

Baltimore Ends Prosecution of Drug Possession and Other Low-Level Offenses

04.02.21

State's Attorney Marilyn Mosby has announced that her office will stop prosecuting drug possession, prostitution, trespassing, and other low-level offenses based on the success of policies enacted last year to slow the spread of Covid-19 in jails and prisons.

After the prosecutor's office announced last March that they would not prosecute these minor charges during the pandemic, crime rates dropped in Baltimore. The State's Attorney's office reported that violent crime fell 20% and property crime declined 36% between March 13, 2020, and March 13, 2021. And there were 13 fewer homicides than during the previous year.

The number of people incarcerated in Baltimore City declined 18% during the same period, and 39% fewer people entered the criminal justice system compared to this time last year as prosecutors dismissed 1,423 pending cases and quashed 1,415 warrants for low-level offenses.

Researchers from the Johns Hopkins Bloomberg School of Public Health who examined the impact of the non-prosecution policy on public safety found that 911 calls about drug use, public intoxication, and sex work declined from March to December 2020. Calls mentioning drugs fell by 33% and calls about sex work fell by 50% compared to the prior two years.

And only five of the nearly 1,500 people whose warrants were quashed or charges dismissed were arrested for any other crime during this same period, the researchers found.

The data show "there's no public safety value in prosecuting these low-level offenses," Ms. Mosby said in an interview.

The decision not to prosecute drug and minor nonviolent offenses led to changes in policing. Ms. Mosby told reporters that there were 80% fewer arrests for drug possession in Baltimore in the past year.

"Today, America's war on drug users is over in the city of Baltimore," Ms. Mosby said in a statement. "We leave behind the era of tough-on-crime prosecution and zero tolerance policing and no longer default to the status quo to criminalize mostly people of color for addiction."

The State's Attorney's office said it is partnering with the Baltimore Police Department, Baltimore Crisis Response Inc., and other community organizations to reduce unnecessary contact with law enforcement for low-level offenses.

The city is working to set up a 911 alternative dispatch that will route calls about behavioral health issues to BCRI, which can send a mobile crisis team with a mental health professional and a registered nurse to the scene or immediately refer people to services for mental health, housing, and substance use issues. The prosecutor's office is also collaborating with community groups that offer services and support for sex workers.

Police commissioner Michael Harrison enthusiastically supports this partnership. Social workers are “better suited to deal with these issues,” he said.

Kobi Little, head of the Baltimore NAACP, said the state’s attorney’s pandemic policies had led to “reduced policing and incarceration of Black people, increased access to crisis services” and “reduction in violent crime.” He applauded the decision to make them permanent.

“It’s time to reimagine policing in this country. It hasn’t worked,” Ms. Mosby said, noting that 13% of the American population is Black, but 35% of those incarcerated for drug violations are Black. As a prosecutor, “our mission is justice over convictions. You have to understand the importance of rectifying the wrongs of the past.”