

HOUSE BILL 1236

P1, E4

11r2880

By: **Delegate Kipke**

Introduced and read first time: February 8, 2021

Assigned to: Judiciary

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; providing for the purpose and composition
6 of the Unit; providing for the appointment of the Chief Special Prosecutor of the Unit;
7 establishing the salaries of the members of the Unit; authorizing the nomination and
8 appointment to the Unit of certain Assistant State’s Attorneys; authorizing the Chief
9 Special Prosecutor to appoint certain attorneys to the Unit; prohibiting certain
10 attorneys appointed to the Unit from otherwise practicing law during the period of
11 the appointment; requiring certain law enforcement agencies to assign certain police
12 officers to the Unit; requiring the Chief Special Prosecutor to engage with certain
13 federal law enforcement agencies for a certain purpose; requiring the Governor to
14 make certain efforts to enter into an agreement with the United States Attorney for
15 the District of Maryland for a certain purpose; authorizing the Unit to allocate
16 certain funds for a certain purpose; requiring the Governor to make a certain
17 appropriation in the annual budget; authorizing the Attorney General to adopt
18 certain regulations; defining certain terms; providing for the termination of this Act;
19 and generally relating to the Violent Crimes Special Prosecution Unit for Baltimore
20 City.

21 BY adding to

22 Article – State Government

23 Section 6–601 through 6–607 to be under the new subtitle “Subtitle 6. Violent Crimes
24 Special Prosecution Unit for Baltimore City”

25 Annotated Code of Maryland

26 (2014 Replacement Volume and 2020 Supplement)

27 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

28 That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Article – State Government

2 SUBTITLE 6. VIOLENT CRIMES SPECIAL PROSECUTION UNIT FOR BALTIMORE
3 CITY.4 **6–601.**

5 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
6 INDICATED.

7 (B) “UNIT” MEANS THE VIOLENT CRIMES SPECIAL PROSECUTION UNIT
8 FOR BALTIMORE CITY ESTABLISHED UNDER § 6–602 OF THIS SUBTITLE.

9 (C) “VIOLENT CRIME” MEANS:

10 (1) ARMED ROBBERY;

11 (2) ASSAULT IN THE FIRST DEGREE;

12 (3) CARJACKING;

13 (4) ARMED CARJACKING;

14 (5) CRIMINAL ORGANIZATION ACTIVITY;

15 (6) MURDER; OR

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

18 **6–602.**

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

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

24 **6–603.**

25 (A) THE UNIT SHALL INCLUDE:

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

2 **(2) A DEPUTY SPECIAL PROSECUTOR;**

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

5 **(4) EIGHT SENIOR SPECIAL PROSECUTORS RESPONSIBLE FOR**
6 **PROSECUTING HOMICIDES AND SHOOTINGS;**

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

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

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

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

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

18 **(4) EACH SPECIAL PROSECUTOR SHALL HAVE AN ANNUAL SALARY OF**
19 **\$115,000.**

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

22 **6-604.**

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

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

28 **(3) AN ASSISTANT STATE'S ATTORNEY OR PRIVATE ATTORNEY**
29 **APPOINTED UNDER THIS SUBSECTION MAY NOT OTHERWISE PRACTICE LAW DURING**

1 THE PERIOD OF THE APPOINTMENT.

2 (B) APPROPRIATE LAW ENFORCEMENT AGENCIES, INCLUDING THE
3 BALTIMORE POLICE DEPARTMENT, SHALL ASSIGN DEDICATED POLICE OFFICERS
4 TO THE UNIT.

5 **6-605.**

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

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

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

19 **6-606.**

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

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

25 (1) \$1,000,000 FOR INCENTIVES TO EXPAND THE GROUND CAMERA
26 NETWORK IN BALTIMORE CITY; AND

27 (2) \$2,000,000 FOR WIRETAPS, UNDERCOVER DRUG
28 INVESTIGATIONS, AND FORENSIC ANALYSTS.

29 **6-607.**

30 THE ATTORNEY GENERAL MAY ADOPT REGULATIONS NECESSARY TO CARRY
31 OUT THE PROVISIONS OF THIS SUBTITLE.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
2 1, 2021. It shall remain effective for a period of 3 years and, at the end of June 30, 2024,
3 this Act, with no further action required by the General Assembly, shall be abrogated and
4 of no further force and effect.