

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

Chambers of
BENSON EVERETT LEGG
Chief Judge

101 West Lombard Street
Baltimore, Maryland 21201
410-962-0723

October 30, 2008

The Honorable Karen J. Williams
Chief Judge
United States Court of Appeals for the Fourth Circuit
1021 Middleton Street
Orangeburg, South Carolina 29115

Dear Chief Judge Williams:

Attached is my annual report as Chief Judge of the United States District Court for the District of Maryland. This report covers the period from October 1, 2007 until September 30, 2008. Most of the information in this report came from our Court unit executives, managers, and supervisors.

If you have any questions, please do not hesitate to call.

Respectfully,

Benson Everett Legg
Chief Judge

cc: All District Judges
Samuel W. Phillips, Circuit Executive
Felicia C. Cannon, Clerk

**UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND**



FISCAL YEAR 2008 ANNUAL REPORT

Benson Everett Legg
Chief Judge

Felicia C. Cannon
Clerk

DISTRICT JUDGES

(1 Vacancy)

Active Judges

Catherine C. Blake
Richard D. Bennett
Deborah K. Chasanow
Andre M. Davis
Benson Everett Legg, Chief
J. Frederick Motz
William D. Quarles, Jr.
Roger W. Titus
Alexander Williams, Jr.
Vacancy (as of September 1, 2008)

Senior Judges

Walter E. Black, Jr. (retired)
Marvin J. Garbis
Alexander Harvey, II (retired)
Peter J. Messitte
William M. Nickerson
Frederic N. Smalkin (retired)
Joseph H. Young (retired)

MAGISTRATE JUDGES

(No Vacancies)

Full-Time

James K. Bredar
William Connelly
Charles B. Day
Thomas M. DiGirolamo
Susan K. Gauvey
Beth P. Gesner
Paul W. Grimm, Chief
Jillyn K. Schulze

Part-Time

Victor H. Laws, III

BANKRUPTCY JUDGES

(No Vacancies)

Active Judges

Nancy M. Alquist
Thomas J. Catliota
Robert A. Gordon
Duncan W. Keir, Chief
Wendelin I. Lipp
Paul Mannes
James F. Schneider

Senior Recalled Judges

E. Stephen Derby

COURT UNIT EXECUTIVES

Felicia C. Cannon, Clerk, U.S. District Court
Mark Sammons, Clerk, U.S. Bankruptcy Court
William Henry, Chief, U.S. Probation and Pretrial Services Office

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MILESTONES

The fiscal year began with the fifth Bench Bar Conference on November 2, 2007, in the Baltimore Courthouse. The keynote speaker was Larry Thompson, Senior VP Government Affairs, General Counsel & Secretary of Pepsico, and Former Deputy Attorney General. The Conference closed with a “State of the Court” address by Chief Judge Benson Everett Legg and a reception that followed.

On Friday, February 1, 2008, the Federal Bar Association presented a dramatic re-enactment of the extradition hearing of Margaret Garner, a Kentucky slave who escaped to Ohio with her husband and three children in 1856 pursued by U.S. Marshals who intended to return the family to their Kentucky slave owner under the Fugitive Slave Act. Although the Garners made it to safety in Ohio, the Marshals quickly descended on them. As the Marshals broke down the cabin door, Margaret Garner, desperate to keep her children free, slashed the throat of her two-year old daughter, killing her instantly. Mrs. Garner was attempting to kill her other two children when the Marshals physically restrained her. An all-star cast of Maryland state and federal judges and lawyers brought this gripping story to life. Civil rights attorney and MacArthur Award recipient Bryan Stevenson was joined by U.S. District Judges Alexander Williams and André Davis, U.S. Magistrate Judges Paul Grimm and James Bredar, and State Court Judges Joyce Baylor-Thompson and Howard Chasanow (retired), along with attorneys John Chamble, Michelle Roberts and Bill Brennan, in the presentation of these remarkable events.

On May 1, 2008, Judge Alexander Williams, Jr. received an outstanding service award from the Asian Pacific American Bar Association. The award was presented during a dinner reception hosted by the bar association.

On September 1, 2008, Judge Peter J. Messitte took senior status after almost fifteen years of service as a federal district judge in Greenbelt. Judge Messitte has elected to maintain a full caseload until his replacement is appointed. Judge Messitte was recently designated as a network judge for the United States, Hague Convention on Civil Aspects of Child Abduction.

DISTRICT COURT

General Case Statistics

During the fiscal year ending September 30, 2008, 3,443 civil cases and 620 criminal cases (involving 818 defendants) were filed. On average, each district judge presided over 18 jury trials. As of June 2008, our district weighted case filing per judgeship was 449.

Multidistrict Litigation

The following six multidistrict litigation (MDL) cases are assigned to judges on our Court:

- (i) Royal Ahold Securities/ERISA Litigation, which is assigned to Judge Catherine C. Blake, currently includes thirty-seven cases in which settlement is pending;
- (ii) ProtoGen Sling and Vesica System Products Liability Litigation, which is assigned to Chief Judge Benson Everett Legg, who has one pending case;
- (iii) Microsoft Corporation Operating Systems Antitrust Litigation, which is assigned to Judge J. Frederick Motz, who has two pending cases;
- (iv) Wireless Telephone Radio Frequency Emission Products Litigation, which is assigned to Judge Blake, who has three pending cases;
- (v) Mutual Funds Investment Litigation. Because of the complexity of this litigation, it is assigned to three judges: Judges Blake, Davis and Motz. Judge Motz, who serves on the Judicial Panel on Multidistrict Litigation, is the lead judge. The MDL has 423 pending cases;
- (vi) Michelin North America, Inc., PAX System Marketing and Sales Practices Litigation, which is assigned to Judge Titus, was transferred to our District on February 20, 2008. The MDL has five pending cases; and,
- (vii) Municipal Mortgage & Equity, LLC, Securities and Derivative Litigation was certified as an MDL and transferred to our District on August 14, 2008. It is assigned to Judge Marvin Garbis and currently has 12 pending cases.

Allegheny Energy Securities Litigation, which was assigned to Judge Andre M. Davis, was closed on June 25, 2007.

Civil Justice Reform Act (“CJRA”)

Our bench reported the following motions that were pending for six months or longer:

<u>Report Date</u>	<u>Number of Motions Pending for Six Months or Longer</u>
March 31, 2008	1
September 30, 2008	8

Death Penalty Cases

I. Active Death Penalty Prosecutions.

There are five active prosecutions in which the government is seeking the death penalty against seven individuals. These cases are:

Judge Roger W. Titus: United States v. Davis, RWT-07-CR-199. The case, which is scheduled for ten weeks, will begin on March 3, 2009. The death penalty is being sought against one defendant.

Judge Richard D. Bennett: United States v. Byers, RDB-08-CR-056. The trial is set for March 9, 2009 and involves one defendant against whom the death penalty is being sought.

Judge Deborah K. Chasanow: United States v. Cruz, DKC-05-CR-0393. The death penalty is being sought against three of the nine defendants. The trial for two of the defendants is set for January 2009. The trial for the remaining defendant is set for June 2010.

Judge J. Frederick Motz: United States v. Dinkins, JFM-06-CR-0309. There are two defendants facing the death penalty. A trial date has not yet been set in this case.

II. Other Death Penalty Litigation

Senior Judge Peter J. Messitte: Higgs v. United States, PJM-05-CV-3180. In a case tried by Judge Messitte, the defendant has moved to vacate his sentence of death. Furthermore, in U.S. Lighty, PJM-03-CR-0457, another case tried by Judge Messitte, the defendant has moved for a new trial.

III. Total Death Penalty Docket, Including Death Eligible Cases

According to the September 30, 2008 *Pending Death Penalty Report* issued by the Chief Executive of the Fourth Circuit Court of Appeals, Maryland has 32 pending “death penalty” cases, which includes death eligible cases. The remaining eight districts in the Fourth Circuit have only 31 such cases combined.

Jury Statistics

Fiscal year 2008 saw the creation of a new Master Wheel of 80,000 potential jurors, a labor intensive process for jury department staff. A total of 14,236 jurors were summoned for jury service in fiscal year 2008. 4,838 trial jurors reported to the court for participation in 96 trials that proceeded to a verdict. 65 jury trials were held in criminal cases, and 41 were held in civil cases. A total of 3,848 grand jurors spent 962 hours in session, convening 185 times during the year. District and Magistrate Judges on our local Jury Committee hosted luncheons for departing grand jurors.

Clerk’s Office

In fiscal year 2008, the Clerk’s Office was allotted 81.3 work units, including two

temporary additives, and twelve court reporters. During the year, one Clerk's Office employee and one court reporter retired, one employee transferred to another federal agency and the Clerk's Office lost two employees to untimely deaths. On-board staffing at the end of September 2008 was 76.55 work units plus ten court reporters. Maintaining our conservative approach to staffing, only essential vacant positions are being filled at this time.

The Clerk's Office implemented CM/ECF 3.1 and 3.2 and extended electronic filing to criminal cases effective August 8, 2008. In preparation for the implementation of electronic filing in criminal cases, the court offered training classes beginning in July. Classes in both criminal and civil CM/ECF continue to be offered in Baltimore and Greenbelt on a monthly basis.

The Clerk's Office continues to support flexible work arrangements where desirable. Some members of the Clerk's Office staff in both Baltimore and Greenbelt telework or work flexible or compressed schedules.

Clerk's Office employees participated in training on a variety of topics, including information technology, human resources information systems, online electronic filing systems, and management skills.

Fiscal year 2008 also saw joint initiatives by Bankruptcy Court and District Court employees, which included a Wellness Committee and Saving Money and Resources Together (SMART). These programs sponsored informational newsletters and awareness programs and speakers, including a personal trainer and a nutritionist.

In line with our mission to streamline case management, the Clerk's Office is now utilizing GPO for creating multi-part forms. We also expanded the use of the Automated Jury Information System to contact staff in all court units in the event of a COOP related emergency. Lastly, we installed state of the art kiosks in both Courthouses to assist the visiting public in locating proceedings in the District and Bankruptcy Courts.

Public Outreach

Several of our judges serve on the Federal Court Liaison Committee, which includes members of the federal and state bar associations. The Committee meets every other month to discuss local rules and procedures and joint ventures of the Bench and Bar.

The Baltimore and Greenbelt Courthouses continue to host judges from foreign countries.

Our international outreach efforts over the past few years include hosting guests from Argentina, Brazil, Bolivia, Chile, Columbia, Costa Rica, the Dominican Republic, Ecuador, Egypt, El Salvador, Guatemala, Honduras, Israel, Japan, Jordan, Kazakhstan, Korea, Lebanon, Malaysia, Moldova, Nicaragua, Nigeria, Paraguay, Peru, Philippines, Russia, Turkey, Uruguay and Venezuela. Some of our judges traveled to Argentina, China, Russia and Turkey for judicial education programs. Because of his work with the Brazilian Judiciary, Judge Messitte was named an honorary citizen of Riberao Preto, State of Sao Paulo and of Uberlandia, State of Minas Gerais. He also received a commendation from the Association of Federal Judges in Brazil.

On February 2, 2008, Judges and staff attended video training given by the Sentencing Commission on the retroactivity of the new cocaine amendment. The training was followed by a series of in-house meetings to establish procedures for processing the anticipated influx of cases. The Court especially acknowledges the hard work of Judge Catherine C. Blake and the staff of the United States Probation Office in effectively managing this process.

The Clerk's Office arranged for federal agencies to use courtrooms for executive branch agency hearings. Those agencies included the United States Department of Labor, the National Transportation Safety Board, the United States Tax Court, and the United States Merit Systems Protection Board. The District also hosted an Inns of Court Program, the United States Bankruptcy Court-Erickson School Program, several Federal Bar Association programs, the United States Attorney's Office award ceremony, and several CJA Panel training sessions.

On April 18, 2008, Magistrate Judge Susan K. Gauvey hosted an Open Doors program in Baltimore. The program, which involved children from various local high schools, included mock trials, discussions with unit executives and judges, and lunch with the Bench.

During fiscal year 2008, 2,045 applicants were naturalized and sworn in as new citizens in our Court. On April 25, 2008, Magistrate Judge Beth P. Gesner presided over a special naturalization ceremony which was sponsored by the fourth grade class of Chesapeake Academy. The students prepared gift booklets, packets, and flags for each new citizen. The students also led the Pledge of Allegiance. The students of Chesapeake Academy hosted a reception following the ceremony.

In May 2008, the Greenbelt Courthouse hosted a Law Day program for Prince George's County High School students. This program included a mock trial. The Greenbelt Courthouse also hosted the annual Humphrey Fellows program for lawyers, professors, and judges from other countries studying at Washington College of Law at American University.

On May 8, 2008, the bench sat en banc for our annual Law Clerk Admissions Ceremony. Court of Appeals, District Court, Magistrate Judge, and Bankruptcy Court law clerks and their families attended this special ceremony. The law clerks were admitted to the bars of the District Court and the Fourth Circuit Court of Appeals.

On July 11, 2008, Chief Judge Legg and Magistrate Judge Paul W. Grimm hosted a brown bag lunch for summer associates and law clerks. The program was repeated on July 25, 2008 with Judge Catherine Blake and Judge J. Frederick Motz serving as hosts.

On September 9, 2008, Judge Paul Grimm presented his overview of the federal discovery rules to new law clerks. On September 17, 2008, the annual Hargrove Breakfast for law clerks was held in the Greenbelt Courthouse. The breakfast was followed by a presentation on employment law.

On September 25, 2008, the Baltimore and the Greenbelt Courthouses hosted a JTBF “Robes in the School” Conference for high schools students. *Just the Beginning Foundation* is a non-profit organization composed of judges, lawyers, and other citizens. Founded in 1992, the Foundation aims to develop interest in the law among young people from racial and other groups under-represented in the legal profession.

Throughout the year, artwork from local arts councils was on display in the Greenbelt Courthouse and several receptions were held to honor the various local artists who display their work in the Greenbelt Courthouse.

Space and Facilities

The Greenbelt Courthouse is out of space. In September 2007, the Judicial Conference placed the Greenbelt Courthouse on the current Five Year Courthouse Project Plan for an addition. The GSA has completed a feasibility study and the Court anticipates design funding for this project in fiscal year 2011 with construction beginning in 2013.

The Baltimore Courthouse was placed on the Five Year list in 1998. After almost a decade on the list, Baltimore made no progress towards a new courthouse. Congress did not approve enough money annually to keep projects moving up the list towards completion. As a result, in 2008, the AO decided to revamp the Five Year Plan process.

Baltimore was taken off the list. The AO prepared a draft asset management plan to address Baltimore’s needs. The draft plan, which is not in final form, recommends a series of

renovations to the Baltimore Courthouse. These renovations are intended to respond to court growth through the year 2035. The Court is currently working with GSA to develop a master plan to shepherd these projects through the design and funding processes over the next ten years.

Several projects were completed in Baltimore this fiscal year. These projects include renovations to the chambers of Senior Judge Marvin J. Garbis, District Judge J. Frederick Motz, and Magistrate Judge James K. Bredar. In addition, the grand jury room was completed, the court reporters were relocated to newly renovated office space, and some jury rooms were repainted.

Fiscal year 2008 also marked the completion of Courtroom and Chambers 2B in Greenbelt. This renovation included the installation of new state of the art evidence presentation equipment. This new space will provide a courtroom and chambers for a new district judge who will replace Judge Peter J. Messitte, who recently took senior status. Magistrate Judge Thomas M. DiGirolamo continues to use the temporary office space he has occupied since his appointment as a full-time magistrate judge in June 2004. There will be no available space to build permanent chambers for Judge DiGirolamo until the addition to the courthouse is complete, or until another court-related agency moves out of the Greenbelt Courthouse.

CRIMINAL JUSTICE ACT (CJA) SUPERVISING ATTORNEY

Donna Shearer is the liaison between the Court and CJA panel attorneys. She is assisted by Nicole Bierman, a CJA Technician. Ms. Shearer assigns panel attorneys to criminal cases. In fiscal year 2008, Ms. Shearer’s office made 857 CJA assignments. This is a 3% increase from the number of case assignments in fiscal year 2007. Ms. Shearer also reviews and makes recommendations regarding all requests for either expert or investigative funding. In addition, she evaluates and approves CJA vouchers.¹ The number of vouchers processed for payment

¹ *The following is a comparison of Yearly CJA expenditures:*

Payments	FY 2005	FY 2006	FY 2007	FY 2008
Attorneys	\$ 3,269,871.07	\$ 3,973,951.52	\$ 4,062,221.59	\$ 3,943,119.22
Experts (felony & capital cases)	\$ 396,328.80	\$ 340,575.01	\$ 322,315.86	\$ 414,648.46
Total Paid	\$ 3,805,417.16	\$ 4,475,712.74	\$ 4,498,246.02	\$ 4,514,541.34
Total Capital Case Costs	\$ 1,045,009.78	\$ 1,844,631.22	\$1,516,324.90	\$1,657,944.99

continues to increase each year.²

Furthermore, Ms. Shearer has developed expertise in setting budgets in capital and mega-cases. She appointed death-qualified counsel in eighteen new death-eligible cases opened in fiscal year 2008. To date, ten of those cases have completed the budgeting process.

In 2008, Ms. Shearer participated in the Fourth Circuit Judicial Conference. In doing so, she presented programs for the District and Magistrate Judges. Ms. Shearer was also nominated by Chief Judge Karen J. Williams to participate in the Electronic CJA Vouchering Working Group. This is expected to be a three-year working group with representatives from each Circuit, the Office of Defender Services, and Committee Liaisons from the Judicial Conference. Ms. Shearer is the only representative from the Fourth Circuit. At the request of the Office of Defender Services, Ms. Shearer is also a member of the Expert CJA Audit group. The group is developing nationwide policies in response to the CJA Audit findings.

Fiscal Year 2008, also brought another “mega-case” to the District. The government indicted twenty-eight alleged members of the “Bloods” gang with racketeering charges, including charges of murder as an overt act in furtherance of the racketeering enterprise. Ms. Shearer worked with the Government, the Clerk’s office, and pretrial services to ensure the expeditious and appropriate appointment of counsel in that case. At that time, it was expected that seven of the twenty-eight defendants would later be named in death eligible counts.

PRO SE STAFF ATTORNEYS

In fiscal year 2008, cases filed by pro se litigants represented more than a third of the

% CJA Costs attributed to capital cases	27%	41%	34%	37%
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²

The voucher totals since FY 2000 are:

FY 2000 692 vouchers processed for payment
FY 2001 788 vouchers processed for payment
FY 2002 723 vouchers processed for payment
FY 2003 1,048 vouchers processed for payment
FY 2004 1,162 vouchers processed for payment
FY 2005 1,335 vouchers processed for payment
FY 2006 1,294 vouchers processed for payment
FY 2007 1,413 vouchers processed for payment
FY 2008 1,616 vouchers processed for payment

civil filings in this District. Among prisoner cases, civil rights filings lead the way, comprising 14% of all civil filings. Furthermore, while the number of 28 U.S.C. § 2241 habeas petitions filed by aliens seeking release from detention pending deportation fell, § 2241 motions filed by D.C. Code offenders challenging U.S. Parole Commission decisions rose. State habeas petitions and federal motions to vacate are being filed at a steady rate. Additionally, the Court continues to see an increase in the number of motions filed in closed criminal cases, especially motions filed under Fed. R. Crim. P. 60, Rule 35 and 18 U.S.C. § 3582.

Moreover, a large number of motions have been filed as a result of Amendment 706 to the Sentencing Guidelines for crack cocaine convictions. The staff attorneys have helped prepare and track initial orders in these cases and have worked with the court committee to implement effective ways of ensuring their review.

For the second consecutive year, prisoner civil rights filings alleging gang-related violence in the state prisons have increased. In an attempt to respond to violence, the Maryland House of Correction at Jessup was closed and mass transfers occurred. Most violent offenders were sent to either the Maryland Correctional Adjustment Center or the newly-opened North Branch Correctional Institution, which is annexed to the Western Correctional Institution in Cumberland. Recently, state prison officials announced that the Jessup Correctional Institution will become a medium-security prison and that its maximum security prisoners will be transferred to North Branch. It is anticipated that these transfers will generate many new civil rights challenges.

The state recently revised its Administrative Remedy Procedure to provide prisoners with more time to seek administrative relief and to simplify the tracking of grievances. It cannot yet be determined whether these changes will have an impact on filings in this Court.

Finally, compared to past years, a smaller number of cases are being dismissed on procedural grounds. Increasingly, prisoners are aware of both the “three strikes” provision of the PLRA and the time limits for filing habeas corpus petitions. As a result, the time needed to process the average case continues to increase.

UNITED STATES MAGISTRATE JUDGES

While the Magistrate Judges primarily sit in the Baltimore and Greenbelt Courthouses, they also hold hearings in off-site locations including Salisbury, the Aberdeen Proving Grounds, Andrews Air Force Base, the Naval Academy, Fort Ritchie/Fort Detrick, Fort Meade, and the Patuxent River Naval Air Station. The former Hyattsville docket was permanently moved into

the Greenbelt Courthouse at the end of September 2007. That move was the result of the termination of our lease with the state-owned facility. Certain magistrate judges hear cases on the United States Park Police (USPP) docket and dockets covering the National Institutes of Health (NIH) and five other federal facilities. These dockets involve the largest volume of traffic and parking violations in the country as well as the largest miscellaneous and class A misdemeanor dockets in the federal judiciary.

Various federal arresting agencies issued 29,963 new misdemeanor and petty offense citations in fiscal year 2008. In doing so, they added 24,549 new cases to our dockets. The magistrate judges presided over 4,869 mandatory appearances and 7,973 collateral appearances during fiscal year 2008. 39,035 citations reached disposition. Magistrate judges issued a number of fines and \$2,470,759.23 has been collected.

One of the magistrate judges' primary duties is holding settlement conferences. This fiscal year, they conducted 524 conferences. This program has been very successful because the magistrate judges devote the time necessary to master the record and explore settlement in depth with the parties and counsel. The Court frequently receives letters from counsel expressing gratitude that a seemingly intractable case has been resolved.

BANKRUPTCY COURT

Due to the passage of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (BAPCPA), the Bankruptcy Court continues to have fewer filings than in earlier years. Nonetheless, bankruptcy case filings rebounded in fiscal year 2008, with a 36 percent increase over the previous year. More than 16,300 new cases were filed in fiscal year 2008. The largest filing increase by chapter occurred with Chapter 11. Chapter 11 filings are up 75 percent since fiscal year 2007. Other chapter increases over fiscal year 2007 filings include a 65 percent increase in Chapter 7 filings and a 5 percent increase in Chapter 13 filings. Pro se filings are also on the rise. There were over 1,800 pro se filings in fiscal year 2008, a 25% increase from fiscal year 2007.

In fiscal year 2008, the Bankruptcy Clerk's Office experienced turnover in a number of key positions. These positions included the Chief Deputy Clerk and the LINUX administrator. These changes—coupled with increased filings—prompted the Bankruptcy Court to hire additional staff. Despite that additional hiring, however, total staffing remains below fiscal year 2007 levels.

Furthermore, in order to accommodate the three new judges who were appointed as a

result of BAPCPA, courtroom renovations continued throughout fiscal year 2008. Renovations on the second floor of the Baltimore Courthouse—undertaken to create a courtroom and chambers for Bankruptcy Judge Nancy V. Alquist—are expected to be completed in early November 2008. Furthermore, staff attrition and a declining need for file storage enabled the Bankruptcy Court to relocate the intake function into former case administration workspace. This move allowed the Court to return the resulting empty space to the General Services Administration and reduce the Judiciary’s rent bill.

In Greenbelt, construction of chambers for Bankruptcy Judge Wendelin I. Lipp was completed on October 6, 2008. Construction of a courtroom for Bankruptcy Judge Thomas J. Catliota is expected to be completed in early January 2009.

UNITED STATES PROBATION AND PRETRIAL SERVICES OFFICE

In the District of Maryland, probation and pretrial services functions are consolidated under the leadership of William Henry. Mr. Henry has organized his office into three distinct departments (i) the Pretrial Services Department, which has 19 employees, (ii) the Presentence Investigation Department, which has 24 employees, and (iii) the Supervision Department, which has 77 employees. Forty-one additional employees support the work of the department’s officers. In fiscal year 2008, Mr. Henry’s office supervised over 3,500 men and women and conducted approximately 2,000 pretrial and presentence investigations.

The following is a list of fiscal year 2008's organizational initiatives and achievements:

- Mr. Henry’s office continued its efforts to implement Offender Workforce Development (OWD). Another officer became certified as an Offender Workforce Development Specialist and teams were created in each Division to coordinate efforts, develop resources, provide offender orientations, and develop effective community partnerships.
- In accordance with the amended crack cocaine sentencing guidelines that were made retroactive effective March 3, 2008, the presentence department recalculated the guidelines for nearly 500 offenders convicted of an offense involving crack cocaine. The department also continues to recalculate judgments in response to motions for reductions.
- Mr. Henry’s office incorporated new procedures due to the Clerk's Office implementing Electronic Case Filing (ECF). His office now sends all supervision petitions to the court electronically.

- An officer from the District was selected to serve on the national Sex Offender Management Working Group and another officer continues to serve on the national Location Monitoring Working Group.
- Mr. Henry's office developed an agreement to obtain automated access to District of Columbia local law enforcement information. This will provide more timely and thorough investigative information.
- Mr. Henry's office enhanced officer safety—and enabled immediate access to case information—by providing all officers with Smartphones.
- Specialists in Mr. Henry's office are working to develop training curriculum that will be delivered in fiscal years 2009 and 2010. These training sessions will be offered on various topics, including (i) managing mental health cases, (ii) dealing with sex offenders, (iii) substance abuse testing and treatment, (iv) gangs, and (v) financial investigations.

HOPE FOR A FEDERAL DETENTION CENTER

On any given day, Johnny L. Hughes, the United States Marshal for the District of Maryland, is responsible for the custody of over 500 individuals awaiting trial or designation to a federal prison. This number has doubled since the late 1990s. Because there is no central federal or state facility that can house these individuals, they are scattered among over thirty different facilities, including jails and detention centers as far away as Virginia, Ohio, and Tennessee. Marshal Hughes reports that this dispersion creates exceptional logistical difficulties for his organization. The dispersion also creates difficulties for the Public Defender and for CJA panel attorneys, who must drive long distances to visit their clients.

We are hopeful that a long-term solution to this problem can be found. One possibility is for the state to house all of the federal prisoners at an annex to be built at one of its prisons. Another possibility is the establishment of a federal detention center similar to Philadelphia's facility, provided that a site acceptable to a local community could be found.

CONCLUSION

The Bench thanks the visiting judges who have volunteered their time and effort to assist the District and Bankruptcy Courts. In particular, the Court extends its thanks to Judges David A. Faber, Joseph R. Goodwin, and Frederick P. Stamp, Jr. The Bench also thanks the hard-working employees of the District and Bankruptcy Courts and the related agencies. These men and women have responded to personnel cuts with added hard work.