

**C82D00**  
**Office of the State Prosecutor**

**Program Description**

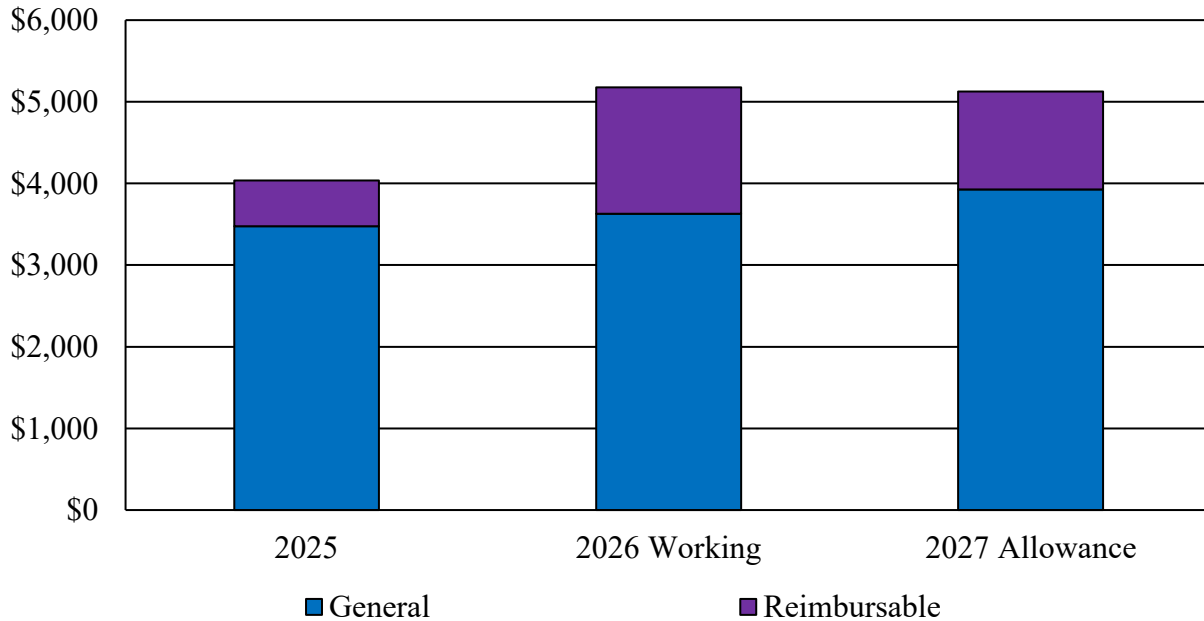
The Office of the State Prosecutor (OSP) is an independent agency within the Executive Branch that investigates and, where warranted, prosecutes criminal offenses affecting the honesty and integrity of governmental officials, institutions, and the electoral process. The State Prosecutor may investigate on their own initiative – or at the request of the Governor, the Attorney General, the General Assembly, the State Ethics Commission, or a State’s Attorney – certain criminal offenses, including election law and public ethics law violations; State bribery law violations involving public officials or employees; misconduct in any office by public officials or employees; and extortion, perjury, or obstruction of justice related to any of the aforementioned.

In addition, the State Prosecutor may investigate and prosecute any offense that takes place in more than one county within the State or in more than one state including Maryland.

***Operating Budget Summary***

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**Fiscal 2027 Budget Decreases \$51,000, or 1.0%, to \$5.1 Million**  
**(\$ in Thousands)**



Note: The fiscal 2026 working appropriation accounts for deficiencies. The fiscal 2027 statewide salary adjustments are centrally budgeted in the Department of Budget and Management and are not included in this agency’s budget.

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- Reimbursable funds total \$1.2 million, or 23.4%, of the fiscal 2027 allowance due to the Governor’s Office of Crime Prevention and Policy (GOCPP) providing funding for a collaborative effort with the U.S. Attorney for the District of Maryland to investigate and prosecute violent acts and firearm violations, along with criminal gangs throughout the State.

## **Fiscal 2026**

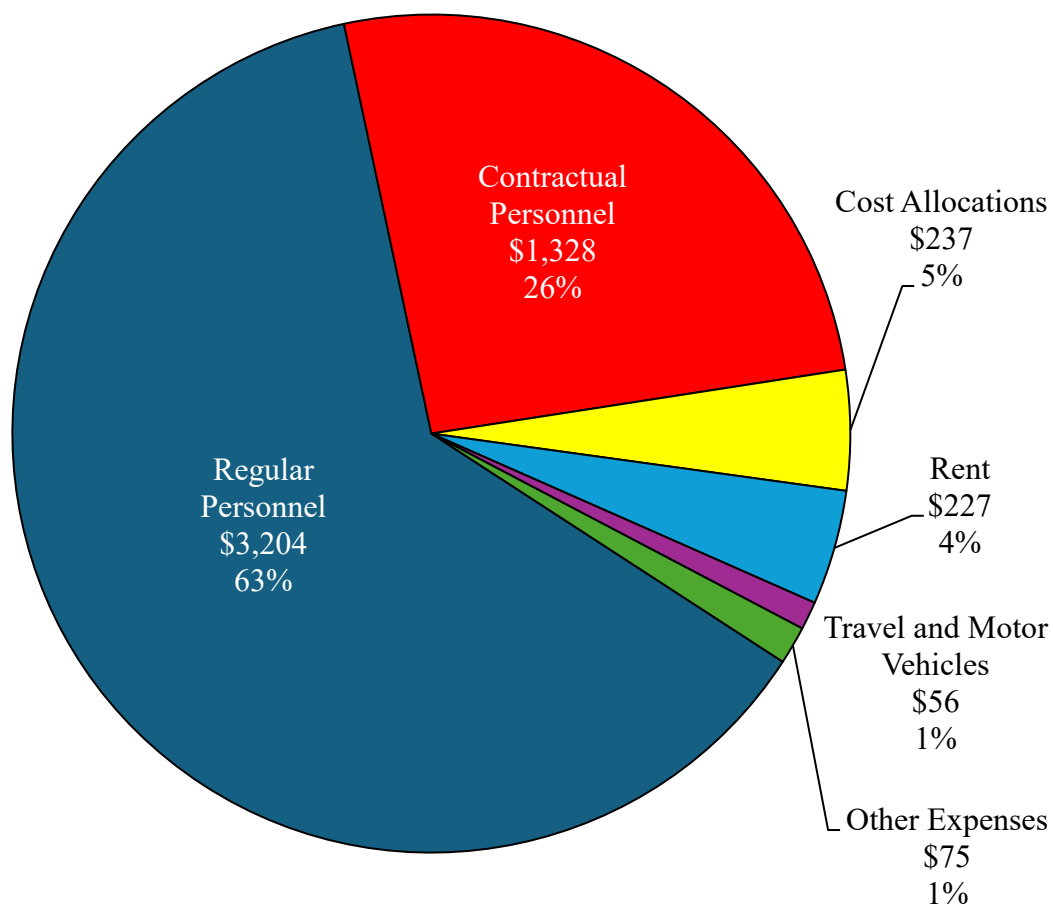
### **Proposed Deficiency**

There are two proposed deficiencies included in the fiscal 2027 budget for OSP that provide a total of \$158,457 in general funds. OSP has a personnel deficiency of \$153,083, which covers shortfalls related to lower-than-expected vacancy savings. The second deficiency appropriation adds \$5,374 to address the increase in annual rent for OSP’s office in Towson.

## **Fiscal 2027 Overview of Agency Spending**

As shown in **Exhibit 1**, the fiscal 2027 allowance for OSP totals \$5.1 million. The largest category of spending supports salaries and fringe benefits for 18.0 regular positions, comprising 63%, or \$3.2 million, of the total allowance. The second largest category (26%, or \$1.3 million) is for 13.5 contractual full-time equivalent positions, of which 0.5 position is supported with general funds, while the remaining positions are supported with a grant from GOCPP. The remaining agency spending is split between operating expenses such as cost allocations (5%), rent for OSP’s Towson office (4%), and travel (1%).

**Exhibit 1**  
**Overview of Agency Spending**  
**Fiscal 2027 Allowance**  
**(\$ in Thousands)**



Note: The fiscal 2027 statewide salary adjustments are centrally budgeted in the Department of Budget and Management and are not included in this agency's budget.

Source: Department of Budget and Management

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**Proposed Budget Change**

As shown in **Exhibit 2**, the fiscal 2027 allowance for OSP decreases by \$51,000, or 1.0%, compared to the fiscal 2026 working appropriation after accounting for proposed deficiencies. The largest increases support regular personnel costs and associated fringe benefits, which are largely driven by \$104,860 for employee and retiree health insurance. Outside of personnel costs, increases in the fiscal 2027 allowance are due to cost allocations, which increase by \$58,172, and rent for OSP’s office in Towson, which increases by \$5,555. The overall decrease in the fiscal 2027 allowance is driven by \$18,000 due to one-time grant funding from GOCPP for operating and training purposes and \$261,689 in contractual personnel driven by a decrease in grant funding from GOCPP.

**Exhibit 2  
Proposed Budget  
Office of the State Prosecutor  
(\$ in Thousands)**

<b>How Much It Grows:</b>	<b>General Fund</b>	<b>Reimb. Fund</b>	<b>Total</b>
Fiscal 2025 Actual	\$3,477	\$560	\$4,037
Fiscal 2026 Working	3,629	1,549	5,178
Fiscal 2027 Allowance	3,925	1,202	5,127
Fiscal 2026-2027 \$ Change	\$296	-\$347	-\$51
Fiscal 2026-2027 % Change	8.2%	-22.4%	-1.0%

<b>Where It Goes:</b>	<b>Change</b>
<b>Personnel Expenses</b>	
Employee and retiree health insurance .....	\$105
Salary increases and associated fringe benefits .....	56
Deferred compensation match due to change in statewide budgeting.....	4
<b>Other Changes</b>	
Cost allocations.....	58
Annual rent for office in Towson after accounting for a fiscal 2026 deficiency....	6
One-time GOCPP grant funding to cover operating and training expenses .....	-18
Reduced grant funding from GOCPP for contractual personnel expenses.....	-262
<b>Total</b>	<b>-\$51</b>

GOCPP: Governor’s Office of Crime Prevention and Policy

Note: Numbers may not sum to total due to rounding. The fiscal 2026 working appropriation accounts for deficiencies. The fiscal 2027 statewide salary adjustments are centrally budgeted in the Department of Budget and Management and are not included in this agency’s budget.

## ***Personnel Data***

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	<b>FY 25</b>	<b>FY 26</b>	<b>FY 27</b>	<b>FY 26-27</b>
	<b><u>Actual</u></b>	<b><u>Working</u></b>	<b><u>Allowance</u></b>	<b><u>Change</u></b>
Regular Positions	17.00	18.00	18.00	0.00
Contractual FTEs	<u>4.50</u>	<u>13.50</u>	<u>13.50</u>	<u>0.00</u>
<b>Total Personnel</b>	<b>21.50</b>	<b>31.50</b>	<b>31.50</b>	<b>0.00</b>

### ***Vacancy Data: Regular Positions***

Turnover and Necessary Vacancies, Excluding New Positions	0.00	0.00%
Positions and Percentage Vacant as of 12/31/2025	0.00	0.00%
 Vacancies Above Turnover	 0.00	

- The fiscal 2027 allowance includes 13 contractual positions funded through reimbursable funds from GOCPP that are designated to support collaboration with the U.S. Attorney for the District of Maryland. These positions include 8 assistant State prosecutors, 3 paralegals, 1 program manager, and 1 data intelligence officer. OSP reported receiving enough additional funding from GOCPP to support an additional assistant State prosecutor position, but this is not yet reflected in the fiscal 2027 allowance. **OSP should discuss the timeline for when the funding and contractual position will be reflected in the budget.**

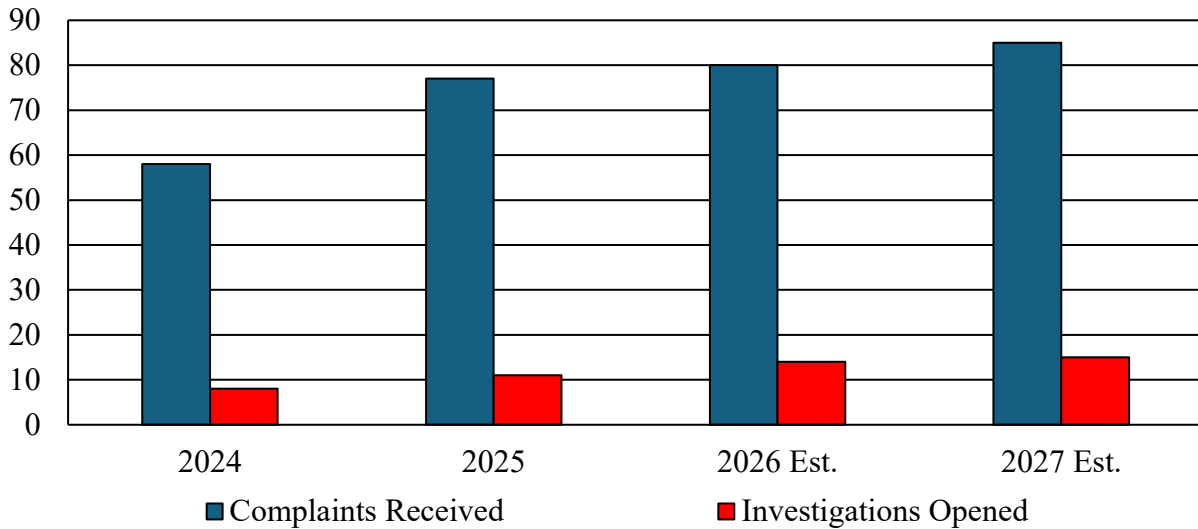
## ***Key Observations***

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### **1. Complaints Received by the Official Misconduct and Special Victims Unit Increase**

In fiscal 2024, OSP created a new unit to focus on investigating official misconduct and cases involving special victims. The goal of this unit is to allow OSP to put more focus on cases involving matters of official misconduct and cases involving special victims by separating this work from other areas of the office. As shown in **Exhibit 3**, OSP received 77 complaints in fiscal 2025, which is an increase of 19 compared to fiscal 2024. OSP previously estimated in its Managing for Results (MFR) submission during the 2025 session that fiscal 2025 would have 65 complaints. However, the agency cited well publicized prosecutions and education efforts for the number of complaints exceeding the prior year’s estimate.

**Exhibit 3**  
**Official Misconduct and Special Victims Complaints and Investigations**  
**Fiscal 2024-2027 Est.**



Source: Department of Budget and Management

The goal of this unit is to focus not only on prosecuting cases but to also increase awareness of these types of cases and educate agencies about what constitutes official misconduct or a case involving special victims. Often when agencies begin an investigation after receiving a complaint, it is only after OSP is brought in when a case is determined to involve official misconduct or a special victim. By increasing awareness, OSP hopes to educate agencies on the characteristics of these sorts of cases so the unit is brought in earlier in the investigatory process. The unit is consistently working with authorities in other State agencies or other entities to provide this education.

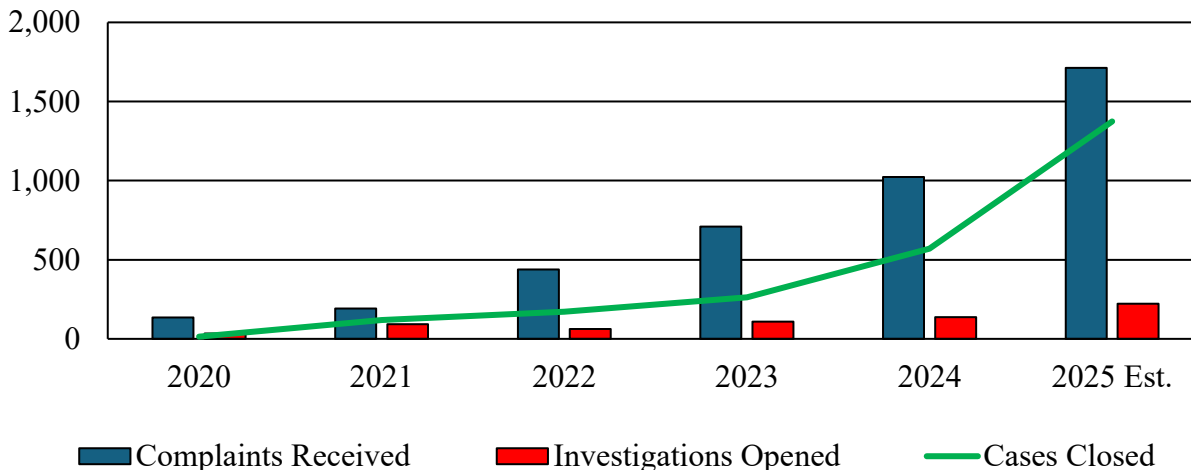
In fiscal 2025, 11 victims and witnesses were contacted as part of OSP’s investigatory process after receiving complaints, compared to 8 in the prior year. No cases led to charges being filed in fiscal 2025, compared to 3 cases in fiscal 2024. **OSP should discuss the reasons there were no charges filed in fiscal 2025 and if these factors are expected to continue impacting the number of charges filed in future fiscal years.**

**2. Criminal Conduct Complaints Continue to Increase**

OSP receives complaints and referrals regarding misconduct while in office, bribery, extortion, perjury, obstruction of justice, and other offenses. These complaints and referrals may

be made by private individuals or groups, public employees, elected officials, or State agencies. As illustrated in **Exhibit 4**, OSP received 1,712 complaints in fiscal 2025, excluding election law-related measures, which is an increase of 690, or 67.5%, compared to fiscal 2024. OSP previously indicated that the growth in complaints was expected to stabilize after fiscal 2023; however, the number of complaints has continued to increase. As a result of the increase in complaints, the number of investigations opened also increased to 222 in fiscal 2025 from 138 in fiscal 2024, while the number of cases closed has increased significantly to 1,374 in fiscal 2025 from 570 in fiscal 2024.

**Exhibit 4**  
**Criminal Conduct Complaints Received,**  
**Investigations Opened, and Cases Closed**  
**Fiscal 2020-2025 Est.**



Note: Does not include election law-related measures.

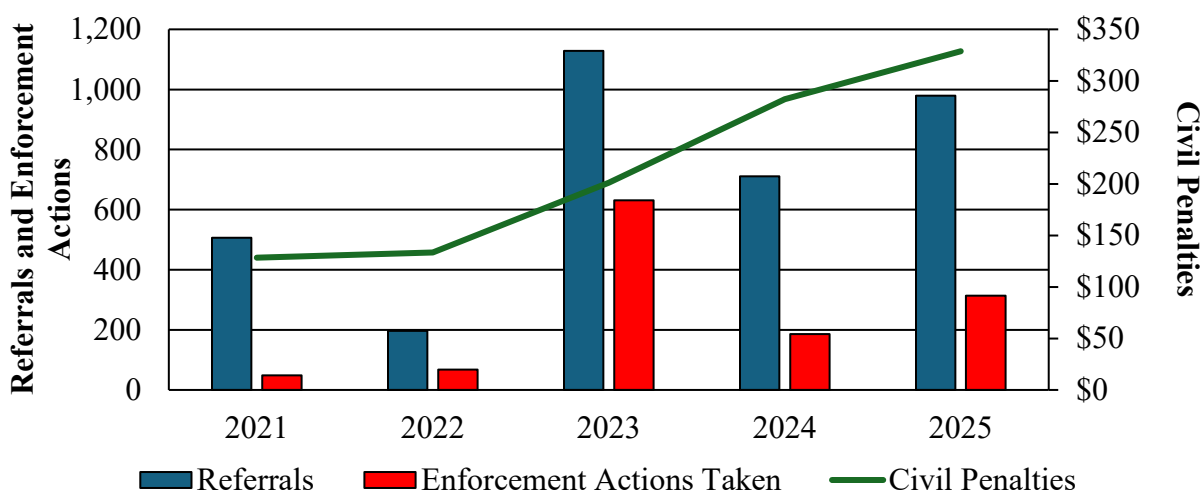
Source: Department of Budget and Management; Office of the State Prosecutor

To maintain consistency in its reporting, OSP began including election law-related measures in its complaints received, investigations opened, and cases closed metrics in its fiscal 2027 MFR submission. Including election law related measures, OSP received 1,984 complaints, opened 492 investigations, and closed 1,748 cases in fiscal 2025. OSP has cited the reason for the increase in complaints since fiscal 2020 being due to high-profile prosecutions, raising the demand for OSP’s services. Other agencies often send complaints for OSP to consult on even if OSP does not ultimately handle the investigation. These high-profile prosecutions have also led to agencies sending more complaints for OSP’s review. **OSP should discuss (1) the expected outlook for complaints in fiscal 2026 and 2027 and (2) expected case processing times in fiscal 2026 and 2027 and efforts to prevent a backlog in open cases.**

### 3. Election Law Referrals and Enforcement Actions Increase

OSP is responsible for investigating referrals related to potential violations of State election laws and making impartial decisions on the enforcement and prosecution where warranted. Referrals are first presented to the State Board of Elections (SBE), which reviews the claims before sending them to OSP if they are found to be credible. Common violations referred to OSP by SBE include failure to file required reports or pay required fees, authority line violations, voting by noncitizens, and overcontributions. As shown in **Exhibit 5**, the number of referrals in fiscal 2025 increased by 268 to 979 compared to the number of referrals in fiscal 2024. Civil penalties also increased by \$46,442, or 16.5%, in fiscal 2025 compared with the prior year.

**Exhibit 5**  
**Election Law Referrals, Enforcement Actions, and Civil Penalties**  
**Fiscal 2021-2025**  
**(\$ in Thousands)**



Source: Department of Budget and Management

Since fiscal 2021, the total election law referrals OSP has received increased by 93%, or 473. The reason for the increase in referrals is due to SBE gaining access to more resources and being able to audit campaign finance reports to identify fraud more effectively than before. As SBE identifies a discrepancy, OSP is responsible for investigating whether it is a case of fraud or another type of infraction. Additionally, OSP has added an investigator tasked to election law cases, which has enhanced OSP’s abilities to take enforcement actions. Due to OSP only undertaking criminal prosecution when the action was knowing and willful, many issues identified are administrative errors and only subject to civil enforcement. OSP has also cited the increase in enforcement actions as the reason for the increase in civil penalties.

## ***Operating Budget Recommended Actions***

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1. Concur with Governor's allowance.

**Appendix 1**  
**Object/Fund Difference Report**  
**Office of the State Prosecutor**

<u>Object/Fund</u>	<u>FY 25 Actual</u>	<u>FY 26 Wrk. Approp.</u>	<u>FY 27 Allowance</u>	<u>FY 26 - 27 \$ Change</u>	<u>% Change</u>
<b>Positions</b>					
01 Regular	17.00	18.00	18.00	0.00	0.0%
02 Contractual	4.50	13.50	13.50	0.00	0.0%
<b>Total Positions</b>	<b>21.50</b>	<b>31.50</b>	<b>31.50</b>	<b>0.00</b>	<b>0.0%</b>
<b>Objects</b>					
01 Salaries, Wages, and Fringe Benefits	\$2,601,966	\$3,038,410	\$3,203,808	\$165,398	5.4%
02 Technical and Special Fees	627,771	1,589,911	1,328,222	-261,689	-16.5%
03 Communications	5,688	9,800	9,800	0	0.0%
04 Travel	39,711	16,993	16,993	0	0.0%
07 Motor Vehicle Operation and Maintenance	42,291	38,340	38,580	240	0.6%
08 Contractual Services	477,191	218,419	276,491	58,072	26.6%
09 Supplies and Materials	64,890	38,936	20,936	-18,000	-46.2%
11 Equipment – Additional	4,486	0	0	0	N/A
13 Fixed Charges	172,976	226,990	232,454	5,464	2.4%
<b>Total Objects</b>	<b>\$4,036,970</b>	<b>\$5,177,799</b>	<b>\$5,127,284</b>	<b>-\$50,515</b>	<b>-1.0%</b>
<b>Funds</b>					
01 General Funds	\$3,476,685	\$3,628,937	\$3,925,069	\$296,132	8.2%
09 Reimbursable Funds	560,285	1,548,862	1,202,215	-346,647	-22.4%
<b>Total Funds</b>	<b>\$4,036,970</b>	<b>\$5,177,799</b>	<b>\$5,127,284</b>	<b>-\$50,515</b>	<b>-1.0%</b>

Note: The fiscal 2026 appropriation includes proposed deficiency appropriations. The fiscal 2027 allowance does not include statewide salary adjustments budgeted within the Department of Budget and Management.