

May 26, 2022

All,

As police officers, not unlike lawyers, our careers, our work, and our livelihood is dependent upon our integrity and credibility. A police officer's ability to testify before juries or judges or before the grand jury; ability to swear out charges, or seek search warrants, or to merely interact with the public goes as far as our credibility. Once credibility is lost, it is immensely difficult, if not impossible, to regain. Unwarranted and inaccurate attacks on the credibility and integrity of officers is not only an affront to the individual officer, but also damaging to the reputation of the city, impairs the ability to put away dangerous criminals, and jeopardizes the safety of every single citizen of this great City.

On December 3, 2019, State's Attorney Marilyn Mosby, in an effort self-aggrandize her progressive prosecution philosophy, publicly informed members of the State Commission to Restore Trust in Policing that her office maintained a list of 305 officers with what she described as "credibility issues." Her indication, as found by the Court of Special Appeals, was "these officers had, in some way, compromised their credibility such that Mosby determined the officers' status "put them in jeopardy from testifying." Mosby in fact had no such list of officers with compromised integrity. On December 6, 2019, when an organization called Baltimore Action Legal Team filed a MPIA request for this "do not call" list, Mosby never corrected the record advising that she did not possess a 305 officer "do not call" list, and instead refused to comply with the MPIA request.

The Baltimore Action Legal Team pushed forward and litigated the matter in the Baltimore City Circuit Court where they were unsuccessful in obtaining the list. They appealed the decision to the Maryland Court of Special Appeals, which ruled that if Mosby had such a list as she claimed, she would be obligated to disclose the 305 officer "do not call" list. On October 29, 2021, after that ruling by the Maryland Court of Special Appeals, Mosby released a list of approximately 80 officers, several of whom were never members of the Baltimore Police Department and over half of whom were no longer employed by the Baltimore Police Department.

When the Baltimore Action Legal Team called Mosby out and continued requesting information on the 305 person "do not call" list, instead of advising the truth, that no 305 person "do not call" list of officers with compromised integrity existed, Mosby released a list of "the names of a myriad of officers, some with unsubstantiated allegations of misconduct."

Of this "myriad of officers," Mosby acknowledges many are actively testifying in court to assist with the prosecution of criminal cases. She further stated this is not a "do not call list." She added that there has never been a 305 officer "do not call" list. Instead, this serves as another example of Mosby only being transparent or accountable when politically advantageous. This is another example of Mosby blaming everyone else for her shortcomings.

There is a clear difference between a state's witness subject to mandatory disclosure of information to defense counsel under *Brady* and a police officer who the State would refuse to call as a witness. It is not too much for the residents of the city to ask that the City's Top

Prosecutor understand that difference. Prosecution of criminal cases are at stake, reputations of the vast majority of the police officers on this list, who are wrongfully associated with those officers who should not be allowed to testify are at stake, and the safety of our city is at stake.

Moving forward we will be asking Police Commissioner Harrison to cooperate with our investigation, and we will be asking for the PIB records of all 305 individuals on the list so that we can see for ourselves why many of our great officers are even on this list. To those on this list, we are asking that you send an email to info@fop3.org and write in the subject line, Do Not Call List. In the email, please include your Name, Seq #, Employee ID #, along with current Command, personal cell number, and personal email address. (No emails from a BPD email will be answered). Also include every time you have testified in court since 12/3/19, every time you got a search and seizure warrant approved by the SAO since that time, and a complete description of your PIB record (if able) or, to the contrary, if you have had no contact with PIB (IID).

Additionally, FOP 3 will be filing a complaint against Mosby with the Maryland Attorney Grievance Commission. These are first steps as we build our case against this compromised individual. Please know that we will pursue every possible avenue open to us to defend the proud and hardworking men and women of the BPD.

Mike Mancuso