



OFFICE OF THE STATE'S ATTORNEY FOR BALTIMORE CITY

March 13, 2026

The Honorable J. Sandy Bartlett, Esq., Chair
Maryland House of Delegates, Judiciary Committee
House Office Building
6 Bladen Street, Annapolis, Maryland 21401

Re: HB1361 – Supplemental Information

Dear Chairwoman Bartlett and Honorable House Judiciary Committee Members,

Our names are Megan Greene and David Wiseman, Assistant State's Attorneys in the Office of the State's Attorney for Baltimore City. We had the privilege of testifying before the Judiciary Committee on March 10, in support of HB 1361. Following that testimony and in response to unfavorable testimony, Committee Members posed several questions regarding the Bill's potential effects, particularly in terms of allowing for additional or cumulative evidence to be presented against criminal defendants, and the "stacking" of charges against members and associates of drug-trafficking organizations. Accordingly, we respectfully are providing this supplemental information to address the expressed concerns of the Committee and those raised in the unfavorable testimony. To most clearly demonstrate the effect of HB1361, please find the case study and explanation below:

From approximately January through June 2025, detectives from the Baltimore City Police Department conducted an investigation into a drug trafficking conspiracy using a specific area within the Upton neighborhood of Baltimore City as an open-air narcotics market. Throughout the course of the investigation, detectives conducted approximately eighteen seizures of illegal controlled dangerous substances (CDS), including multiple controlled purchases of CDS by an undercover detective from members and associates of the drug trafficking organization (DTO).¹

Throughout the course of the investigation, the DTO used multiple addresses in and around the Upton neighborhood to maintain their daily activities, and numerous street-level traffickers distributed CDS to the organization's regular customers. Detectives monitored the consistent activity in the area, including observing ongoing illegal sales of CDS by members of the DTO, and seizing narcotics from customers immediately after their purchases from these members. After months of investigation into the organization, detectives identified multiple properties in Baltimore City being used as narcotic stash locations and safe houses for the members' illegal activity. With this information, detectives obtained court-authorized search and seizure warrants for each. In total, investigators seized bulk quantities of CDS, firearms, and narcotics manufacturing materials, including 96 grams of fentanyl,

¹ Notably, due to the nature of the investigation and evidence seized relative to the legal elements, not all drug trafficking organizations (DTOs) engaging in conspiracies to illegally distribute CDS can be prosecuted under Criminal Law Article, Section 9-801, *et seq.* ("Criminal Organizations"). The investigation referenced herein is one such example, and one in which the State ultimately brought charges in two different localities related to the same drug-trafficking and distribution conspiracy.



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115 grams of a fentanyl mixture, 230 gelatin capsules that were filled with fentanyl and ready for street-level sale, 379 grams of cocaine, 100 grams of psychoactive mushrooms, 3 regulated firearms, 1 rifle, multiple pill holders used to secure empty gelatin capsules so that they can be filled, a sifter typically used in the breaking down of narcotics product to mix it with cutting agents, additional CDS packaging materials, and 12 cellular phones.

In addition to these Baltimore City locations, through various investigative methods, including lawfully obtaining and reviewing electronically stored communications, real-time and stored camera footage, and real-time location information for vehicles and cellular phones, detectives also identified multiple Baltimore County residences in use by members of the organization. Gathered intelligence indicated that these residences likely were being used as stash locations for contraband as well. Detectives obtained court-authorized search and seizure warrants for those residences and recovered additional evidence of the ongoing criminal conspiracy, including the following: 596 grams of fentanyl, 448 grams of cocaine, 110 grams of crack cocaine, 26.9 grams of prescription pills believed to be oxycodone, approximately \$250,000 in U.S. currency, 2 Audemars Piguet watches (which can retail anywhere from \$20,000 to over \$500,000 each), bulk quantities of common cutting agents used in the manufacturing of street-level narcotics, digital scales, CDS packaging materials, and a Ruger .380 semi-automatic handgun.

In coordination with law enforcement agencies from Baltimore City and Baltimore County, prosecutors from the Baltimore City Office of the State's Attorney and Baltimore County Office of the State's Attorney sought indictments from Grand Juries sitting in Baltimore City and Baltimore County for numerous mid- and high-level members of the DTO. Criminal charges in Baltimore City relating to the investigation included Conspiracy to Distribute Controlled Dangerous Substances, Possession of a Regulated Firearm with Nexus to a Drug Trafficking Crime, Possession of CDS (large amount), Illegal Distribution of CDS, and Illegal Possession of CDS with Intent to Distribute. Charges in Baltimore County included Possession of CDS (large amount) and Illegal Possession of CDS with Intent to Distribute.

Following the investigation, two different prosecutors' offices employed public resources to prepare the case(s) for charging and two different grand juries were convened to hear the facts of the conspiracy. Two different sets of defense lawyers will be required to handle the case in two different jurisdictions, with two different judges and two different juries. The trials of cases relating to a conspiracy such as described here likely will last approximately five days. Should the cases proceed to trial, prosecutors will present evidence in each trial of the entire investigation, including the ongoing narcotics distribution in Upton in Baltimore City, the operation of the stash locations within Baltimore City, the maintenance of additional stash locations in Baltimore County, and all of the evidence of the conspiracy and narcotics trafficking seized therein. The inclusion of these facts is relevant and necessary for the prosecutors to meet their burden in demonstrating the span of the conspiracy, the Defendants' knowledge of that conspiracy, as well as any individual's knowledge of contraband being stored in a particular stash location (if applicable), and other elements of these crimes.



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Instead, please consider if the matter were charged in one venue, in a single indictment encompassing the entire conspiracy. One prosecutor's office, rather than two; one defense lawyer per defendant, rather than two. One trial (comprised of the same witnesses, physical evidence, and testimony) with one judge and one jury. HB1361 is designed to facilitate that level of economy, while protecting against Double Jeopardy and related concerns that any particular criminal defendant might face consequences for the same conduct in multiple places. There would be no "stacking" of charges, but rather the existing charges would no longer be spread across multiple venues, and one judge presiding over the entire case eliminates any inconsistencies in sentencing for individual Defendants and across the entire conspiracy.

So, for example, in the case study above, as the law currently stands, a Defendant who is involved in the sale of CDS to an undercover officer as part of the DTO in Upton in Baltimore City, and also kept a supply of CDS for the DTO at his residence in Baltimore County could be charged with Conspiracy to Distribute CDS and the Distribution of CDS in Baltimore City and Possession of CDS (large amount) and Illegal Possession of CDS with Intent to Distribute in Baltimore County. The presentation of both cases at trial would look relatively the same. With HB1361, the Defendant would be indicted in one venue – either Baltimore City or Baltimore County – and would be charged with Conspiracy to Distribute CDS, Distribution of CDS, Possession of CDS (large amount), and Illegal Possession of CDS with Intent to Distribute. The charges remain the same, but now simply are consolidated into one indictment in one venue.

In conclusion, and for the reasons set forth herein and in our prior written and oral testimony, we respectfully urge the Judiciary Committee and Maryland House of Delegates to support HB1361 and advocate for its passage.

Respectfully submitted,

A handwritten signature in blue ink, appearing to be "Megan Greene", written over a horizontal line.

Megan Greene, Assistant State's Attorney

A handwritten signature in blue ink, appearing to be "David Wiseman", written over a horizontal line.

David Wiseman, Assistant State's Attorney