

Judge says crisis over at city court

State lawmakers
question strength of
plan to trim backlog

Trial delays still at issue

Heller tells legislators
system needs money
to make changes work

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Baltimore court officials told state legislators yesterday that they have solved the crisis in the city's justice system that led to chronic trial delays and prompted the release of several criminal suspects.

In the past nine months, the criminal case backlog has been slashed, trial delays have been reduced and, for the first time in six years, judges and prosecutors are closing more cases than are being filed, Judge Ellen M. Heller, the city's new administrative judge, told lawmakers.

"We at the Circuit Court for Baltimore City no longer think that we are in a crisis," Heller told members of the House Appropriations and Judiciary committees. "There is no doubt we had a crisis, no question about it. ... You had a right to be concerned, as did the citizens of Baltimore City and Maryland state."

Heller's pronouncement was met with some skepticism by legislators, who questioned the strength of a plan the court has drafted for reform. Some expressed concern that the plan lacks measures for progress and firm deadlines for change.

In a sign of support for the beleaguered court system, legislative analysts recom-

mended the release of \$17.8 million legislators were threatening to withhold from various city justice agencies unless reforms were enacted.

Del. Howard P. Rawlings, chairman of the House Appropriations Committee, said he has not decided whether to free up the funds.

Rawlings said that statistics showing a decrease in backlog is over a "very limited [time] period." He said the plan lacks firm deadlines and bench marks for progress,

concerns that the analysts noted.

"There are no goals as to optimally where you expect the decline [in backlog] to level off," Rawlings told the judges. "I was kind of surprised that [legislative analysts] recommended the release of these dollars."

Since January, the number of pending cases has been reduced by 23 percent — from 9,089 to 6,947 — and the number of defendants awaiting trial has been cut by 19 percent, court officials said.

Heller told the legislators that though the crisis is over, court officials are working to eliminate trial delay. The court system needs money to hire a criminal case coordinator to oversee the docket and monitor backlogs, computers for a new case-management system and more drug-treatment slots.

Heller did not say how much that would cost, but questions were immediately raised about who would pay for the reforms. In addition, the court plan calls for the prosecutors' budget to be increased by \$6 million, an increase of 30 percent.

Heller said she doubted the city could provide the necessary funding. She said the city has long "starved" the court system in the hopes that the state would take it over.

"I think it is unrealistic to think that Baltimore City is going to give us the funding we need," Heller said.

John H. Lewin Jr., director of the Criminal Justice Coordinating Council, composed of leaders of city justice agencies, told legislators he thinks the city might be willing to pay for some changes when a new mayor is elected.

"I expect a change in attitude," Lewin said.

Yesterday, both mayoral candidates came to testify, but neither one discussed allocating additional funds for the court system.

Democratic nominee Martin O'Malley, who has pledged to improve the city justice system, hinted that he would be seeking state help.

The wounded justice system is "not a problem that we can fix entirely on our own," O'Malley said.

O'Malley said he wants to focus on resolving cases as quickly as possible. He said police should issue criminal citations for minor crimes, instead of arresting people, so that the jails and courts don't become clogged. He proposed creating an arraignment court where felony defendants would be brought within a week of their arrests. That can now take months.

The longer a case waits to go to trial, the more it helps the defense, he said.

"The case is likely to disintegrate over time," he said. "I will do everything in my power to restore energy and urgency to the task of criminal justice reform."

His Republican opponent, David F. Tufaro, said jury selection should be shortened and parking and speeding tickets should be taken out of the court system, a reform that would probably require a change in the law.

"We don't need a court system to resolve those issues," he said. "We have to focus the full resources of the system on dealing with the violent criminals."

Tufaro also agreed with O'Malley on the need to issue criminal citations instead of making arrests for minor crimes.