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Rachelle Nigro  
Chair 2G  
Commissioner, 2G06  
[2G06@anc.dc.gov](mailto:2G06@anc.dc.gov)

Dear Commissioner Nigro,

Thank you for contacting me and asking for my opinion regarding the relocation and temporary placement of the Central Cell Block to 501 New York Ave, NW, Washington DC by the Department of Corrections. I have some serious concerns about this relocation plans and would like to share them with you now. I have reached these conclusions after speaking with officials in the Defender Services Branch of the Public Defenders Service, Attorneys for the District's Public Defenders Service, the U.S. Marshalls Service, Superior Court Pretrial Services, Superior Court Judges, and other CJA defense attorneys as members of the Superior Court Trial Lawyers Association. I also have come to these conclusions based on my 33 years experience as a court appointed attorney in Superior court who has devoted the vast majority of my practice to defending indigent clients in D.C. Superior Court criminal cases.

When I first learned of such a relocation, I had concerns that defendants whose cases were "no papered" (meaning the United States Attorney's Office does not wish to proceed with the case) would be kept for longer than a normal period of time at CCB rather than being brought to court. In fact, even now, when the transportation is a few hundred yards away or so, the clients are kept longer and longer away from Superior Court so they do not have to be transported unless it is absolutely necessary. Therefore, the transports have been occurring later and later in the day, simply under the theory that the U.S. Marshals Service does not want to transport anyone unnecessarily, such as a client whose case was "no papered." This is happening when the CCB is a few hundred yards away from the courthouse. I cannot imagine how much a delay it will be when the CCB is eight blocks away through heavy traffic.

Secondly, there is the transportation of the clients themselves. If a client's case has been "no papered", then it is my opinion that the court no longer has jurisdiction. They should be immediately free to leave custody, no matter where that custody is. Therefore, the U.S. Marshals Service cannot force any client whose case has been "no papered" to take any transportation anywhere. They can simply offer the transportation to Superior Court but they cannot force them to take it. Furthermore, not to tell them they are free to leave CCB at that point is to, in effect, deny them of their liberty by omission. And finally, I would think there would be serious concerns about the liability to the District of Columbia if any accident happened to any client

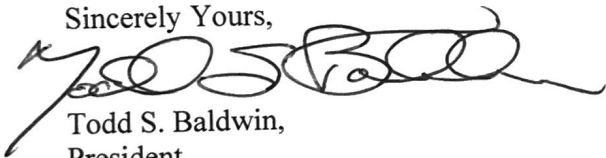
while being transported to Superior Court from CCB after their case had been "no papered" and the client was forced to take such transportation.

What I envision happening is all the cases that are "no papered" for the day are released late in the day. Many of those clients will leave directly from 501 New York Ave., if given the option. I foresee many of those clients (and their friends and family members waiting to pick them up) aimlessly wandering around that area either waiting for their friend or family member to be released or the clients themselves waiting to be picked up or met. I do not foresee all the defendants on the lock up list for the day (whether their case is "papered" or "no papered") being brought over early enough to be released from Superior Court before the docket starts at 1:30.

Please understand that I do not wish to be an alarmist, and I recognize that improvements need to be made to the Central Cell Block as it is old and deteriorating. But I do not think this is the proper solution. Perhaps the work can be done in stages at the current site. Or perhaps another closer alternative would be acceptable. And finally, of course, we defense attorneys remain dedicated to representing our clients to the best of our ability in the most effective way possible. And we would like to help work with the courts, the city and all interested parties to find the best solution for our clients and the courts.

Thank you very much for taking the time to listen to and understand my concerns. If I am wrong in any assessment, please feel free to correct me or reach out to me for a discussion.

Sincerely Yours,

A handwritten signature in black ink, appearing to read "Todd S. Baldwin", with a stylized flourish at the end.

Todd S. Baldwin,  
President

Superior Court Trial Lawyers Association