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OFFICE OF  
THE STATE PROSECUTOR

Office of the State Prosecutor

Fiscal Year 2026 Operating Budget  
Response to Department of Legislative Services Analysis

Senate Budget and Taxation Committee  
Public Safety, Transportation & Environment Subcommittee  
Senator Michael A. Jackson, Chair  
February 27, 2025

House Appropriations Committee  
Public Safety & Administration Subcommittee  
Delegate Jazz Lewis, Chair  
March 29, 2024

The Office of the State Prosecutor (OSP) continues to investigate and where appropriate prosecute political corruption, official misconduct, election law and campaign finance offenses, and other crimes throughout the State of Maryland. The Department of Legislative Services (DLS) Analysis highlights our partnership with the United State’s Attorney’s Office through a grant from the Governor’s Office of Crime Prevention and Policy (GOCPP), the work of our new Unit for Investigating Official Misconduct and Special Victims and our investigations of an increasing number of complaints, both in corruption and election law cases. Our office is committed to engaging in proactive work to encourage compliance as well as enforcement through various methods, including prosecution. The Office concurs in the DLS Recommendation and the Governor’s Budget Allowance.

OSP Response to DLS Key Observations Questions:

**DLS Key Observation Question 1. OSP should comment on the circumstances that led to [a deficiency appropriation] and if they expect similar issues at the end of fiscal 2025 as well as why they were not reported to the Comptroller.**

The \$145,253 FY25 Supplemental Deficiency is due to one-time moving costs, and we do not expect a similar issue at the end of FY25. These shortfalls were recorded and reported to the Comptroller as part of OSP's FY24 closing actions.

**DLS Key Observation Question 2. OSP should report on the conviction rate for cases brought by this unit independent of other case types in future years and the number of cases closed each year.**

In fiscal year 2024, the Office of the State Prosecutor created a new unit for Investigating Official Misconduct involving Special Victims and is proud to have had its first successful prosecution stemming from one of this unit's investigations. The purpose of this unit is to conduct investigations, and, where appropriate, prosecutions of allegations of official misconduct that involves special victims. The Office of the State Prosecutor requested the funds to create this unit after a significant uptick in complaints involving special victims and appreciates having the resources to handle these complicated, sensitive allegations with significant expertise. The unit is headed by Mary Setzer, an experienced special victim's prosecutor, who has served as both an Assistant United States Attorney, prosecuting federal cases, and an Assistant State's Attorney in Anne Arundel County State's Attorney's Office.

The conviction rate of this agency is only one evaluation of the efficacy and importance of this unit. Going forward, we expect complaints to increase as the unit's exposure to other State and local agencies increases. Accordingly, we would expect an increase in the number of special victims-related complaints, investigations and prosecutions in the future.

The unit has been working hard investigating and, where appropriate, prosecuting cases involving special victims. While complaints are steadily increasing for allegations related to sex offenses and special victims, the office would note that prosecuting these cases has unique challenges, especially when the person who is alleged to have committed the crime is in a trusted position. Often victims seek justice outside of the criminal process and this special unit works to create a balanced approach to these cases that ensures the public's protection is considered along with the victim's concerns. Our office often works with administrative agencies to engage in non-prosecution agreements or other mechanisms to achieve justice for the victims without the potential trauma of a larger scale investigation and trial. We anticipate our unit to be able to continue to report high levels of engagement with victims and have strong conviction rates for the trials we choose to prosecute.

**DLS Key Observation Question 3. OSP should discuss the reason for the decline in cases closed and any efforts to increase the case closure rate.**

The Office of the State Prosecutor would like to thank DLS for identifying this error in our report. Historically, our office obtained our closed case number by combining the numbers of our closed complaints and our closed investigations. When we reported the 2024 actual total as 153 that number only included our closed investigations and not our closed complaints, as we have done in prior years. The correct number for 2024 is 570. We will update our MFR to reflect the correct number.

As our complaints continue to increase, we expect our closed cases to increase as well. In FY 2024 our complaint numbers continued to increase and with that increase our case closures

increased as well.

Sincerely,

Charlton T. Howard III  
State Prosecutor