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Police Continue to Illegally Arrest Children in Baltimore *After arrest, children are being wrongfully detained and shackled.*

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BALTIMORE - May 7, 2015 - The tragedy of Freddie Gray's death was set in motion when, according to State's Attorney Marilyn Mosby, officers "failed to establish probable cause for Mr. Gray's arrest" and illegally took him into custody. Despite the horrendous calamity that followed, Baltimore City Police (BPD) continues to illegally arrest children. Between April 27 and April 29, BPD arrested at least 49 kids - overwhelmingly children of color. At least 21 children – or 42% - were never charged.

Baltimore has a long history of unnecessarily jailing kids. In 2012, a report by the Department of Juvenile Services¹ found that Baltimore used secure juvenile detention more heavily than comparable jurisdictions. Baltimore has been an Annie E. Casey Juvenile Detention Alternative Initiative (JDAI) jurisdiction since 2000. One of the main JDAI tools is an objective instrument that measures a child's risk level and creates a recommendation for whether a child should be securely detained or released to their guardian. Children who are detained after arrest are given an emergency arraignment the next court day. Children in Baltimore appear at their emergency arraignments chained hand and foot.

"The children of our city got the nation's attention last week and the Office of the Public Defender is calling on BPD, City Schools, and DJS to answer their cry and immediately take steps to end the over-criminalization of our youth," said Melanie Shapiro, Chief Attorney of the Juvenile Division of the Maryland Office of the Public Defender.

Baltimore re-launched its JDAI initiative in 2011 and the number of children securely detained has finally begun to decrease. However, in the wake of Freddie Gray's death and ensuing protests, the Department of Juvenile Services (DJS) abandoned the progress of the past few years, failed to follow their own policies, and ignored the recommendation to release children to their families.

The State's Attorney chose not to charge 21 kids and 18 of the remaining children had release recommendations. DJS held 39 of 49 children (79%) who should have gone home with their families. DJS ignored the objective instrument and held all but four children in secure detention. Because the courts closed on Tuesday April 28, 2015 many of these children were forced to spend two nights locked inside a concrete cell. For example, last week a fifth grader was arrested in a protest related incident. Despite his very low score and the objective recommendation for release, he was kept in juvenile jail overnight, a terrifying prospect for an elementary school student. The young boy was then brought to court in chains – hands and feet shackled – before finally being released to his parents.

"We know that the consequences of putting a young child in jail, even for a short period of time, are dire. Secure detention increases the risk of recidivism, damages a child's mental health, and makes it more likely that they will drop out of school," Shapiro said. "Many of these kids are already experiencing post traumatic stress – from witnessing violence, experiencing hunger, and being subjected to police harassment at very young ages. Now these kids have a juvenile record that can impact college admittance, employment, and their ability to enroll in the military."

¹ www.djs.maryland.gov/docs/Baltimore%20City%20Detention_Utilization_Report_Print.pdf