



May 25, 2022

Wendy L. Shiff, Esquire
Assistant Attorney General
Office of the Attorney General
200 Saint Paul Place
Baltimore, Maryland 21202

Dear Wendy,

Thank you for your letter dated May 13, 2022. Per your recent interpretation and advisement, the Court of Special Appeals held that our office must produce, as requested by BALT on December 6, 2019 under the Maryland Public Information Act, the list of 305 police officers on our "disclosure list" described by State's Attorney Marilyn Mosby in a public statement on December 3, 2019.

As you are aware, on November 17, 2021, I wrote to your office to ask for your advice regarding our desire to publicly disclose the approximate 305 names referenced by the State's Attorney. I asked for this advice because as you know, our "disclosure list" far exceeds that which is required by law and includes "mere allegations of misconduct." Despite our office's expressed and consistent desire to publicly release the names of the approximately 305 officers, the office was explicitly and repeatedly told by the Attorney General's Office not to publicly release the names of the individuals on that list.

Following the Court of Special Appeals decision, where the court erroneously and interchangeably referred to our "disclosure list" as a "do not call list," the office sought legal clarity with regard to your prior advisement, to no avail. Hence, acting on my own accord, on March 10, 2022, I sent you a letter that included the approximately 305 names and further requested that those names be turned over to Balt Alt pursuant to the Court of Special Appeals opinion.

In the letter dated three months after my inquiry, on May 13, 2022, you responded that the Attorney General's position that the obligation to produce the records belongs to the State's Attorney, as custodian of the record, and not to the Attorney General. It is my belief that as the Attorney General's Office, representing our office in this case, the Attorney General's Office should provide the disclosure list to Mr. Zernholt.

STATE'S ATTORNEY
Marilyn J. Mosby



OFFICE *of the* STATE'S ATTORNEY *for* BALTIMORE CITY
120 East Baltimore Street | Baltimore, Maryland 21202

DIRECT DIAL

443-984-6000

However, either way, we will be turning over the names of the officers BALT Legal referenced in the MPIA request.

Sincerely,

A handwritten signature in blue ink, appearing to read "Erin Murphy", is written over the typed name.

Erin Murphy
Chief Counsel, Baltimore City State's
Attorney

cc: Matthew Zernholt, Esquire