUMMARY: The data below illustrates that for the past five years, the office has had **an average 90% conviction rate for crimes of violence**. While **an average of 26% of cases for crimes of violence resulted in a nolle prosequi or were placed on the stet docket**, this does not mean the case was dropped and/or dismissed in its entirety. **The data shows that on average for the past five years, approximately 17% of the cases we dismissed, were either prosecuted by another jurisdiction, such as our federal partners, where there are more resources and sentences are more severe or the case is the subject of a plea deal in another case.** Nonetheless, **on average for the past five years, 53% of the crimes of violence cases that resulted in a nolle prosequi or were placed on the stet docket happened because a key victim or witness failed to appear.** This data speaks to the need for more legislation to protect witnesses and end the “stop snitching” culture, something I have pushed for the past five legislative sessions. **The number of cases that resulted in a guilty plea and the number of cases that resulted in a conviction (please note that per the APA standards, a guilty plea is a conviction)**

2017 – 783 Guilty, 79 Not Guilty, 8 dismissed – 783 out of 870 = 90% conviction rate
2018 – 725 Guilty, 49 Not Guilty, 7 dismissed – 725 out of 781 = 93% conviction rate
2019 – 719 Guilty, 85 Not Guilty, 6 dismissed – 719 out of 810 = 89% conviction rate
*2020 – 242 Guilty, 17 Not Guilty, 6 dismissed – 242 out of 265 = 91% conviction rate
*2021 – 403 Guilty, 25 Not Guilty, 8 dismissed – 403 out of 436 = 92% conviction rate

The number of crimes of violence cases my office has processed since 2017 through November 2021.

2017 – 1272 cases
2018 – 1089 cases
2019- 1111 cases
*2020 – 398 cases
*2021 – 799 cases

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The number of violent crime cases that resulted in a nolle prosequi and the number of cases placed on the stet docket. As noted above, this does not mean the case was dropped and/or dismissed in its entirety. In fact on average 17% of the cases we dismissed were prosecuted elsewhere, such as our federal partners, where there are more resources and sentences are more severe or the case is the subject of a plea deal in another case. These numbers are consistent with the last ten years (see chart below for more details).

2017– 335 - 335 out of 1272 = 26% (15% of cases were prosecuted elsewhere)
 2018 – 227 - 227 out of 1089 = 21% (26% of cases were prosecuted elsewhere)
 2019 – 246 – 246 out of 1111 = 22% (17% of cases were prosecuted elsewhere)
 *2020 – 100 - 100 out of 398 = 25% (12% of cases were prosecuted elsewhere)
 *2021 – 255 - 255 out of 799 = 32% (11% of cases were prosecuted elsewhere)

Please note that if a case resulted in a nolle prosequi or was placed on a stet docket, the rationale for entering each nolle prosequi or placing the case on the stet docket is found below:

2017:

STET/NP REASONS 2017			
cnt	StetNolProsReasonDesc	ClosedDT	Percentage
9	Alternative to prosecution completed.	2017	2.30%
2	Defective charging document.	2017	0.51%
11	Insufficient Evidence – nexus	2017	2.81%
23	Insufficient Evidence – other	2017	5.87%
1	Negative laboratory report: other	2017	0.26%
5	No identification can be made of defendant.	2017	1.28%
5	No identification can be made of the defendant.	2017	1.28%
12	Other, not listed on form.	2017	3.06%
5	Police officer was a necessary witness and was not present.	2017	1.28%
1	Prosecuted elsewhere.	2017	0.26%
1	Prosecuted elsewhere. County	2017	0.26%
16	Prosecuted elsewhere. Federal	2017	4.08%
1	Prosecuted elsewhere. Juvenile	2017	0.26%
38	Pursuant to plea negotiations in another case.	2017	9.69%
1	Technician was a necessary witness and was not present.	2017	0.26%
21	Witness/victim statement inconsistent with evidence or otherwise lacks credibility.	2017	5.36%

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22	Witness/victim substantially changed prior statement or can't remember facts.	2017	5.61%
218	Witness/victim was a necessary witness and did not appear.	2017	55.61%

2017 Highlights:

- Victim/witness failure to appear were 56% of nolle prose/stet docket cases
- Prosecuted elsewhere (case passed to another jurisdiction or the federal government for prosecution) or the case was the subject of a plea deal in another case was 15% of nolle prose/stet docket cases

2018:

STET/NP REASONS 2018

cnt	StetNolProsReasonDesc	ClosedDT	Percentage
1	5th Amendment violation, motions hearing YES	2018	0.33%
1	Alternative to prosecution completed.	2018	0.33%
1	Defective charging document.	2018	0.33%
6	Insufficient Evidence - nexus	2018	1.97%
30	Insufficient Evidence - other	2018	9.87%
1	Negative laboratory report: DNA	2018	0.33%
2	Police officer was a necessary witness and was not present.	2018	0.66%
2	Prosecuted elsewhere. County	2018	0.66%
30	Prosecuted elsewhere. Federal	2018	9.87%
45	Pursuant to plea negotiations in another case.	2018	14.80%
1	Unconstitutional ID Procedure, motions hearing YES	2018	0.33%
1	Witness claimed 5th Amendment privilege. Evidence otherwise insufficient.	2018	0.33%
17	Witness/victim statement inconsistent with evidence or otherwise lacks credibility.	2018	5.59%
11	Witness/victim substantially changed prior statement or can't remember facts.	2018	3.62%
155	Witness/victim was a necessary witness and did not appear.	2018	50.99%

2018 Highlights:

- Victim/witness failure to appear was 51% of nolle prose/stet docket cases.
- Prosecuted elsewhere (case passed to another jurisdiction or the federal government for prosecution) or the case was the subject of a plea deal in another case was 26% of nolle prose/stet docket cases.

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2019:

STET/NP REASONS 2019			
cnt	StetNolProsReasonDesc	ClosedDT	Percentage
3	4th Amendment violation, motions hearing YES	2019	1.02%
1	5th Amendment violation, motions hearing YES	2019	0.34%
5	Alternative to prosecution completed.	2019	1.69%
8	Defective charging document.	2019	2.71%
4	Insufficient Evidence – nexus	2019	1.36%
25	Insufficient Evidence – other	2019	8.47%
1	Marital privilege claimed.	2019	0.34%
1	Necessary physical evidence not available.	2019	0.34%
2	Negative laboratory report: DNA	2019	0.68%
2	Prosecuted elsewhere. County	2019	0.68%
31	Prosecuted elsewhere. Federal	2019	10.51%
16	Pursuant to plea negotiations in another case.	2019	5.42%
1	Witness claimed 5th Amendment privilege. Evidence otherwise insufficient.	2019	0.34%
13	Witness/victim statement inconsistent with evidence or otherwise lacks credibility.	2019	4.41%
19	Witness/victim substantially changed prior statement or can't remember facts.	2019	6.44%
163	Witness/victim was a necessary witness and did not appear.	2019	55.25%

2019 Highlights:

- Victim/witness failure to appear was 55% of nolle prose/stet docket cases
- Prosecuted elsewhere (case passed to another jurisdiction or the federal government for prosecution) or the case was the subject of a plea deal in another case was 17% of nolle prose/stet docket cases

2020:

*STET/NP REASONS 2020			
Tracking #	StetNolProsReasonDesc	ClosedDT	Percentage
1	Marital privilege claimed.	2020	1%
1	Police officer was a necessary witness and was not present.	2020	1%
1	Prosecuted elsewhere. Juvenile	2020	1%
1	Witness claimed 5 th Amendment privilege. Evidence otherwise insufficient.	2020	1%

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2	Defendant is deceased.	2020	2%
2	Witness/victim substantially changed prior statement or can't remember facts.	2020	2%
3	Insufficient Evidence – nexus.	2020	3%
3	Pursuant to plea negotiations in another case.	2020	1%
4	Alternative to prosecution completed.	2020	3%
12	Prosecuted elsewhere. Federal	2020	10%
13	Witness/victim statement inconsistent with evidence or otherwise lacks credibility.	2020	11%
15	Insufficient Evidence – other	2020	13%
58	Witness/victim was a necessary witness and did not appear.	2020	50%

2020 Highlights:

- Victim/witness failure to appear were 50% of nolle prose/stet docket cases
- Prosecuted elsewhere (case passed to another jurisdiction or the federal government for prosecution) or the case was the subject of a plea deal in another case was 12% of nolle prose/stet docket cases

2021:

***STET/NP REASONS 2021**

Tracking #	StetNolProsReasonDesc	ClosedDT	Percentage
1	4 th Amendment violation, motions hearing NO	2021	0%
1	Marital privilege claimed.	2021	0%
1	Negative laboratory report: firearms Exam.	2021	0%
1	Prosecuted elsewhere. County	2021	0%
1	Technician was a necessary witness and was not present.	2021	0%
2	Defective charging document.	2021	1%
3	Necessary physical evidence not available.	2021	1%
3	Witness claimed 5 th Amendment privilege. Evidence otherwise insufficient.	2021	1%
4	Insufficient Evidence – nexus.	2021	1%
4	Police officer was a necessary witness and was not present.	2021	1%
5	Defendant is deceased.	2021	2%
6	Witness/victim statement inconsistent with evidence or	2021	2%

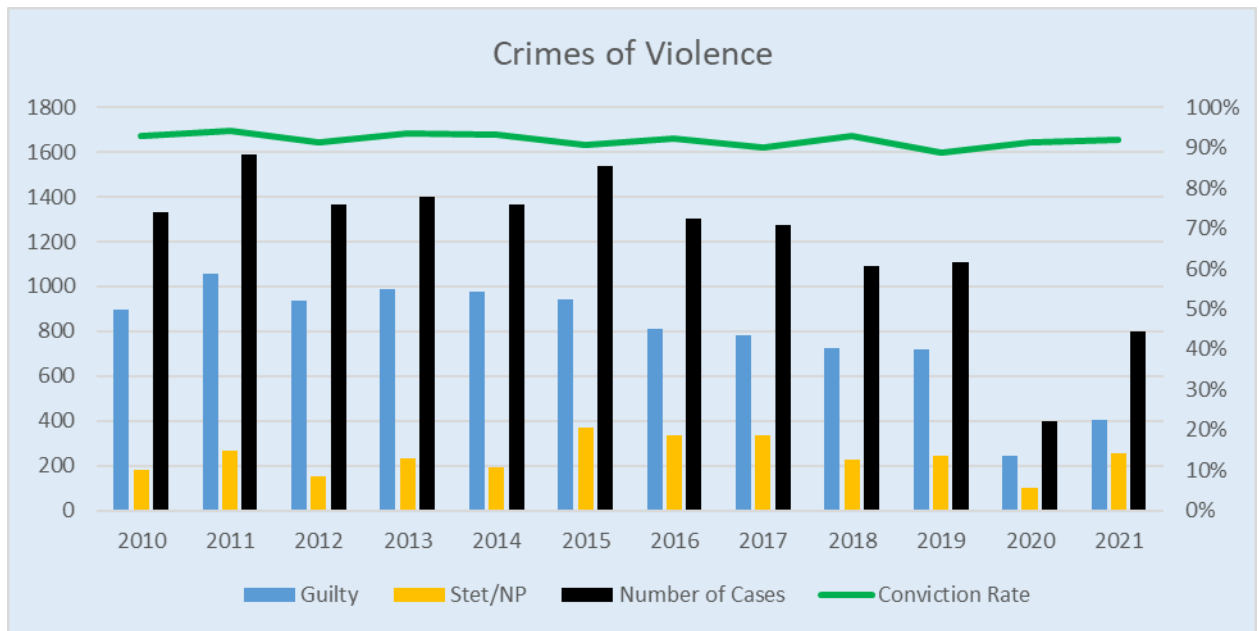
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	otherwise lacks credibility.		
13	Prosecuted elsewhere. Federal	2021	5%
13	Pursuant to plea negotiations in another case.	2021	5%
17	Insufficient Evidence – other	2021	6%
19	Alternative to prosecution completed.	2021	7%
29	Witness/victim substantially changed prior statement or can't remember facts.	2021	10%
159	Witness/victim was a necessary witness and did not appear.	2021	56%

2021 Highlights:

- Victim/witness failure to appear was 56% of nolle prose/stet docket cases
- Prosecuted elsewhere (case passed to another jurisdiction or the federal government for prosecution) or the case was the subject of a plea deal in another case was 11% of nolle prose/stet docket cases



Violent Crime Case Notes:

- Overall the conviction rate at the SAO for violent crimes has consistently remained at around 90% or higher over the last 10 plus years, despite the turmoil in the city, and COVID-19.

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- While total cases have slightly declined, the number of convictions remains consistent with the last 10 years.
- As the case load has decreased, stets, and nolle prosses have also decreased, reaching a ten-year low in 2018. The drops in 2020 and 2021 numbers are attributable to court closures during COVID-19.

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DATA SET 2: MANDATORY MINIMUM ELIGIBLE CASES

The following data is for mandatory minimum eligible cases, and includes 79 categories that carry a mandatory minimum sentence.

Q. 2 The number of cases plead down to lesser charges, including plea agreements reached that are less than mandatory minimum sentencing guidelines

FIVE YEAR SUMMARY: The data below illustrates that for the past five years, the office has an average **conviction rate of 88% of mandatory minimum eligible cases**. While an average of **25% of cases for the past five years resulted in a nolle prosequi or were placed on the stet docket**, this does not mean the case was dropped and/or dismissed in its entirety. The data shows that on average for the past five years **approximately 35% of the cases we dismissed for the past five years, were either prosecuted by another jurisdiction**, such as our federal partners, where there are more resources and sentences are more severe or the case is **the subject of a plea deal** in another case. Nonetheless, **on average for the past five years around 20% of the mandatory minimum eligible cases that resulted in a nolle prosequi or were placed on the stet docket happened because a key victim or witness failed to appear**. This data speaks to the need for more legislation to protect witnesses and end the “stop snitching” culture, something I have pushed for the past five legislative sessions. It is also clear from the data that the SAO is rarely pleading down to lesser charges in cases that involve mandatory minimums.

The number of mandatory minimum eligible cases that resulted in a guilty plea and the number of cases that resulted in a conviction (*please note that per the APA standards, a guilty plea is a conviction*)

2017 – 84% conviction rate - 526 Guilty, 97 Not Guilty, 3 dismissed
2018 – 90% conviction rate - 624 Guilty, 70 Not Guilty, 3 dismissed
2019 – 88% conviction rate - 662 Guilty, 86 Not Guilty, 4 dismissed
*2020 – 88% conviction rate - 182 Guilty, 17 Not Guilty, 1 dismissed
*2021 – 91% conviction rate - 468 Guilty, 22 Not Guilty, 2 dismissed

The number of mandatory minimum eligible cases closed by my office since 2017 through November 2021.

2017 – 1036 cases
2018 – 1105 cases
2019- 1103 cases

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- *2020 – 368 cases
- *2021 – 864 cases

The number of mandatory minimum eligible cases that resulted in a nolle prosequi and the number of cases placed in the stet docket. As noted above, this does not mean the case was dropped and/or dismissed in its entirety. In fact on average over the past five years, 35% of the mandatory minimum eligible cases were prosecuted elsewhere, such as our federal partners, where there are more resources and sentences are more severe or the case is the subject of a plea deal in another case. These numbers are consistent with the last ten years (see chart below for more details).

- 2017– 410– 314 out of 1036 = 30% (24% of cases were prosecuted elsewhere)
- 2018 - 269 – 269 out of 1105 = 24% (34% of cases were prosecuted elsewhere)
- 2019 – 209 – 209 out of 1103 = 19% (41% of cases were prosecuted elsewhere)
- *2020 – 93 - 89 out of 368 = 24% (47% of cases were prosecuted elsewhere)
- *2021 – 274 - 274 out of 864 = 31% (27% of cases were prosecuted elsewhere)

Please note that if a case resulted in a nolle prosequi or was placed on a stet docket, the rationale for entering each nolle prosequi or placing the case on the stet docket is found below:

2017:

STET/NP REASONS 2017			
Count of Track	Row Labels	Year	Percentages
1	Negative laboratory report: chemical	2017	0%
1	No crime committed.	2017	0%
1	Vacatur Statute Md. 8-301.1	2017	0%
2	5th Amendment violation, motions hearing YES	2017	0%
2	Necessary physical evidence not available.	2017	0%
2	No identification can be made of the defendant.	2017	0%
2	Prosecuted elsewhere. Juvenile	2017	1%
3	Alternative to prosecution completed.	2017	1%
3	Negative laboratory report: firearms Exam.	2017	1%
4	No identification can be made of defendant.	2017	1%

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4	Prosecuted elsewhere.	2017	1%
6	4th Amendment violation, motions hearing NO	2017	1%
6	Defective charging document.	2017	1%
7	Witness/victim substantially changed prior statement or can't remember facts.	2017	2%
9	4th Amendment violation, motions hearing YES	2017	2%
13	NULL	2017	3%
22	Witness/victim statement inconsistent with evidence or otherwise lacks credibility.	2017	5%
25	Insufficient Evidence – nexus	2017	6%
26	Pursuant to plea negotiations in another case.	2017	6%
27	Other, not listed on form.	2017	7%
39	Police officer was a necessary witness and was not present.	2017	10%
44	Insufficient Evidence – other	2017	11%
69	Prosecuted elsewhere. Federal	2017	17%
92	Witness/victim was a necessary witness and did not appear.	2017	22%

2017 Highlights:

- Victim/witness failure to appear was 22% of nolle prose/stet docket cases
- Prosecuted elsewhere (case passed to another jurisdiction or the federal government for prosecution) or the case was the subject of a plea deal in another case was 23% of nolle prose/stet docket cases

2018:

STET/NP REASONS 2018			
Count of Track	Row Labels	Year	Percentages
1	Negative laboratory report: DNA	2018	0%
1	Unconstitutional ID Procedure, motions hearing YES	2018	0%
2	5th Amendment violation, motions hearing YES	2018	0%
2	Necessary physical evidence not available.	2018	0%
2	Negative laboratory report: firearms Exam.	2018	0%
2	Prosecuted elsewhere. County	2018	1%
3	Vacatur Statute Md. 8-301.1	2018	1%
5	Alternative to prosecution completed.	2018	1%
8	4th Amendment violation, motions hearing NO	2018	2%

**Courts were closed for much of 2020 and part of 2021 because of the Covid 19 pandemic; jury trials resumed at the end of April 2021. These closures ultimately result in a lower number of convictions in the data below compared to the prior year.*



8	Witness/victim substantially changed prior statement or can't remember facts.	2018	2%
11	4th Amendment violation, motions hearing YES	2018	3%
11	Witness/victim statement inconsistent with evidence or otherwise lacks credibility.	2018	3%
12	Defective charging document.	2018	3%
18	Insufficient Evidence - nexus	2018	4%
20	NULL	2018	5%
27	Police officer was a necessary witness and was not present.	2018	7%
41	Insufficient Evidence – other	2018	10%
50	Pursuant to plea negotiations in another case.	2018	12%
87	Prosecuted elsewhere. Federal	2018	21%
97	Witness/victim was a necessary witness and did not appear.	2018	24%

2018 Highlights:

- Victim/witness failure to appear was 24% of nolle prose/stet docket cases
- Prosecuted elsewhere (case passed to another jurisdiction or the federal government for prosecution) or the case was the subject of a plea deal in another case was 34% of nolle prose/stet docket cases

2019:

STET/NP REASONS 2019			
Count of Track	Row Labels	Year	Percentages
1	5th Amendment violation, motions hearing YES	2019	0%
1	Vacatur Statute Md. 8-301.1	2019	0%
2	Negative laboratory report: chemical	2019	1%
3	Laboratory report not available: DNA	2019	1%
3	Necessary physical evidence not available.	2019	1%
3	Prosecuted elsewhere. County	2019	1%
4	4th Amendment violation, motions hearing NO	2019	1%
4	Negative laboratory report: DNA	2019	1%
5	Witness/victim statement inconsistent with evidence or otherwise lacks credibility.	2019	1%
7	Defective charging document.	2019	2%
8	Police officer was a necessary witness and was not present.	2019	2%
9	Alternative to prosecution completed.	2019	3%

**Courts were closed for much of 2020 and part of 2021 because of the Covid 19 pandemic; jury trials resumed at the end of April 2021. These closures ultimately result in a lower number of convictions in the data below compared to the prior year.*



9	Witness/victim substantially changed prior statement or can't remember facts.	2019	3%
12	NULL	2019	3%
14	Insufficient Evidence - nexus	2019	4%
21	4th Amendment violation, motions hearing YES	2019	6%
22	Insufficient Evidence - other	2019	6%
31	Pursuant to plea negotiations in another case.	2019	9%
84	Witness/victim was a necessary witness and did not appear.	2019	24%
108	Prosecuted elsewhere. Federal	2019	31%

2019 Highlights:

- Victim/witness failure to appear was 31% of nolle prose/stet docket cases
- Prosecuted elsewhere (case passed to another jurisdiction or the federal government for prosecution) or the case was the subject of a plea deal in another case was 41% of nolle prose/stet docket cases

2020:

STET/NP REASONS 2020			
Count of Track	Row Labels	Year	Percentages
1	Defendant is deceased.	2020	1%
1	Negative laboratory report: firearms Exam.	2020	1%
1	Technician was a necessary witness and was not present.	2020	1%
1	Witness/victim substantially changed prior statement or can't remember facts.	2020	1%
2	4th Amendment violation, motions hearing NO	2020	1%
2	Defective charging document.	2020	1%
2	Negative laboratory report: chemical	2020	1%
4	Alternative to prosecution completed.	2020	2%
4	Negative laboratory report: DNA	2020	2%
6	4th Amendment violation, motions hearing YES	2020	4%
6	Witness/victim statement inconsistent with evidence or otherwise lacks credibility.	2020	4%
7	Police officer was a necessary witness and was not present.	2020	4%
7	Pursuant to plea negotiations in another case.	2020	4%
9	Insufficient Evidence - nexus	2020	5%
9	Insufficient Evidence - other	2020	5%
16	Witness/victim was a necessary witness and did not appear.	2020	9%

**Courts were closed for much of 2020 and part of 2021 because of the Covid 19 pandemic; jury trials resumed at the end of April 2021. These closures ultimately result in a lower number of convictions in the data below compared to the prior year.*



18	NULL	2020	11%
73	Prosecuted elsewhere. Federal	2020	43%

2020 Highlights:

- Victim/witness failure to appear was 9% of nolle prose/stet docket cases
- Prosecuted elsewhere (case passed to another jurisdiction or the federal government for prosecution) or the case was the subject of a plea deal in another case was 47% of nolle prose/stet docket cases

2021:

STET/NP REASONS 2021			
Count of Track	Row Labels	Year	Percentages
1	5th Amendment violation, motions hearing YES	2021	0%
1	Defective charging document.	2021	0%
1	Laboratory report not available: DNA	2021	0%
1	Marital privilege claimed.	2021	0%
1	Negative laboratory report: firearms Exam.	2021	0%
1	Prosecuted elsewhere. County	2021	0%
2	Negative laboratory report: DNA	2021	1%
3	Defendant is deceased.	2021	1%
3	Witness/victim statement inconsistent with evidence or otherwise lacks credibility.	2021	1%
5	Laboratory report not available: chemical analysis	2021	1%
10	4th Amendment violation, motions hearing YES	2021	3%
10	Necessary physical evidence not available.	2021	3%
11	Witness/victim substantially changed prior statement or can't remember facts.	2021	3%
13	Alternative to prosecution completed.	2021	3%
14	4th Amendment violation, motions hearing NO	2021	4%
20	Pursuant to plea negotiations in another case.	2021	5%
24	Police officer was a necessary witness and was not present.	2021	6%
29	Insufficient Evidence - nexus	2021	8%
37	Insufficient Evidence - other	2021	10%
50	NULL	2021	13%
58	Witness/victim was a necessary witness and did not appear.	2021	16%

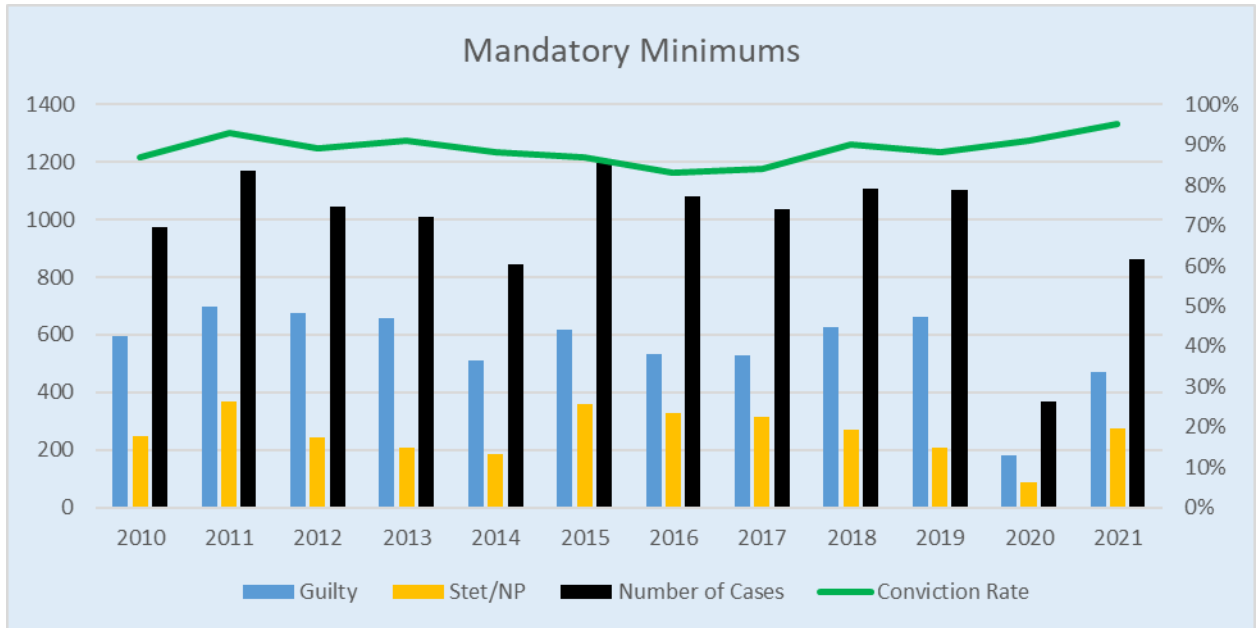
**Courts were closed for much of 2020 and part of 2021 because of the Covid 19 pandemic; jury trials resumed at the end of April 2021. These closures ultimately result in a lower number of convictions in the data below compared to the prior year.*



77	Prosecuted elsewhere. Federal	2021	21%
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2021 Highlights:

- Victim/witness failure to appear was 16% of nolle prose/stet docket cases
- Prosecuted elsewhere (case passed to another jurisdiction or the federal government for prosecution) or the case was the subject of a plea deal in another case was 27% of nolle prose/stet docket cases



Mandatory Minimum Case Notes

- Overall the conviction rate at the SAO for mandatory minimum cases has consistently remained at around 90% over the last 10 plus years, despite the turmoil in the city, and COVID-19.
- The number of convictions also remains consistent with the last 10 years. Stets, and nolle prosses have also been consistent.
- *The drops in 2020 and 2021 numbers are attributable to court closures during COVID-19.

**Courts were closed for much of 2020 and part of 2021 because of the Covid 19 pandemic; jury trials resumed at the end of April 2021. These closures ultimately result in a lower number of convictions in the data below compared to the prior year.*



DATA SET 3: VIOLENT REPEAT OFFENDERS

The following data is for cases relating to Violent Repeat Offenders as is defined by your office, GOCPYVS, in the "War Room" grant we receive each year since 2004.¹²

Q, 3 The number of repeat offenders who were offered plea deals

FIVE YEAR SUMMARY: The data below illustrates that for the past five years, the office **has had an average conviction rate of 92% of cases involving a violent repeat offenders**. While an average of **29% of the cases involving violent repeat offenders resulted in a nolle prosequi or were placed on the stet docket**, this does not mean the case was dropped and/or dismissed in its entirety. The data shows that on average **approximately 27% of the cases we dismissed, were either prosecuted by another jurisdiction**, such as our federal partners, where there are more resources and sentences are more severe or **the case is the subject of a plea deal** in another case. Nonetheless, on average **21% of the cases involving a violent repeat offender that resulted in a nolle prosequi or were placed on the stet docket happened because a key victim or witness failed to appear**. This data speaks to the need for more legislation to protect witnesses and end the "stop snitching" culture, something I have pushed for the past five legislative sessions. It is also clear from the data that prosecuting Violent Repeat Offenders is a top priority for the office.

The number of cases involving a violent repeat offender that resulted in a guilty plea and the number of cases that resulted in a conviction (*please note that per the APA standards, a guilty plea is a conviction*)

2017 – 88% conviction rate - 792 Guilty, 101 Not Guilty, 7 dismissed

2018 – 91% conviction rate - 808 Guilty, 70 Not Guilty, 7 dismissed

2019 – 91% conviction rate - 848 Guilty, 83 Not Guilty, 5 dismissed

*2020 – 94% conviction rate - 222 Guilty, 12 Not Guilty, 2 dismissed

*2021 – 95% conviction rate - 443 Guilty, 20 Not Guilty, 2 dismissed

¹² These are individuals who are: (1) predetermined War Room Offenders (often part of other investigations in our crime strategies unit and/or with our state and local partners); (2) on parole or probation for a Crime of Violence/Firearm Violation; (3) charged with a Crime of Violence/Firearm Violation and on parole or probation, pending a Crime of Violence, pending a Firearm Violation or pending a Felony Narcotic Violation; (4) charged with any crime and pending a Crime of Violence/Firearm Violation; or (5) Violence Prevention Unit Supervised and charged with a Felony Narcotic Violation.

**Courts were closed for much of 2020 and part of 2021 because of the Covid 19 pandemic; jury trials resumed at the end of April 2021. These closures ultimately result in a lower number of convictions in the data below compared to the prior year.*



The number of cases involving a violent repeat offender my office has closed since 2017 through November 2021.

- 2017 – 1579 cases
- 2018 – 1441 cases
- 2019 - 1158 cases
- *2020 – 465 cases
- *2021 – 867 cases

The number of cases involving a violent repeat offender that resulted in a nolle prosequi and the number of cases placed in the stet docket. This does not mean the case was dropped and/or dismissed in its entirety. In fact on average over the past five years 27% of the cases involving a violent repeat offender were prosecuted elsewhere, such as our federal partners, where there are more resources and sentences are more severe or the case is the subject of a plea deal in another case. These numbers are consistent with the last ten years (see chart below for more details).

- 2017 – 516 - 516 out of 1579 – 32% (25% of cases were prosecuted elsewhere)
- 2018 – 359 - 359 out of 1441 – 25% (36% of cases were prosecuted elsewhere)
- 2019 – 350 - 350 out of 1426 – 24% (29% of cases were prosecuted elsewhere)
- *2020 – 124 - 124 out of 399 – 31% (24% of cases were prosecuted elsewhere)
- *2021 – 325 – 325 out of 867 = 37% (19% of cases were prosecuted elsewhere)

Please note that if a case resulted in a nolle prosequi or was placed on a stet docket, the rationale for entering each nolle prosequi or placing the case on the stet docket is found below:

2017:

STET/NP REASONS 2017			
Track	StetNolProsReasonDesc	Closed Year	Percentages
1	Defendant is deceased.	2017	0.1%
1	No crime committed.	2017	0.1%
1	Prosecuted elsewhere. Juvenile	2017	0.1%
1	Witness claimed 5th Amendment privilege. Evidence otherwise insufficient.	2017	0.1%

**Courts were closed for much of 2020 and part of 2021 because of the Covid 19 pandemic; jury trials resumed at the end of April 2021. These closures ultimately result in a lower number of convictions in the data below compared to the prior year.*



2	Necessary physical evidence not available.	2017	0.3%
2	Negative laboratory report: other	2017	0.3%
2	Negative laboratory report: firearms Exam.	2017	0.3%
2	No identification can be made of the defendant.	2017	0.3%
2	Prosecuted elsewhere. County	2017	0.3%
3	Laboratory report not available: chemical analysis	2017	0.4%
4	No identification can be made of defendant.	2017	0.6%
4	Prosecuted elsewhere.	2017	0.6%
8	4th Amendment violation, motions hearing YES	2017	1.2%
8	Negative laboratory report: chemical	2017	1.2%
10	4th Amendment violation, motions hearing NO	2017	1.5%
10	Technician was a necessary witness and was not present.	2017	1.5%
11	Defective charging document.	2017	1.6%
19	NULL	2017	2.8%
19	Witness/victim substantially changed prior statement or can't remember facts.	2017	2.8%
26	Alternative to prosecution completed.	2017	3.8%
34	Witness/victim statement inconsistent with evidence or otherwise lacks credibility.	2017	5.0%
37	Insufficient Evidence - nexus	2017	5.4%
38	Other, not listed on form.	2017	5.6%
47	Prosecuted elsewhere. Federal	2017	6.9%
74	Insufficient Evidence - other	2017	10.9%
83	Police officer was a necessary witness and was not present.	2017	12.2%
111	Pursuant to plea negotiations in another case.	2017	16.3%
119	Witness/victim was a necessary witness and did not appear.	2017	17.5%

2017 Highlights:

- Victim/witness failure to appear was 17.5% of nolle prose/stet docket cases
- Prosecuted elsewhere (case passed to another jurisdiction or the federal government for prosecution) or the case was the subject of a plea deal in another case was 25% of nolle prose/stet docket cases

2018:

STET/NP REASONS 2018			
Track	StetNolProsReasonDesc	Closed Year	Percentages

**Courts were closed for much of 2020 and part of 2021 because of the Covid 19 pandemic; jury trials resumed at the end of April 2021. These closures ultimately result in a lower number of convictions in the data below compared to the prior year.*



1	Necessary physical evidence not available.	2018	0.2%
1	Negative laboratory report: DNA	2018	0.2%
1	Negative laboratory report: firearms Exam.	2018	0.2%
1	Prosecuted elsewhere. County	2018	0.2%
1	Prosecuted elsewhere. Juvenile	2018	0.2%
1	Unconstitutional ID Procedure, motions hearing YES	2018	0.2%
1	Witness claimed 5th Amendment privilege. Evidence otherwise insufficient.	2018	0.2%
2	Vacatur Statute Md. 8-301.1	2018	0.4%
3	Laboratory report not available: chemical analysis	2018	0.5%
5	Negative laboratory report: chemical	2018	0.9%
7	4th Amendment violation, motions hearing NO	2018	1.3%
7	Technician was a necessary witness and was not present.	2018	1.3%
7	Witness/victim substantially changed prior statement or can't remember facts.	2018	1.3%
11	Defective charging document.	2018	2.0%
11	Witness/victim statement inconsistent with evidence or otherwise lacks credibility.	2018	2.0%
12	4th Amendment violation, motions hearing YES	2018	2.2%
16	Insufficient Evidence - nexus	2018	2.9%
19	NULL	2018	3.4%
31	Alternative to prosecution completed.	2018	5.6%
42	Insufficient Evidence - other	2018	7.6%
56	Police officer was a necessary witness and was not present.	2018	10.1%
70	Prosecuted elsewhere. Federal	2018	12.6%
125	Pursuant to plea negotiations in another case.	2018	22.5%
125	Witness/victim was a necessary witness and did not appear.	2018	22.5%

2018 Highlights:

- Victim/witness failure to appear was 22.5% of nolle prose/stet docket cases
- Prosecuted elsewhere (case passed to another jurisdiction or the federal government for prosecution) or the case was the subject of a plea deal in another case was 36% of nolle prose/stet docket cases

2019:

STET/NP REASONS 2019			
Track	StetNolProsReasonDesc	Closed	Percentages

**Courts were closed for much of 2020 and part of 2021 because of the Covid 19 pandemic; jury trials resumed at the end of April 2021. These closures ultimately result in a lower number of convictions in the data below compared to the prior year.*



		Year	
1	Laboratory report not available: chemical analysis	2019	0.2%
1	Laboratory report not available: DNA	2019	0.2%
1	Marital privilege claimed.	2019	0.2%
3	Defendant is deceased.	2019	0.6%
3	Necessary physical evidence not available.	2019	0.6%
4	Negative laboratory report: chemical	2019	0.8%
4	Prosecuted elsewhere. County	2019	0.8%
5	Negative laboratory report: DNA	2019	1.0%
5	Witness/victim statement inconsistent with evidence or otherwise lacks credibility.	2019	1.0%
7	Technician was a necessary witness and was not present.	2019	1.4%
8	Witness/victim substantially changed prior statement or can't remember facts.	2019	1.6%
10	Defective charging document.	2019	2.0%
12	4th Amendment violation, motions hearing YES	2019	2.4%
13	4th Amendment violation, motions hearing NO	2019	2.7%
16	Insufficient Evidence - nexus	2019	3.3%
24	NULL	2019	4.9%
31	Police officer was a necessary witness and was not present.	2019	6.3%
43	Insufficient Evidence - other	2019	8.8%
48	Alternative to prosecution completed.	2019	9.8%
53	Prosecuted elsewhere. Federal	2019	10.8%
87	Pursuant to plea negotiations in another case.	2019	17.8%
111	Witness/victim was a necessary witness and did not appear.	2019	22.7%

2019 Highlights:

- Victim/witness failure to appear was 22.7% of nolle prose/stet docket cases
- Prosecuted elsewhere (case passed to another jurisdiction or the federal government for prosecution) or the case was the subject of a plea deal in another case was 28.6% of nolle prose/stet docket cases

2020:

STET/NP REASONS 2020			
Track	StetNolProsReasonDesc	Closed Year	Percentages

**Courts were closed for much of 2020 and part of 2021 because of the Covid 19 pandemic; jury trials resumed at the end of April 2021. These closures ultimately result in a lower number of convictions in the data below compared to the prior year.*



1	Defendant is deceased.	2020	0.6%
1	Marital privilege claimed.	2020	0.6%
2	Defective charging document.	2020	1.2%
2	Laboratory report not available: chemical analysis	2020	1.2%
2	Negative laboratory report: DNA	2020	1.2%
2	Witness/victim substantially changed prior statement or can't remember facts.	2020	1.2%
3	4th Amendment violation, motions hearing NO	2020	1.8%
3	4th Amendment violation, motions hearing YES	2020	1.8%
3	Witness/victim statement inconsistent with evidence or otherwise lacks credibility.	2020	1.8%
5	Insufficient Evidence - nexus	2020	3.1%
9	Pursuant to plea negotiations in another case.	2020	5.5%
10	Alternative to prosecution completed.	2020	6.1%
13	Police officer was a necessary witness and was not present.	2020	8.0%
18	Insufficient Evidence - other	2020	11.0%
19	NULL	2020	11.7%
30	Prosecuted elsewhere. Federal	2020	18.4%
40	Witness/victim was a necessary witness and did not appear.	2020	24.5%

2020 Highlights:

- Victim/witness failure to appear was 24.5% of nolle prose/stet docket cases
- Prosecuted elsewhere (case passed to another jurisdiction or the federal government for prosecution) or the case was the subject of a plea deal in another case was 24% of nolle prose/stet docket cases

2021:

STET/NP REASONS 2021			
Track	StetNolProsReasonDesc	Closed Year	Percentages
1	5th Amendment violation, motions hearing YES	2021	0.2%
1	Laboratory report not available: DNA	2021	0.2%
1	Marital privilege claimed.	2021	0.2%
1	Negative laboratory report: DNA	2021	0.2%
1	Negative laboratory report: firearms Exam.	2021	0.2%
1	Prosecuted elsewhere. County	2021	0.2%
2	Technician was a necessary witness and was not present.	2021	0.5%

**Courts were closed for much of 2020 and part of 2021 because of the Covid 19 pandemic; jury trials resumed at the end of April 2021. These closures ultimately result in a lower number of convictions in the data below compared to the prior year.*

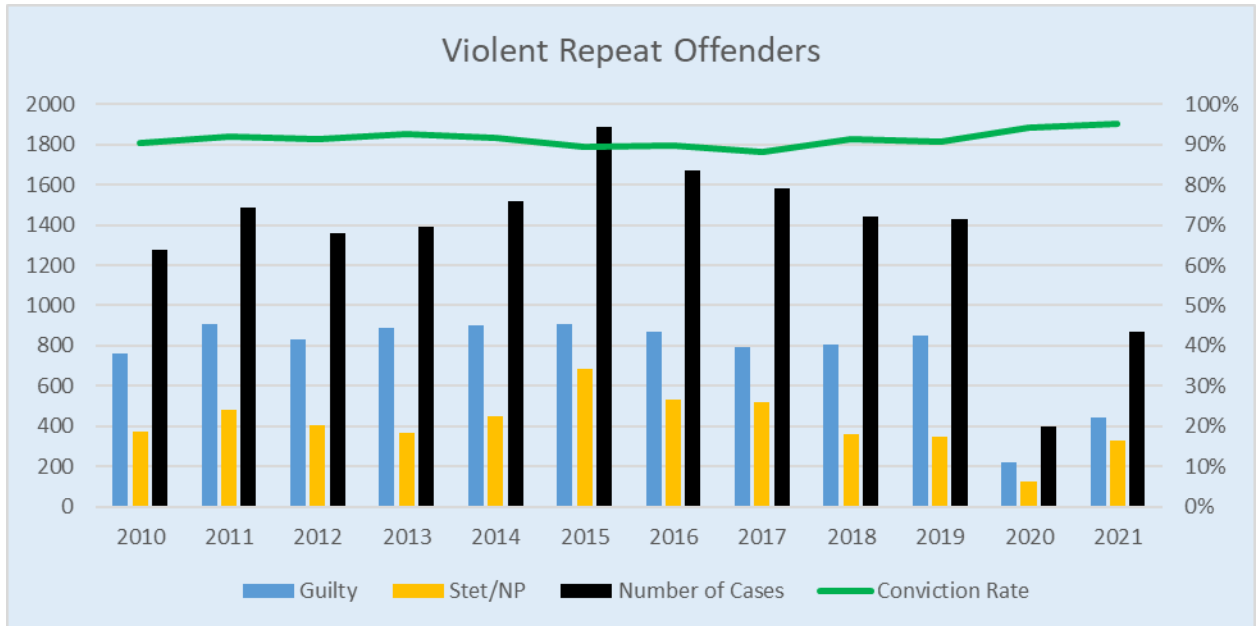


3	Necessary physical evidence not available.	2021	0.7%
3	Negative laboratory report: chemical	2021	0.7%
5	Witness/victim statement inconsistent with evidence or otherwise lacks credibility.	2021	1.2%
7	Defendant is deceased.	2021	1.7%
7	Laboratory report not available: chemical analysis	2021	1.7%
8	4th Amendment violation, motions hearing NO	2021	2.0%
9	4th Amendment violation, motions hearing YES	2021	2.2%
14	Witness/victim substantially changed prior statement or can't remember facts.	2021	3.5%
21	Police officer was a necessary witness and was not present.	2021	5.2%
24	Insufficient Evidence – nexus	2021	6.0%
27	Alternative to prosecution completed.	2021	6.7%
30	Pursuant to plea negotiations in another case.	2021	7.5%
35	Insufficient Evidence – other	2021	8.7%
46	Prosecuted elsewhere. Federal	2021	11.4%
75	Witness/victim was a necessary witness and did not appear.	2021	18.7%
80	NULL	2021	19.9%

2021 Highlights:

- Victim/witness failure to appear was 18.7% of nolle prose/stet docket cases
- Prosecuted elsewhere (case passed to another jurisdiction or the federal government for prosecution) or the case was the subject of a plea deal in another case was 19% of nolle prose/stet docket cases

**Courts were closed for much of 2020 and part of 2021 because of the Covid 19 pandemic; jury trials resumed at the end of April 2021. These closures ultimately result in a lower number of convictions in the data below compared to the prior year.*



Violent Repeat Offenders Case Notes

- Overall the conviction rate at the SAO for Violent Repeat Offenders has consistently averaged around 90% over the last 10 years, despite the turmoil in the city, and COVID-19.
- While total cases have fluctuated, the number of convictions remains consistent with the last 10 years. Stet and Nolle Prosses reached a ten-year low in 2018 and 2019.
- *The drops in 2020 and 2021 numbers are attributable to court closures during COVID-19.

**Courts were closed for much of 2020 and part of 2021 because of the Covid 19 pandemic; jury trials resumed at the end of April 2021. These closures ultimately result in a lower number of convictions in the data below compared to the prior year.*



Addendum 1: Violent Crime Categories for Q1

Statute	§14-101 Crimes of Violence	CJIS code
§3-503	Abduction (Abduct Child Under 12)	1 1005
	Attempt Abduct Child Under 12	1A1005
§6-102	1 st Degree Arson	1 6500
	Attempted 1 st Degree Arson	1A6500
§3-502	Kidnapping	3 1005
	Attempted Kidnapping	3A1005
§3-503	Kidnapping – Child Under 16	4 1005
	Attempted Kidnapping – Child Under 16	4A1005
§2-207	Manslaughter	1 0910
§2-207	Manslaughter (victim is minor)	1M0910
§2-209	Manslaughter – Neg. Manslaughter Auto/Boat	1 0909
§2-209	Manslaughter – Neg. Manslaughter Auto/Boat (victim is minor)	1M0909
§2-201	1 st Degree Murder	1 0990
§2-201	1st Degree Murder (victim is minor)	1M0990
§2-205	Attempted 1 st Degree Murder	2 0910
§2-205	Attempted 1st Degree Murder (victim is minor)	2M0910
§2-204	2 nd Degree Murder	1 1107
§2-204	2 nd Degree Murder (victim is minor)	1M1107
§2-206	Attempted 2 nd Degree Murder	2 0920
§2-206	Attempted 2nd Degree Murder (victim is minor)	2M0920
§3-303	1st Degree Rape	1 1102
§3-309	Attempted 1 st Degree Rape	2 1120

**Courts were closed for much of 2020 and part of 2021 because of the Covid 19 pandemic; jury trials resumed at the end of April 2021. These closures ultimately result in a lower number of convictions in the data below compared to the prior year.*



§3-304	2nd Degree Rape	2 1103
§3-310	Attempted 2nd Degree Rape	2 1110
§3-402	Robbery (includes attempt)	2 0700
§3-403	Armed Robbery (includes attempt)	2 0705
§3-405	Carjacking	1 0825
	Attempted Carjacking	1A0825
§3-405	Armed Carjacking	1 0826
	Attempted Armed Carjacking	1A0826
§3-305	<i>1st Degree Sexual Offense (before 9/30/2017)</i>	<i>2 1102</i>
	<i>Attempted 1st Degree Sexual Offense (before 9/30/2017)</i>	<i>2A1102</i>
§3-306	<i>2nd Degree Sexual Offense (before 9/30/2017)</i>	<i>2 3600</i>
	<i>Attempted 2nd Degree Sexual Offense (before 9/30/2017)</i>	<i>2A3600</i>
§4-204	Firearm Use in Felony/Crime of Violence	1 5299
§3-601	1 st Degree Child Abuse – Severe Physical Injury	1 0334
	Attempted 1 st Degree Child Abuse – Severe Physical Injury	1A0334
§3-601	1 st Degree Child Abuse – Death (over 13)	1 1108
	Attempted 1 st Degree Child Abuse – Death (over 13)	1A1108
§3-601	1 st Degree Child Abuse – Death (under 13)	1 1109
	Attempted 1 st Degree Child Abuse – Death (under 13)	1A1109
§3-602	Sexual Abuse Minor – parent w/perm/temp care/custody	1 0322
	Att. Sex. Abuse Minor – parent w/perm/temp care/custody	1A0322
§3-602	Sexual Abuse Minor – household/family member	1 0922
	Att. Sex. Abuse Minor – household/family member	1A0922
§6-202	Home Invasion	1 1338

**Courts were closed for much of 2020 and part of 2021 because of the Covid 19 pandemic; jury trials resumed at the end of April 2021. These closures ultimately result in a lower number of convictions in the data below compared to the prior year.*



	Attempted Home Invasion	1A1338
§3-1102	Sex Trafficking – Take/Cause	1 0786
	Attempt Sex Trafficking – Take/Cause	1A0786
§3-1102	Sex Trafficking – Compensation	1 0788
	Attempt Sex Trafficking – Compensation	1A0788
§3-1102	Sex Trafficking – Explicit Performance	1 0754
	Attempt Sex Trafficking – Explicit Performance	1A0754
§3-1102	Sex Trafficking – Another Gov't ID	1 0756
	Attempt Sex Trafficking – Another Gov't ID	1A0756
§3-1102	Sex Trafficking – Guardian	1 0789
	Attempt Sex Trafficking – Guardian	1A0789
§3-1102	Sex Trafficking – Force/Fraud	1 0787
	Attempt Sex Trafficking – Force/Fraud	1A0787
§3-1102	Sex Trafficking – Benefit Financially	1 0758
	Attempt Sex Trafficking – Benefit Financially	1A0758
§3-1102	Sex Trafficking – Conspire/Aid/Abet	1 0761
	Attempt Sex Trafficking – Conspire/Aid/Abet	1A0761
§3-1103	Forced Marriage	1 1726
	Attempt Forced Marriage	1A1726
§3-1103	Benefit – Forced Marriage	1 1727
	Attempt Benefit – Forced Marriage	1A1727
§3-1103	Conspire – Forced Marriage	1 1728
	Attempt Conspire – Forced Marriage	1A1728
§3-1103	Conspire – Benefit – Forced Marriage	1 1729

**Courts were closed for much of 2020 and part of 2021 because of the Covid 19 pandemic; jury trials resumed at the end of April 2021. These closures ultimately result in a lower number of convictions in the data below compared to the prior year.*



	Attempt Conspire – Benefit – Forced Marriage	1A1729
§3-315	Sex Abuse Minor – Continuing Course of Conduct	2 1136
§3-202	1 st Degree Assault	1 1420

Statute	Title 4, Subtitle 2 Offenses	CJIS code
§4-203	Handgun in Vehicle	1 0175
§4-203	Loaded Handgun in Vehicle	1 1454
§4-203	Handgun on Person	1 5212
§4-203	Loaded Handgun on Person	1 1455
§4-204	Firearm Use in Felony/Crime of Violence	1 5299
§4-208	Firearm Demonstration Public Place	3 5299

CHARGE CODE	Written Charge Fire Arms
1 0175	Handgun, transport in a vehicle
1 0439	RIFLE/SHOTGUN POSSESS-MENTAL DISORDER/VIOLENT BEHAVIOR [PS 5] (1 0439)
1 0487	CDS: DISTRIBUTE ETC. WITH FIREARM [27 281A] (1 0487)
1 0493	FIREARM/DRUG TRAFFICKING CRIME [CR 5] (1 0493)
1 0642	Reg Firearm - unlawful sale/transfer
1 0692	POSSESSION OF FIREARMS [CR 5] (1 0692)
1 1106	Possession of regulated firearm, felony
1 1314	MACHINE GUN AGGRESSIVE & OFFENSIVE PURPOSE/NOT REGISTERED [CR 4] (1 1314)
1 1454	LOADED HANDGUN IN VEHICLE
1 1455	LOADED HANDGUN ON PERSON
1 1609	FIREARM-POSS-CRIM VIO/FEL CONV
1 1610	RIFLE/SHOTGUN-POSS W/FEL CONV
1 1612	Removal of serial number from firearm
1 2801	REGULATED FIREARM STOLEN - POSSESS/SELL/TRANSFER/DISPOSE OF [PS 5] (1 2801)
1 5212	Wearing, carrying and transporting a handgun
1 5240	FIREARM PERSON:SELL/RENT & TRANSFER BEFORE 7 DAY

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	EXPIRATION [27 442] (1 5240)
1 5250	FIREARM SELL, RENT AND TRANSFER WHEN APPLICATION ON HOLD [27 442] (1 5250)
1 5285	Possession of regulated firearm or ammunition by a minor
1 5295	TRANSPORT REGULATED FIREARM INTO STATE:ILL SALE-TRAFFICKING [PS 5] (1 5295)
1 5299	Handgun, use in a felony or crime of violence
1A5240	ATT-FIREARM/SALE/PERSON
1C0175	CON-HANDGUN: WEAR/CARRY & TRANSPORT IN VEHICLE/PUBLIC ROADS [CL] (1C0175)
1C0487	CON-CDS: DISTRIBUTE ETC. WITH FIREARM [CL] (1C0487)
1C0493	CON-FIREARM/DRUG TRAFFICKING CRIME [CL] (1C0493)
1C5212	CON-WEAR, CARRY AND TRANSPORT HANDGUN UPON THEIR PERSON [CL] (1C5212)
2 0239	FIREARMS-ACCESS BY MINORS [CR 4] (2 0239)
2 2030	Possession of regulated firearm, COV or certain felony CDS offenses
2 3015	BURGLARY/SECOND DEGREE/FIREARM [CR 6] (2 3015)
2 5212	RIFLE/SHOTGUN:UNREGISTERED [PS 5] (2 5212)
2 5299	MACHINE GUN-USE FOR CRIME [CR 4] (2 5299)
2C5212	CON-RIFLE/SHOTGUN:UNREGISTERED [CL] (2C5212)
3 5250	ASSAULT PISTOL ROSTER VIO [CR 4] (3 5250)
3 5255	DETACH MAG OVER 10 RND
3 5260	ASSAULT PISTOL/MAG. USE [CR 4] (3 5260)
3 5299	FIREARM DEMONST PUB PLACE [27 36G] (3 5299)
6 5210	HANDGUN-WEAR/CARY INFL ALC [27 36E] (6 5210)

CJIS Code	Written Charge Homicide
1 0007	MURDER [CL]
1 0912	MURDER-1ST DEG/ARSON
1 0990	MURDER - FIRST DEGREE
1 0999	MURDER-SECOND DEGREE [27 411] (1 0999)
1 1107	MURDER-SECOND DEGREE

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1 1313	ASSAULT [CL] (1 1313)
1M1107	MURDER-SECOND DEGREE
2 0900	MURDER-FIRST DEGREE [27 407] (2 0900)
2 0912	MURDER-1ST DEG/BURN BLDG
3 0912	MURDER-1ST DEGREE/BEG/RAPE/SOD ETC

Addendum 3: CJIS codes associated with a mandatory minimum sentence

Source:

Commission on Criminal Sentencing
Sentencing Guidelines Offense Appendix A¹³
Table (Updated 11/15/21)

Contains a table of guidelines offenses. including their CJIS code, statutory source, seriousness category, and penalties.
Maryland State Commission on Criminal Sentencing (301) 403-4165.

ChargeCode	ChargeDescription
1 0175	Handgun, transport in a vehicle
1 0483	CDS DIST: SCHOOL PROP/BUS
1 0483	CDS DISTRIBUTE: SCHOOL PROPERTY/BUS [27 286D] (1 0483)
1 0483	CDS DISTRIBUTE: SCHOOL PROPERTY/BUS [CR 5] (1 0483)
1 0487	CDS: DISTR ETC. W/FIREARM
1 0487	CDS: DISTRIBUTE ETC. WITH FIREARM [27 281A] (1 0487)
1 0488	CDS-DRUG KINGPIN
1 0488	CDS-DRUG KINGPIN [27 286] (1 0488)
1 0488	CDS-DRUG KINGPIN [CR 5] (1 0488)
1 0493	FIREARM/DRUG TRAF CRIME
1 0493	FIREARM/DRUG TRAFFICKING CRIME [27 281A] (1 0493)
1 0493	FIREARM/DRUG TRAFFICKING CRIME [CR 5] (1 0493)
1 0663	COUNTFEIT/STEAL PUBLIC SEAL
1 0879	CDS MANUF - LG AMT

¹³ <https://www.msccsp.org/Files/Guidelines/offensetable.pdf>

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1 0880	CDS DIST/DISPENSE- LG AMT
1 0881	CDS POSSESS - LG AMT
1 0990	First Degree Murder - Kill
1 0990	Murder in the first degree
1 1102	RAPE FIRST DEGREE
1 1102	RAPE FIRST DEGREE [27 462] (1 1102)
1 1102	Rape First Degree [CR 3-303; CR 3-301; CR 3-317] (1 1102)
1 1106	Possession of regulated firearm Felony/Misd
1 1106	Possession of regulated firearm, felony
1 1454	LOADED HANDGUN IN VEHICLE
1 1455	LOADED HANDGUN ON PERSON
1 1459	LOAD HANDGUN ON PER-3RD OFF
1 1609	FIREARM-POSS-CRIM VIO/FEL CONV
1 2500	FORGE/COUNTERFEIT-PUBLIC DOCUMENT [27 45] (1 2500)
1 2500	FORGE/COUNTERFEIT-PUBLIC DOCUMENT [CR 8] (1 2500)
1 2501	ALTER/FORGE/COUNTERFEIT-ORDER FOR MONEY/GOODS ETC. [27 48] (1 2501)
1 2501	ALTER/FORGE/COUNTERFEIT-ORDER FOR MONEY/GOODS ETC. [CR 8] (1 2501)
1 2504	WRITE/SIGN & PASS FORGED & COUNTERFEITED PUBLIC DOCUMENT [27 45] (1 2504)
1 2504	WRITE/SIGN & PASS FORGED & COUNTERFEITED PUBLIC DOCUMENT [CR 8] (1 2504)
1 2602	FRAUD-BREACH OF TRUST [CR 8] (1 2602)
1 3604	Incest
1 3604	INCEST [27 335] (1 3604)
1 3604	INCEST [CR 3-323] (1 3604)
1 5100	BRIBE/ATTEMPT TO BRIBE ATHLETIC CONTEST [27 23] (1 5100)
1 5200	Dangerous weapons, openly with intent to injure
1 5200	DEADLY WEAPON: WEAR AND CARRY WITH INTENT TO INJURE [27 36] (1 5200)
1 5200	DEADLY WEAPON: WEAR AND CARRY WITH INTENT TO INJURE [CR 4] (1 5200)
1 5202	DANGEROUS WEAPONS, CONCEALED
1 5202	Dangerous weapons, concealed with intent to injure or kill
1 5202	DEADLY WEAPON: CONCEAL [27 36] (1 5202)

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1 5202	DEADLY WEAPON: CONCEAL [CR 4] (1 5202)
1 5212	Handgun, wear, carry or transport
1 5212	WEAR, CARRY AND TRANSPORT HANDGUN UPON THEIR PERSON [27 36B] (1 5212)
1 5212	WEAR, CARRY AND TRANSPORT HANDGUN UPON THEIR PERSON [CR 4] (1 5212)
1 5212	Wearing, carrying and transporting a handgun
1 5299	Handgun, use in a felony or crime of violence
2 0999	POISON:ATTEMPT [27 450] (2 0999)
2 0999	POISON:ATTEMPT [CR 3] (2 0999)
2 1102	SEX OFFENSE FIRST DEGREE [CR 3-305; CR 3-301] (2-1102)
2 1102	Sexual offense in the first degree
2 1103	RAPE SECOND DEGREE
2 1103	Rape Second Degree [CR 3-304; CR 3-301; CR 3-317] (2 1103)
2 1103	RAPE SECOND DEGREE [27 463] (2 1103)
2 2030	FIREARM-POSSESSION WITH FELONY CONVICTION [27 449] (2 2030)
2 2030	FIREARM-POSSESSION WITH FELONY CONVICTION [PS 5] (2 2030)
2 2030	Possession of regulated firearm, COV or certain felony CDS offenses
2 2510	ISSUE COUNTERFEIT ORDER
2 2510	UTTERING [27 48] (2 2510)
2 2510	UTTERING [CR 8] (2 2510)
2 2520	OBTAIN GOODS, MONEY-FORGERY
2 2520	OBTAIN GOODS, MONEY-FORGERY [27 48] (2 2520)
2 2520	OBTAIN GOODS, MONEY-FORGERY [CR 8] (2 2520)
2 3600	SEX OFFENSE SECOND DEGREE [27 464A] (2 3600)
2 3600	SEX OFFENSE SECOND DEGREE [CR 3-306; CR 3-301] (2-3600)
2 3600	Sexual offense in the second degree
2 5100	BRIBE A JUROR [27 25] (2 5100)
2 5200	MACE/CHEM DEVICE-INT/INJURE
2 5200	MACE/CHEMICAL DEVICE-INTENT/INJURE [27 36] (2 5200)
2 5200	MACE/CHEMICAL DEVICE-INTENT/INJURE [CR 4] (2 5200)
3 5260	ASSAULT PISTOL/MAG. USE [27 36H] (3 5260)
3 5260	ASSAULT PISTOL/MAG. USE [CR 4] (3 5260)
5 5311	DISORDERLY HOUSE [27 125] (5 5311)
5 5311	DISORDERLY HOUSE [CR 10] (5 5311)

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