



RACIAL EQUITY IMPACT NOTE

DEPARTMENT OF LEGISLATIVE SERVICES
MARYLAND ▪ GENERAL ▪ ASSEMBLY

2025 Session
SB0343

State's Attorneys - Reconstitution of Task Force and Establishment of Case Management System Grant Fund

Bill Summary

This bill establishes the State's Attorney Case Management System Grant Fund to provide grants to State's Attorneys' offices to establish or improve case management systems. The bill also reestablishes the Task Force to Study Transparency Standards for State's Attorneys created under Chapter 141 of 2022.

Racial Equity Impact Statement

Meaningful equity research is reliant on the continuous, effective, and uniform collection of data for use in informed decision making by policymakers. The establishment of a Case Management System (CMS) for State's Attorneys as contemplated through the bill's creation of a CMS grant fund, in conjunction with implementation of the data collection recommendations of the Task Force to Study Transparency Standards for State's Attorneys, could provide new insight into the equity impacts of prosecutorial discretion. The potential impacts of the bill on equity analysis will depend on the implementation of specific data collection and transparency policies developed by the task force and the level of participation by State's Attorneys.

Analysis

This bill would reauthorize the Task Force to Study Transparency Standards for State's Attorneys, as well as establish a CMS grant fund for State's Attorneys across Maryland. The CMS is defined as an electronic program capable of collecting data on arrests, charging decisions, and other information about cases handled by State's Attorneys. The task force would remain active until June 30, 2028.

Chapter 141 of 2022 initially authorized the creation of a task force to study the possibility of establishing minimum transparency standards for State’s Attorneys in Maryland. In conducting its study, the task force was required to (1) develop processes by which prosecutors can collect information and determine what information should be made public and what information may be kept private and (2) examine any existing policies of State’s Attorney offices across the State relating to the transparency of data, the charging of crimes, and sentencing. The task force examined best practices in data collection and transparency used in several states, including Arizona, California, Colorado, Connecticut, Florida, New Jersey, and Utah.

The task force published a report in December 2023 and found that the collection and analysis of data gathered through a CMS will “assist prosecutors in allocating limited resources and more efficiently and accurately handling law enforcement office functions such as compiling annual reports, submitting budget requests, measuring staff performance and workloads, and tracking court appearances and filing deadlines. For numerous reasons, providing the community a window into this aggregated data can help inform critical discussions around resource allocation, equity and disparities, seriousness and proportionality of penalties, timeliness of case processing, and delivery of victim services.

Specifically, the task force recommended (1) uniform collection of data disaggregated by race/ethnicity, gender, and severity (felony or misdemeanor) to enable identification of disparities and inequities at defined decision points and (2) establishment of a fund to provide grants to counties to defray CMS development costs. Specifically, the task force called for the following data to be captured by a CMS uniformly across the State:

- charges at arrest;
- filed charges;
- final disposition of all charges;
- whether a plea offer was made;
- if the case was dismissed, the reason for the dismissal;
- if the case was declined, the reason for the declination;
- dates for the decision points listed above;
- the referring law enforcement agency;
- the assigned prosecutor(s);
- defendant characteristics (*e.g.*, race/ethnicity, age, gender, zip code); and
- victim characteristics (*e.g.*, race/ethnicity, age, gender, zip code).

Authorization for the task force ended June 30, 2024.

Prosecutorial discretion can significantly contribute to disparities at various decision points in the criminal justice process. Prosecutors make decisions about who to charge, what charges to file, and how to plea bargain. In some cases, these decisions can lead to unequal outcomes based on factors like race, ethnicity, and socioeconomic status, even for similar crimes. Data collection and transparency are key to measuring disparities in this regard. The CMS contemplated by the bill would establish the needed data infrastructure to begin to identify and measure the equity implications of decision making by prosecutors throughout the State.

Conclusion

The bill's establishment of a CMS grant fund will benefit equity-related research in the years ahead to the extent that State's Attorneys develop a CMS and the data collected is made available for public policy decision making. The magnitude of any beneficial equity impacts will partly be determined by the task force's specific recommendations on data collection and transparency. The bill has the potential to enhance the public's understanding of how prosecutorial discretion is applied in key criminal justice decisions.

Information Sources: Task Force to Study Transparency Standards for State's Attorneys; National Conference of State Legislatures; Department of Legislative Services

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Published: 01/30/2025

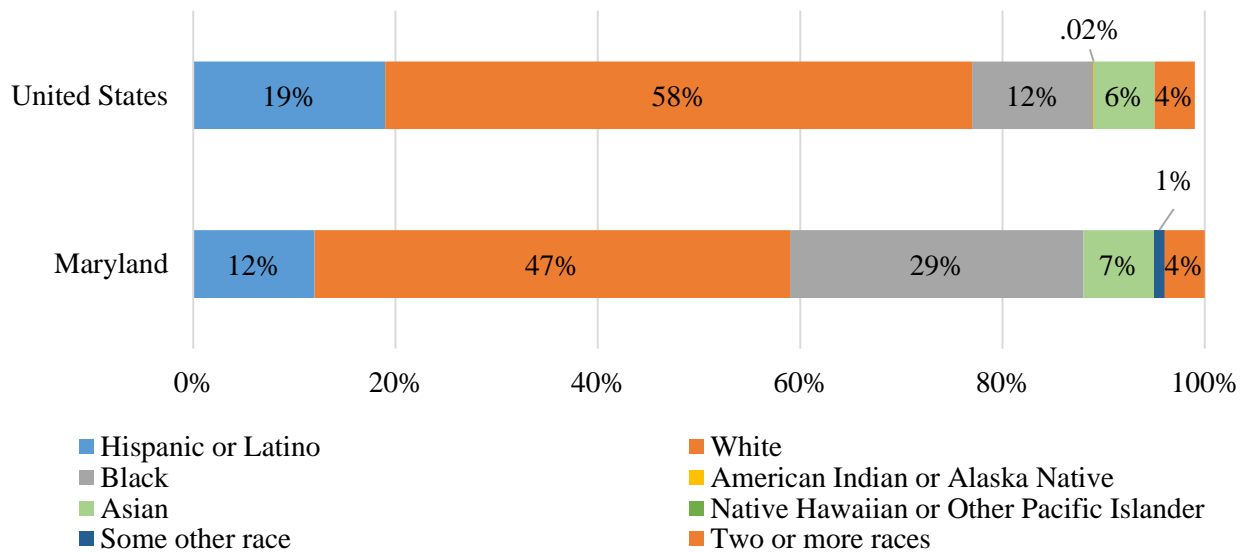
Appendix – Maryland Demographics

Race and Ethnicity of the Maryland Population

Maryland’s 2020 census population is 6,177,244, a 7% increase from the 2010 census count and approximately 2% higher than the 2019 census population estimates. In addition to an increase in population, Maryland’s racial demographics have become more diverse. Maryland is now a state in which racial minorities make up a majority of its total population. Notable changes relevant to this shift are the increase in groups who identify as “other” and “multiracial” (*i.e.*, two or more racial identities), which total 5% of the State’s population. Additionally, the change in demographics is due to the decrease in the number of individuals who only report “white” as their racial group. Despite this decrease, non-Hispanic whites remain the largest race demographic group in the State at 47% of the State’s population.

Compared to the U.S. population overall, Maryland’s population of individuals who identify as a single race is more diverse. Maryland is ranked as the fourth most diverse state by the U.S. Census Bureau’s [Diversity Index](#). As shown in **Exhibit 1**, in Maryland, 47% identify as white alone compared to 58% of the national population. Similarly, 51% of the population identify as non-white or multi-racial compared to 38% of the national population. In both the State and national populations, the largest shares of the non-white population are individuals who are Black, with 29% of the State population identifying only as Black and another 2.5% identifying as Black in combination with some other race. Maryland’s Asian population is 7%, which is slightly higher than the Asian share of the national population of 6%. The State’s overall population by ethnicity, however, is slightly less diverse than the U.S. population; 12% of the State’s population identified as Hispanic or Latino compared to 19% of the U.S. population.

Exhibit 1
U.S. and Maryland Population by Race and Ethnicity
2020



Source: U.S. Census Bureau, 2020 Census Redistricting Data (Public Law 94-171), Table ID P2, HISPANIC OR LATINO, AND NOT HISPANIC OR LATINO BY RACE.