



June 7, 2022

Eric T. Costello
Baltimore City Council, 11th District
100 Holliday St
Baltimore, MD 21202

Dear Councilman Costello,

I am writing today to follow up with the additional information you requested by the end of the day today during the June 6th Ways and Means Committee Budget Hearing. I appreciate you giving my staff and me the opportunity to compile this information for you and we will be answering more of your questions in the coming days as requested.

I would first like to address your questions in regards to our nolle prosequi and stet rate. 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 stетted 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 a plea deal in another case.

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 otherwise lacks credibility.	2021	2%
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

In keeping with the SAO's commitment to transparency and accountability, the new interactive Data Dashboard now provides residents with easy access to real time courtroom data in a simplified format. Arrests, bail recommendations, indictments, convictions, dispositions, appeals, and more are all captured on the data dashboard and allows viewers to take an in-depth analysis of Baltimore's criminal justice outcomes. With numerous filters and graphs, the data dashboard makes it simple to review an immense amount of data instantly. The most recent data regarding our dispositions can be found on our website [here](#) on our interactive Data Dashboard.

Finally, I will further address your questions surrounding our AIM to B'More (AIM) program; how AIM addresses crime, two success stories, and our partners. My attachment provides you with a copy of our AIM program informational booklet. We are happy to share more successes and are proud of our program and our graduates.

How AIM addresses crime

Created in 2015 by and operated under the administration of State's Attorney Marilyn J. Mosby, AIM, is an alternative to incarceration that improves the quality of life for low-level felony drug offenders. Merging accountability with real opportunities for self and situational development and sustainability, amenable and successful participants graduate without a criminal record and with a career. While it is recognized that certain criminal offenses may require confined and secure settings, problem solving initiatives and approaches, similar to AIM, provide choices to initial or continued formal processing in the criminal justice system. Equally, diversion programs such as AIM reduce crime, improve practices and coordination across agencies, enhance client and victim services, reduce repetitive care and increase public trust in the pursuit of justice.

Existing in partnership with several public and private agencies, including the Division of Parole and Probation in the Department of Public Safety and Correctional Services, AIM to B'More fills a critical void within the criminal justice system for offenders who sell drugs for income. First, participants submit to an



amenability assessment of serious or chronic behavioral, social and psychological disorders and barriers; undergo treatment deemed necessary; and are encouraged to work with the program's Licensed Certified Clinical Social Worker to develop action plans based on his or her evolving needs. Participants are offered a two-year supervised probation, including 100 hours of community service, career coaching, and are required to maintain consistent full time employment for one year. Upon successful completion of AIM, including full compliance with the terms of a 2-year supervised probation, the state will initiate and facilitate the defendant's timely petition for expungement. To date, AIM has served 157 participants with an employment rate of 70%.

Success Stories

On September 14, 2021, AIM hosted a graduation ceremony honoring 26 participants that successfully completed the program during the trying times of the COVID-19 pandemic. During the ceremony, program staff also acknowledged Bruce Brown, one of AIM's first cohort members that now serves as a Program Mentor for current AIM participants.

AIM graduate success stories include a client who excelled through the program. He is a very knowledgeable, diligent and dedicated individual that was always one step ahead in achieving his program goals. He started his own landscaping and home improvement business. He has also created a new sea moss adventure and will be making healthy smoothies for the citizens of Baltimore soon! His plan is to continue to keep his family and kids healthy through his homemade sea moss options. Additionally, I will share that we have a former AIM client working as a mentor now for the AIM program to guide our participant and provide peer support during their journey in the program.

Partners

Aside from our key stakeholders- Baltimore City Circuit Court, Office of Parole and Probation, Office of Community Service, and Office of Public Defense- the SAO has taken a holistic approach to ensuring the success of each participant. We have expanded the categories of our partnership network to include the following: life skills support, mental and behavioral health, workforce development, direct employment, and mentoring. Though our list of partners is growing, we are proud to have the support of the following organizations:

- MTA (Maryland Transit Administration)
- Catholic Charities
- Center for Urban Families
- Total Health Care
- Ultimate Staffing Services
- JustTemps Staffing Services
- BUILD (Baltimoreans United In Leadership Development) Baltimore
- Caroline Center



- Baltimore Downtown Partnership
- Maryland New Directions

Thank you again for the time and attention you have given our budget. It is my hope that the overarching takeaway from our June 6th hearing is the dire need to increase our budget so that we can pay our hardworking prosecutors the salaries they deserve to remain competitive in today's job market.

Sincerely,

A handwritten signature in blue ink that reads "Marilyn J. Mosby". The signature is written in a cursive, flowing style.

Marilyn J. Mosby
Baltimore City State's Attorney