

July 31, 2007

The Honorable James B. Kraft
Baltimore City Council
First District
City Hall
100 N. Holliday Street
Baltimore, MD 21202

RE: Violent Crime in the First District

Dear Mr. Kraft:

I received your letter dated July 16, 2007. I understand that same letter was forwarded to the media with a press release on July 26, 2007. I must assume that this letter is your latest attempt to discredit the hard work of the dedicated men and women in the city State's Attorney's Office. If you were truly concerned about making our city safer, as your letter states, you would be working with us in the State's Attorney's Office to do just that. Instead, you go around the Southeast District lying to the community about this office and you continue your unwarranted attacks against me.

As you are aware, Michelle Donnell is the Community Liaison in the Southeast District. Before her, there was Angela Frazier, who now works for the Mayor. In fact, there are nine (9) Community Liaisons, one for each police district. They attend community meetings, keep the community apprised as to cases the community has an interest in, file community impact statements, coordinate community service for defendants convicted of minor crimes against the community, and work with the community to address criminal justice concerns. They are all employees of the State's Attorney's Office because I value community input, interaction and cooperation. I work very hard to instill community confidence in the State's Attorney's Office.

Michelle routinely attends Southeast District Community meetings. A number of our prosecutors also participate in their Southeast District Community Associations and attend the Southeast District Community Relations Council meetings. Michelle and these attorneys have informed me that on numerous occasions, you and on one occasion Stephanie Rawlings-Blake told the Association that crime is rampant because the State's Attorney's Office does not prosecute minor nuisance quality of life crimes. Your letter to

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me and to the media seems to imply that we don't prosecute violent criminals either. Both assertions are untrue.

As to the quality of life issue, I have included the totals for District Court. As to violent crime, just since September 2006, we have convicted five (5) individuals for murders occurring in the Southeast District. In one case, a 1983 cold case, the defendant was sentenced to 17 years. For all the others, the sentences ranged from 30 years to 60 years. All, but one, of these convictions was for 2nd degree murder. Juries routinely return 2nd degree convictions when defendants are charged with first-degree murder.

In addition, a check of our records reveals that all firearm cases arising out of the Southeast District since July 2006 are vigorously prosecuted with the exception of six (6) cases. In these six instances, one defendant was in jail at the time of the alleged shooting. His case was dismissed when prosecutors verified his assertion. One case was indicted by the US. Attorney's Office. One defendant failed to appear for trial. And, in one instance, the Baltimore City Grand Jury refused to indict. In another case, the police never saw the defendant in possession of the gun and the state could not prove nexus. In the final case, the gun was not recovered and the state could not meet its burden of proof that the gun was a regulated firearm under the law. All other charges are prosecuted routinely by the dedicated men and women in the FIVE Unit. My commitment to getting guns and the criminals who use them off the streets, is a long-term commitment that began before the creation of the FIVE Unit and continues today. Enclosed is a timeline for your information. In addition, the State's Attorney's Office has obtained numerous convictions for robberies and burglaries occurring in the southeast district. (See attached article on the FIVE Unit).

The above examples show that we are doing our jobs and doing it to the best of our ability. I don't just talk; I come up with programs and initiatives to address problems. I pursue solutions. We remain proactive and aggressive in our efforts to reduce crime, but I know that law enforcement alone will not accomplish this. I have proposed a three-pronged approach to reducing crime. A copy of that is also enclosed. I urge you and the Council to support prevention and treatment /early intervention efforts. A comprehensive long term, consistent strategy, not limited to arrests alone, is the only way to positively impact crime. My letter dated March 1997 to Mayor Schموke outlining such a strategy was criticized by you as "old and outdated." The problems of guns, drugs and violence referred to in that letter persist today.

I would also ask that you cease and desist in your irresponsible accusations. Your constituency elected you to work on their behalf. You were not elected to pursue your personal vendetta against the State's Attorney. "Vendetta" is not an overstatement when you consider the totality of your irresponsible behavior. The below listed incidents are not meant to be totally exhaustive of your inappropriate conduct, but are offered herein to serve as highlights of your recent antics:

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1. Your failed attempt, working in conjunction with then City Councilwoman Stephanie Rawlings-Blake, to discredit me at the City Council hearing on March 8, 2006.
2. Your “veiled” threats involving the State’s Attorney’s Office budget in a meeting in my office on April 25, 2007. The meeting was scheduled at your request, to get support for what you termed a “Citizen Court Monitoring Program.” It was interesting that at that time, you stated we were doing a very good job. Even then, I thought it possible to work together.
3. Your tirade regarding my failures as States Attorney at a public City Council meeting on July 5, 2007. These inappropriate comments were captured on WJZ TV Channel 13.
4. Your constant attacks on me and the State’s Attorney’s Office at Southeast District Community Relations Council meetings, the most recent being on July 12, 2007.
5. Your press release today (July 31, 2007) demanding that I speak about seeking the “most stringent sentence possible” in last night’s shooting of two police officers is just the latest inappropriate tirade. It is obvious that you are not aware that prosecutors are under ethical considerations and must refrain from any conduct which could impinge on a defendant’s rights to a fair trial. I honor my ethical considerations by assuring that my prosecutors try their cases in Court not in the media.

Councilman Kraft, please grow up. Stop being a petulant “do nothing” politician and represent the interest of your constituents. I am willing to work with you, but will not under any circumstances tolerate your attacks. The hard working men and women of the Baltimore City State’s Attorney’s Office deserve much better from someone who wears the title “Councilman.” Please contact Michelle Donnell, the Southeast District Community Liaison at 410-878-8599 if you want to be kept apprised of any matter in your District. She is the ultimate professional who will do her job despite the challenges thrown in her path.

We will continue to do our jobs in a competent and professional manner. Therefore, the cases you inquired about will be handled competently and professionally to assure that justice is served. That’s what we do everyday.

Sincerely,

Patricia C. Jessamy
State’s Attorney for Baltimore City

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Enclosures