

HOUSE BILL 1266

P1, E4
HB 1236/21 – JUD

3lr2978

By: **Delegate Mangione**

Introduced and read first time: February 17, 2023

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Office of the Attorney General – Violent Crimes Special Prosecution Unit for**
3 **Baltimore City**

4 FOR the purpose of establishing the Violent Crimes Special Prosecution Unit for Baltimore
5 City in the Office of the Attorney General to prosecute violent crimes in Baltimore
6 City; prohibiting certain attorneys appointed to the Unit from otherwise practicing
7 law during the period of the appointment; requiring certain law enforcement
8 agencies to assign certain police officers to the Unit; requiring the Chief Special
9 Prosecutor to engage with certain federal law enforcement agencies for a certain
10 purpose; requiring the Governor to make certain efforts to enter into an agreement
11 with the United States Attorney for the District of Maryland for a certain purpose;
12 and generally relating to the Violent Crimes Special Prosecution Unit for Baltimore
13 City.

14 BY adding to

15 Article – State Government
16 Section 6–701 through 6–707 to be under the new subtitle “Subtitle 7. Violent Crimes
17 Special Prosecution Unit for Baltimore City”
18 Annotated Code of Maryland
19 (2021 Replacement Volume and 2022 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
21 That the Laws of Maryland read as follows:

22 **Article – State Government**

23 **SUBTITLE 7. VIOLENT CRIMES SPECIAL PROSECUTION UNIT FOR BALTIMORE**
24 **CITY.**

25 **6–701.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
2 INDICATED.

3 (B) "UNIT" MEANS THE VIOLENT CRIMES SPECIAL PROSECUTION UNIT
4 FOR BALTIMORE CITY ESTABLISHED UNDER § 6-702 OF THIS SUBTITLE.

5 (C) "VIOLENT CRIME" MEANS:

6 (1) ARMED ROBBERY;

7 (2) ASSAULT IN THE FIRST DEGREE;

8 (3) CARJACKING;

9 (4) ARMED CARJACKING;

10 (5) CRIMINAL ORGANIZATION ACTIVITY;

11 (6) MURDER; OR

12 (7) ATTEMPT, CONSPIRACY, OR SOLICITATION TO COMMIT A CRIME
13 LISTED IN ITEMS (1) THROUGH (6) OF THIS SUBSECTION.

14 **6-702.**

15 (A) THERE IS A VIOLENT CRIMES SPECIAL PROSECUTION UNIT FOR
16 BALTIMORE CITY IN THE OFFICE OF THE ATTORNEY GENERAL.

17 (B) THE PURPOSE OF THE UNIT IS TO PROSECUTE VIOLENT CRIMES IN
18 BALTIMORE CITY, IN COORDINATION WITH LOCAL, STATE, AND FEDERAL LAW
19 ENFORCEMENT.

20 **6-703.**

21 (A) THE UNIT SHALL INCLUDE:

22 (1) A CHIEF SPECIAL PROSECUTOR APPOINTED BY THE GOVERNOR;

23 (2) A DEPUTY SPECIAL PROSECUTOR;

24 (3) EIGHT SENIOR SPECIAL PROSECUTORS RESPONSIBLE FOR
25 WIRETAPS AND MULTIDEFENDANT CRIMINAL ORGANIZATION PROSECUTIONS;

1 **(4) EIGHT SENIOR SPECIAL PROSECUTORS RESPONSIBLE FOR**
2 **PROSECUTING HOMICIDES AND SHOOTINGS;**

3 **(5) EIGHT SPECIAL PROSECUTORS RESPONSIBLE FOR PROSECUTING**
4 **CARJACKING, BURGLARY, AND FIREARMS CASES AND ASSISTING SENIOR SPECIAL**
5 **PROSECUTORS, AS NECESSARY; AND**

6 **(6) SUPPORT STAFF INCLUDING LAW CLERKS AND ADMINISTRATIVE**
7 **ASSISTANTS.**

8 **(B) (1) THE CHIEF SPECIAL PROSECUTOR SHALL HAVE AN ANNUAL**
9 **SALARY OF \$150,000.**

10 **(2) THE DEPUTY SPECIAL PROSECUTOR SHALL HAVE AN ANNUAL**
11 **SALARY OF \$125,000.**

12 **(3) EACH SENIOR SPECIAL PROSECUTOR SHALL HAVE AN ANNUAL**
13 **SALARY OF \$125,000.**

14 **(4) EACH SPECIAL PROSECUTOR SHALL HAVE AN ANNUAL SALARY OF**
15 **\$115,000.**

16 **(5) EACH SUPPORT STAFF MEMBER SHALL HAVE AN ANNUAL SALARY**
17 **OF \$85,000.**

18 **6-704.**

19 **(A) (1) A STATE'S ATTORNEY FOR A COUNTY MAY NOMINATE UP TO FOUR**
20 **ASSISTANT STATE'S ATTORNEYS FOR APPOINTMENT AS A PROSECUTOR FOR THE**
21 **UNIT BY THE CHIEF SPECIAL PROSECUTOR.**

22 **(2) THE CHIEF SPECIAL PROSECUTOR MAY APPOINT ONE OR MORE**
23 **PRIVATE ATTORNEYS TO SERVE AS PROSECUTORS IN THE UNIT.**

24 **(3) AN ASSISTANT STATE'S ATTORNEY OR PRIVATE ATTORNEY**
25 **APPOINTED UNDER THIS SUBSECTION MAY NOT OTHERWISE PRACTICE LAW DURING**
26 **THE PERIOD OF THE APPOINTMENT.**

27 **(B) APPROPRIATE LAW ENFORCEMENT AGENCIES, INCLUDING THE**
28 **BALTIMORE POLICE DEPARTMENT, SHALL ASSIGN DEDICATED POLICE OFFICERS**
29 **TO THE UNIT.**

1 **6-705.**

2 (A) THE CHIEF SPECIAL PROSECUTOR SHALL ENGAGE WITH THE FEDERAL
3 BUREAU OF INVESTIGATION, THE UNITED STATES DRUG ENFORCEMENT
4 ADMINISTRATION, AND THE UNITED STATES BUREAU OF ALCOHOL, TOBACCO,
5 FIREARMS AND EXPLOSIVES WITH THE GOAL OF ARRANGING FOR THE ASSIGNMENT
6 OF FEDERAL LAW ENFORCEMENT AGENTS TO ASSIST IN THE WORK OF THE UNIT.

7 (B) (1) THE GOVERNOR SHALL MAKE EFFORTS TO ENTER INTO AN
8 AGREEMENT WITH THE UNITED STATES ATTORNEY FOR THE DISTRICT OF
9 MARYLAND FOR THE APPOINTMENT OF ONE OR MORE ATTORNEYS FROM THE UNIT
10 AS SPECIAL UNITED STATES ATTORNEYS FOR THE PURPOSE OF PURSUING FEDERAL
11 CHARGES RELATED TO THE DUTIES OF THE UNIT.

12 (2) THE UNIT MAY ALLOCATE FUNDS PROVIDED TO THE UNIT IN THE
13 ANNUAL BUDGET TO THE SALARY OF AN ATTORNEY APPOINTED AS SPECIAL UNITED
14 STATES ATTORNEY UNDER THIS SUBSECTION.

15 **6-706.**

16 (A) FOR FISCAL YEAR 2023 AND EACH FISCAL YEAR THEREAFTER, THE
17 GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF
18 AT LEAST \$10,000,000 FOR THE UNIT.

19 (B) OF THE APPROPRIATION DESCRIBED IN SUBSECTION (A) OF THIS
20 SECTION, THE UNIT SHALL ALLOCATE:

21 (1) \$1,000,000 FOR INCENTIVES TO EXPAND THE GROUND CAMERA
22 NETWORK IN BALTIMORE CITY; AND

23 (2) \$2,000,000 FOR WIRETAPS, UNDERCOVER DRUG
24 INVESTIGATIONS, AND FORENSIC ANALYSTS.

25 **6-707.**

26 THE ATTORNEY GENERAL MAY ADOPT REGULATIONS NECESSARY TO CARRY
27 OUT THE PROVISIONS OF THIS SUBTITLE.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
29 1, 2023. It shall remain effective for a period of 3 years and, at the end of June 30, 2026,
30 this Act, with no further action required by the General Assembly, shall be abrogated and
31 of no further force and effect.