

SB 634 - favorable - OSP - threats judges.pdf

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Position: FAV

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Date: February 17, 2026

Bill Number: SB 634

Position: Favorable

MSAA supports Senate Bill 634, which clarifies and modestly expands the investigatory authority of the Office of the State Prosecutor to include certain criminal threats directed at judges and judges-elect, while preserving the important role of local State's Attorneys' Offices through an initial review process.

Senate Bill 634 appropriately adds a narrowly tailored category of offenses that may be investigated by the State Prosecutor, following an opportunity for review by the local State's Attorney.

This change addresses a gap in Maryland law. Threats against judges and judges-elect strike at the heart of the judicial system and pose a direct risk not only to individual officials, but to the integrity of the courts themselves. When such threats occur, they may raise concerns that extend beyond county lines or implicate broader public confidence in the administration of justice. In those circumstances, the Office of the State Prosecutor is uniquely positioned to provide impartial, statewide involvement.

Importantly, Senate Bill 634 does not displace local prosecutorial authority. By requiring that the local State's Attorney's Office be afforded the opportunity to review the matter before the State Prosecutor proceeds, the bill preserves local discretion, respects existing jurisdictional boundaries, and prevents unnecessary duplication of effort. This law also assists with conflicts of interest in Maryland State's Attorneys' Offices which arise when a judge becomes a victim in his/her own local jurisdiction.

The proposed amendment is also fully consistent with the existing structure of the statutes. Adding judicial threats fits squarely within this framework, as these offenses similarly implicate public trust and the proper functioning of government institutions.

For these reasons, SB 634 represents a careful and balanced update to Maryland law. MSAA supports a favorable report for SB 634.

OSP Support for SB634.pdf

Uploaded by: Sarah David

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SUPPORT FOR SB 634

Mr. Chairman and Members of the Judicial Proceedings Committee:

We are writing to express the support of the Office of the State Prosecutor for Senate Bill 634. The Office of the State Prosecutor is tasked with resolving political corruption, police misconduct and election integrity cases throughout Maryland and believes that this legislation will help protect members of the judiciary and the integrity of the judicial process in Maryland.

The Office of the State Prosecutor

The Office of the State Prosecutor is an independent agency within the Executive Branch of government. The Office is tasked with ensuring the honesty and integrity of State government and elections by conducting thorough, independent investigations and, when appropriate, prosecutions of criminal conduct affecting the integrity of our State and local government institutions, officials, employees, and elections.

Senate Bill 634- Adding Judicial Threats to Office of the State Prosecutor Statute

Senate Bill 634 expands the Maryland Office of the State Prosecutor's jurisdiction to include threats against judges pursuant to section 3-708 of the Criminal Law Article. The Maryland Office of the State Prosecutor has jurisdiction to investigate and prosecute certain enumerated crimes as specified in Criminal Procedure 14-107. The Office cannot investigate cases if the alleged principal crime falls outside the enumerated offenses, unless it is a multi-jurisdictional crime and then only by request of the Attorney General, local State's Attorney, General Assembly or Governor's Office.

Our Office is experienced in handling sensitive, high profile, controversial cases throughout the State. We are willing and able to take on the investigation of judicial threats in conjunction with local law enforcement, or as our statute provides, with the assistance of the Maryland State Police. However, we cannot handle these cases without modification to our statute, as most judicial threats occur in only one jurisdiction (and thus would not be able to be handled by our office even by request of the agencies identified above).

Importantly, while under Senate Bill 684 our Office would handle the investigation, per section 14-108 of the Criminal Procedure Article, we would have to provide a report to the local State's Attorney who would decide whether they wanted to prosecute the case or have a member of our office prosecute the case once the investigation was completed. Therefore, the elected State's Attorney would still have the opportunity to prosecute the case if they desire, as they would if

any other investigative body handled the investigation. We understand that judicial security is of the utmost importance in Maryland and throughout the country, and hope that we can utilize our proven legal and investigative abilities to protect those who hold public office in the service of justice.

Sincerely,

CHARLTON T. HOWARD, III
STATE PROSECUTOR

SB0634 – MSBA Support Letter (2026.02.17 - OSP Thr

Uploaded by: Shaoli Sarkar

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Bill: SB 634 – Office of the State Prosecutor - Investigation of Threats - Judges

Committee: Senate Judicial Proceedings Committee

Position: Favorable

Date: February 17, 2026

The Maryland State Bar Association (MSBA) **supports** Senate Bill 634 - Office of the State Prosecutor - Investigation of Threats - Judges. Through its advocacy committees and various practice-specific sections, MSBA monitors and takes positions on legislation that protects the legal profession, preserves the integrity of the judicial system, and ensures access to justice for Marylanders. We promote security for the legal profession and comprehensive solutions so that our practitioners stay safe.

SB 634 is part of a broad, statewide approach to security for judicial officers and our courts that includes improved digital privacy and physical security measures. Authorizing the Office of the State Prosecutor to investigate those who threaten judges and judges-elect brings a new level of examination and accountability for these acts.

This bill is needed to confront the escalating attacks and threats directed at the judiciary. Because of the public nature of the judiciary's work and campaigns for judicial elections, judges are vulnerable targets as their names are tied to high-profile matters and judicial orders. Easy access to digital tracking tools and online posting has increased anti-court rhetoric and threats that quickly spread beyond local jurisdictions. Threats against the judiciary not only cause individual harm, but also reduce judicial integrity, weaken the recruitment of new judges, and diminish public participation and trust in the justice system.

With experts trained in case work involving public officials leading this work at the Office of the State Prosecutor, Maryland will be in a proactive role to protect the judiciary. A state-level, independent response to threats will standardize threat investigations and deter future violations.

The choice for our members should not be public service or personal safety. We must continue to strengthen protections and safety for judicial officers to protect the administration of justice and judicial integrity. MSBA respectfully requests a favorable report on SB 634.

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