



ANNUAL REPORT

2024

ATTORNEY GENERAL
ANTHONY G. BROWN

January 1, 2025

Dear Marylanders,

When I was elected Attorney General in 2022, I pledged to champion justice and pursue the progress Maryland deserves. Today, as we reflect on 2024, I am proud to share this year's Annual Report—a comprehensive record of the Office of the Attorney General's (OAG) efforts and achievements in service to the people of our state.

This report is more than a summary; it is a testament to the unwavering commitment of our dedicated team, collaborative partners, and the resilient communities we serve. Together, we have advanced initiatives that protect Marylanders, uphold their rights, and lay the foundation for a stronger future.

In 2024, we marked several historic milestones. Our newly established Civil Rights Division—the first in OAG history—was created to safeguard fundamental rights. With expanded prosecutorial authority in our Independent Investigations Division, we have enhanced accountability in cases of police misconduct. Additionally, the Maryland Equitable Justice Collaborative, in partnership with the Office of the Public Defender and other reform advocates, is addressing the lasting harm caused by mass incarceration, striving to make our justice system more equitable for all.

This year, the Medicaid Fraud and Vulnerable Victims Unit achieved significant victories. Among them, the successful prosecution of a case involving the tragic death of a dementia patient, ensuring accountability and justice for one of our state's most vulnerable populations.

Our Civil Rights Division has already made a powerful impact. In its inaugural year, the Division filed a lawsuit against a landlord accused of sexually harassing tenants—women and single mothers at risk of homelessness. Similarly, our Consumer Protection Division took decisive action against landlords in Prince George's County who subjected tenants to unsafe and deplorable living conditions. These efforts reaffirm our commitment to ensuring all Marylanders have access to secure, dignified housing.

Protecting our natural resources and the health of our environment remains a top priority. This year, the Environmental and Natural Resources Crimes Unit pursued legal action against companies contaminating our water and polluting our air, securing protections for current and future generations.

In collaboration with federal and state law enforcement partners, we have continued our fight against violent crime, removing dangerous weapons and drugs from our streets to make Maryland's communities safer.

Finally, the tragedy of the Francis Scott Key Bridge remains an important focus for our Office. In 2024, we filed a lawsuit to recover damages on behalf of the State following the

devastating collapse. While lives were lost and communities deeply impacted, we remain steadfast in our commitment to ensuring Maryland taxpayers do not bear the financial burden of this catastrophe. Justice will take time, but we will see it through.

Thank you for entrusting us with the privilege of serving you. Together, we are forging a more just, equitable, and resilient Maryland. As we look ahead to 2025, we remain committed to this mission and to delivering results that reflect the best of our state.

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ABOUT THE OFFICE OF THE ATTORNEY GENERAL

As the Chief Legal Officer for the State of Maryland, the Attorney General is elected by the citizens of Maryland to supervise and direct the legal business of the State. Under the Attorney General's leadership, the Assistant Attorneys General and professional staff who comprise the Office of the Attorney General work together to advise and represent the State, its institutions, agencies, boards, commissions, and officials. The Attorney General also enforces and upholds the rule of law, using the authority of the office to protect Marylanders and promote the public good.

OAG ACTIVITIES: CENTRAL OFFICE UNITS

Antitrust Division

The Antitrust Division enforces the Maryland Antitrust Act as well as federal antitrust laws that have a significant impact on the State. The Division (1) investigates and pursues enforcement actions against potentially anticompetitive mergers and other conduct that might violate civil and criminal antitrust laws, and (2) represents the State in national and local antitrust matters that have a direct or indirect impact on Marylanders.

Significant Activities & Accomplishments

- Reached a settlement in litigation against the maker of Suboxone, resulting in over \$2 million in disgorgement.
- Reached settlements with generic drug companies Heritage and Apotex, resulting in over \$200,000 for Maryland state agencies from still undetermined settlement amounts to be provided to Maryland consumers.

Civil Division

The Civil Division represents the State, its agencies, and its officials in civil litigation. In addition to litigating trial and appellate cases, the Division reviews and approves all civil complaints, notices of appeal, and appellate briefs filed by the OAG; approves settlements in civil cases; and serves as a general resource and advisor within the OAG on litigation matters handled by the OAG's various divisions and units.

Significant Activities & Accomplishments

- Achieved a series of favorable rulings in cases involving Second Amendment challenges to the State's laws regulating firearms, including two en banc victories in the Fourth Circuit.
 - *Bianchi v. Brown* (United States Court of Appeals for the Fourth Circuit *en banc*). The court ruled 10-5 to uphold Maryland's ban on assault weapons. Plaintiffs sought to have the law declared unconstitutional under the Second Amendment. Plaintiff have filed a petition for certiorari to the United States Supreme Court, which is still pending.
 - *Maryland Shall Issue v. Moore* (United States Court of Appeals for the Fourth Circuit *en banc*). The court upheld Maryland's law requiring most residents to obtain a license before purchasing a handgun. In a 14-2 decision, the court rejected a Second Amendment challenge to a state law requiring a Handgun Qualification License to purchase a handgun. Applicants for the license are required to submit fingerprints, undergo a background check, and complete a training course. Plaintiffs have filed a petition for certiorari to the United States Supreme Court, which is still pending.
 - *Susannah Warner Kipke, et al. v. Wes Moore, et al.* (United States District Court for the District of Maryland), involving a Second Amendment challenge to 2023 Md. Laws ch.

680 (S.B. 1), and the consolidated case of *Katherine Novotny v. Wes Moore, et al.*. The Civil Division successfully defeated the majority of plaintiffs' claims that Maryland's restrictions on carrying guns in sensitive places violate the Second Amendment. The court ruled in favor of the State on summary judgment with respect to the State's restrictions on carrying guns in hospitals, health care facilities, school grounds, government buildings, stadiums, casinos, amusement parks, public transit, museums and state parks. The case is currently on appeal in the United States Court of Appeals for the Fourth Circuit.

- Successfully defeated motions for preliminary injunction filed by major pharmaceutical manufacturers seeking to enjoin enforcement of a statute intended to insure the availability of low-cost drugs through the 340B program.
- Currently prosecuting civil claims by the State against the owner and operator of the M/V DALI, the cargo ship that destroyed the Francis Scott Key Bridge in March 2024.

Civil Rights Division

The Civil Rights Division investigates, prosecutes and remediates conduct that constitute civil rights violations on behalf of the residents of the State. The mission of the Civil Rights Division is to use litigation and education to end practices and systems that create injustice, inequality, and inequity, and to help enable communities to have equal opportunities for freedom and self-determination.

Significant Activities & Accomplishments

- Opened more than 10 investigations and reviewed several dozen potential matters for investigation.
- Represented the State on eight Walter Lomax Act cases, thereby obtaining compensation for people wrongly convicted of a felony and confined to prison.
- Drafted an amicus brief in *Hare v. David S. Brown Properties, Ltd* heard before the Maryland Supreme Court and assisted in the drafting of an amicus brief in *Grants Pass v. Johnson*, 603 U.S. (2024) heard before the United States Supreme Court.

Consumer Protection Division

The Consumer Protection Division investigates and takes action against unlawful consumer practices and assists the public in obtaining relief from these practices. To achieve this mandate, the Consumer Protection Division: (1) assists individual consumers with complaints, health insurance appeals and grievances, and identity theft issues; (2) initiates investigations of potential unfair, abusive, or deceptive trade practices; (3) takes actions to stop unfair, abusive or deceptive trade practices from occurring in Maryland, obtain redress for injured consumers, and deter future illegal conduct; (4) issues administrative orders imposing injunctive relief, ordering restitution, and imposing penalties; (5) registers new home builders, new home sales representatives, health

clubs, structured settlement transfer companies, and vehicle protection product warranties; and (6) educates consumers.

Significant Activities & Accomplishments

- Handled more than 11,000 complaints and more than 59,000 consumer inquiries.
- Currently investigating more than 100 cases involving the unlawful practices of landlords, lenders, auto dealers, and a wide variety of other merchants.
- Entered settlements or issued administrative orders recovering more than \$30 million in restitution, consumer recoveries, penalties, and costs.
- Settled with various companies during FY2024 resulting in the Opioid Restitution Fund receiving more than \$47 million for the State to use to help abate the opioid crisis.
- Entered into a settlement with Johnson & Johnson and its subsidiaries resolving a multistate investigation that the Division helped lead of J&J's promotion of talc-based Johnson's Baby Powder and Shower to Shower products. The settlement provides injunctive relief and will provide more than \$700 million to the states, from which Maryland is scheduled to be paid almost \$15 million.

Contract Litigation Division

The Contract Litigation Division represents State agencies before the Maryland State Board of Contract Appeals and other courts in disputes regarding the formation and performance of State contracts.

Significant Activities & Accomplishments

- Successfully reversed a Maryland State Board of Contract Appeals Opinion that effectively would have prevented an institution of higher education from canceling a request for proposals.
 - SanDow Construction, Inc. (SanDow) challenged the University of Maryland, College Park's (UMCP) cancellation of a Request for Proposals (RFP) for on-call services, small construction projects. The Maryland State Board of Contract Appeals (MSBCA) found that the University System of Maryland's (USM) Procurement Policies and Procedures (USM PPP) did not mirror State regulations in that the USM PPP did not have a specific cancellation provision. The circuit court judge initially affirmed the MSBCA's Opinion. However, a revisory motion was filed pointing out the potential oversight the judge made during her review of the record. The judge revised her initial Opinion which, in turn, reversed the MSBCA's Opinion and Order. The circuit court opined that the catch-all provision in the USM PPP along with a cancellation provision in an RFP is sufficient for USM to cancel an RFP.

- Currently assisting the Maryland Transportation Authority with procurements related to the Francis Scott Key Bridge rebuild.
- Assisted various State agencies to resolve contract disputes, including successful resolution of problems on an energy savings project that would have involved the State in protracted litigation at a significant cost.

Courts and Judicial Affairs Division

The Courts and Judicial Affairs Division provides advice and legal representation to the Judiciary and two executive agencies. The Division issues client-specific advice; employment advice; land records recording advice; marriage and business licensing advice; taxation advice; representation in litigation; tort claims liability analysis; and assists in responding to Public Information Act requests, responding to subpoenas, drafting and revising executive agency clients' regulations, drafting memoranda of understanding, and reviewing similar documents (including procurements) for legal sufficiency; and providing trainings/presentations to clients related to these topics and issues.

Significant Activities & Accomplishments

- In *Smith v. State of Maryland*—successfully defended the District Court of Maryland from an employment law retaliation and constructive discharge claim. The ruling was affirmed on appeal.
- In *Frazier, et al. v. Prince George's County, et al.*—successfully defended a group of Prince George's County judges from a class action suit involving pretrial release. The ruling is on appeal in the Fourth Circuit.
- In *Rouse, et al. v. Justices of the Supreme Court of Maryland, et al.*—involving a claim that military service members' rights were infringed by Maryland courts permitting the recording of foreign judgments against them— successfully obtained partial summary judgment on key aspects of plaintiffs' claims.

Criminal Division

The Criminal Division investigates and prosecutes criminal court cases throughout the State. The Criminal Division collaborates with local, State, and federal partners to help combat violence, the opioid epidemic, fraud, corruption, and environmental hazards to keep Marylanders safe. The Criminal Division is comprised of three units: the Environmental and Natural Resources Crimes Unit (ENRCU), the Fraud and Corruption Unit (FCU), and the Organized Crime Unit (OCU). The Division also has a special investigations section that is currently investigating allegations of child sexual abuse and cover up by the Catholic Church.

Significant Activities & Accomplishments

- OCU: prosecuted 186 defendants; brought 94 gang charges; seized 179 guns, 28 kilograms of fentanyl/heroin mixture, and \$2.8 million; and wiretapped 41 phone lines.
- FCU: secured a guilty plea from a defendant for wage theft related to construction projects at the University of Maryland Field Hockey and Women’s Lacrosse Complex and the University of Maryland Capital Region Cancer Center. The defendant was ordered to complete a jail sentence and is required to pay \$291,333 in restitution.
- ENRCU: secured a guilty plea and \$1 million fine from Cutis Bay Energy, which operates the largest medical waste incinerator in the United States.

Criminal Appeals Division

The Criminal Appeals Division represents the State in all State criminal appellate litigation directly or indirectly challenging a judgment of conviction entered in a State trial court. The Division fulfills a similar role in defending against petitions for a writ of habeas corpus filed in federal court to challenge State-court convictions. Most of the Division’s cases involve crimes of murder, attempted murder, rape or sex offense, first-degree assault, robbery, child abuse, or other violent crimes.

Significant Activities & Accomplishments

- Handled 688 cases assigned for briefing in the Appellate Court of Maryland and argued 14 cases before the Supreme Court of Maryland.
- Over a third of the total number of appeals litigated in the Maryland appellate courts each year are criminal appeals handled by the attorneys of the Criminal Appeals Division.

Independent Investigations Division

The Independent Investigations Division (IID) investigates every police-involved death in the State. The Division is independent of any local law enforcement agency and investigates each case independently, with integrity, thoroughness, and transparency.

Significant Activities & Accomplishments

- Commenced 32 investigations, 21 of which occurred after the Division obtained prosecutorial authority on October 1, 2023.
- Filed criminal charges in the Circuit Court for Anne Arundel County for misconduct in office against two Anne Arundel County Police Department officers for misrepresenting material facts related to a fatal police-involved pursuit.

Medicaid Fraud and Vulnerable Victims Unit

The Medicaid Fraud and Vulnerable Victims Unit investigates and prosecutes fraud by healthcare providers in the Medicaid system as well as fraud in the administration of the Medicaid program; investigates and prosecutes crimes involving the abuse or neglect of vulnerable adults in the State; and addresses the opioid crisis by investigating the diversion of pharmaceuticals and the inappropriate dispensing of opioids by healthcare providers.

Significant Activities & Accomplishments

- Expanded the Unit's mission capabilities through the Strikeforce approach, collaborating with other State agencies to assist vulnerable victims, including a focus on sexual abuse cases in group homes.
- Successfully concluded several investigations, achieving over \$10 million in criminal restitution and notable prison sentences for Medicaid fraud recovery cases.
- Successfully concluded several investigations for civil violations of the Maryland False Claims Act resulting in over \$8 million in settlements.

Office of Equity, Policy, and Engagement

The Office of Equity, Policy, and Engagement identifies and helps to execute innovative strategies to advance the Office of the Attorney General's goals and priorities using a racial and social equity framework. The Office works closely with internal and external stakeholders across a broad range of issues to promote policies and other initiatives that combat systemic inequities and protect the rights, responsibilities, and privileges of all Marylanders. The Office includes the Legislative Affairs Unit, the Maryland Equitable Justice Collaborative, the Sexual Evidence Kit Policy and Funding Committee, the Maryland Commission on Hate Crime Response and Prevention, and the Outreach and Engagement Team.

Significant Activities & Accomplishments

- Outreach and Engagement
 - Attended community events and conducted presentations to train and educate consumers about various OAG divisions and programs.
- Legislative Affairs Unit
 - Oversaw the passage of various bills that expanded the OAG's authority to protect Marylanders, including: (1) establishment of civil rights enforcement authority, (2) protection against price gouging during a state of emergency, (3) obtained prosecutorial authority for the Independent Investigation Division, (4) expanded protections for vulnerable adults, and (4) compensation for erroneously convicted individuals.
- Maryland Equitable Justice Collaborative (MEJC)
 - Secured a grant for \$127,840 from Arnold Ventures to support MEJC's research efforts, outreach, and event support.

- Approved 18 recommendations to address racial disparities among those incarcerated in Maryland’s prisons and jails.

Opinions and Advice Division

The Opinions & Advice Division supervises the official opinions of the Attorney General. These opinions are formal statements of the Attorney General’s views on specific legal questions and are the product of an extensive process of legal research, drafting, and review. In addition to official opinions, the Opinions & Advice Division issue letters of advice to State government clients on difficult legal issues and supports units throughout the Office to render consistent advice to our client agencies. The Opinions & Advice Division is also responsible for issuing the Public Information Act Manual and the Open Meetings Act Manual, as well as for serving as a resource within the Office of the Attorney General about open government issues.

Significant Activities & Accomplishments

- Instituted a more efficient process for issuing official opinions of the Attorney General.
- Issued a regulatory review guidance memorandum to help attorneys within the OAG with their task of reviewing proposed regulations for legal sufficiency.

People’s Insurance Counsel Division

The People’s Insurance Counsel Division’s (PICD) protects consumers in the medical professional liability insurance (MM) and homeowner’s insurance (HO) markets, although it does not represent individual consumers. The Division reviews MM and HO matters before the Maryland Insurance Administration (MIA) Commissioner to determine if consumers are impacted. Additionally, PICD reviews insurance filings including rate filings with a 10% rate increase or more and files a request for rate hearing if excessive, inadequate, or unfairly discriminatory.

Significant Activities & Accomplishments

- Reviewed insurance filings which resulted in: MIA requesting insurers to provide answers in response to PICD’s questions; insurers withdrawing filings; insurers making corrections to the filing. Insurers withdrawing or changing their request for rate increases has resulted in savings for consumers. Insurers’ corrections to their filings have resulted in changes in allowable coverage or exclusions.
- Provided the community with information about insurance matters or referred members of the community to the appropriate OAG division or State agency.

Securities Division

The Securities Division administers and enforces the Maryland Securities Act, the Maryland Business Opportunities Sales Act, and the Maryland Franchise Registration and Disclosure Law. The Division functions as both an investor and consumer protection division and a regulatory agency.

Significant Activities & Accomplishments

- Expanded the enforcement unit to help address the hundreds of complaints the Division receives, including the increasing volume of mandatory reports that are filed by financial professionals who suspect that their senior or vulnerable adult clients are the victims of financial exploitation.
- Addressed regulatory and enforcement issues surrounding cryptocurrency and other assets that are often the subject of current investment scams.
- Currently pursuing enforcement matters involving fraud and malfeasance on the part of licensed financial professionals and others, which have resulted in industry bars, as well as some criminal prosecutions by the Criminal Division of the OAG.

Tobacco Enforcement Unit

The Tobacco Enforcement Unit enforces the 1998 Master Settlement Agreement (MSA) between Maryland, over 20 cigarette manufacturers, and 51 other States and United States Territories. The Unit enforces the Tobacco Product Manufacturer Escrow Act and engages in multi-state arbitrations against Philip Morris, USA, the R.J. Reynolds Tobacco Company, and other cigarette manufacturers. The Unit also works on tobacco policy and enforcement issues with units of State government, public-health advocates and stakeholders, other states, and the National Association of Attorneys General.

Significant Activities & Accomplishments

- Prevailed in an arbitration against Philip Morris USA, the R.J. Reynolds Tobacco Co., and other cigarette manufacturers who challenged Maryland's diligence in enforcing a statute that regulates Maryland's cigarette market. The result is that Maryland will recover approximately \$23,000,000 that those companies wrongfully withheld from it.

OAG ACTIVITIES: AGENCY CLIENT UNITS

The Office of the Attorney General also serves as the legal adviser to the vast majority of agencies in each of the three branches of State Government, advising and representing agencies and their officials in legal matters on a broad range of topics, including, but not limited to: contracts and procurement, personnel and employee relations, equal employment opportunity, real estate, regulatory review, asset management, taxation, and grant administration.

We refer to these OAG divisions as agency client units. Below, we have identified the activities and accomplishments for each agency client unit.

Department of Aging

Significant Activities & Accomplishments

- Supported implementation of “The Longevity Ready Maryland Initiative: A Multisector Plan for Longevity,” mandated by an Executive Order, such as drafting procurement materials and grant agreements and addressing Open Meetings Act compliance issues.
- Currently facilitating Project SAFE (Stop Adult Financial Exploitation) - a workgroup focused on preventing the financial exploitation of older and vulnerable adults.
- Successfully defended two tort lawsuits –in both lawsuits, the court granted a Motion to Dismiss.

Department of Agriculture

Significant Activities & Accomplishments

- Assisted MDA in responding to outbreaks of Highly Pathogenic Avian Influenza in the State by drafting quarantine orders and emergency procurements to address the outbreaks.
- Assisted the Maryland Agricultural Land Preservation to preserve approximately 400,000 acres of farmland in the State (or approximately 625 square miles).

Alcohol, Tobacco, and Cannabis Commission

Significant Activities & Accomplishments

- Created a Memorandum of Understanding with the Baltimore City Sheriff to combat illegal sales of marijuana and alcohol to minors.
- Drafted advisories for the Field Enforcement Division to educate unlicensed cannabis operators.

Department of Assessment and Taxation

Significant Activities & Accomplishments

- Obtained a favorable ruling from the Maryland Tax Court, which applied a preferable valuation approach (direct capitalization) as opposed to a discounted case flow.
- Prevailed in two circuit court judicial review cases since June 2024.

Board of Public Works

Significant Activities & Accomplishments

- Reviewed all agenda items that came before the Board of Public Works for legal, procurement, or funding issues.

Department of Budget and Management and Disabilities

Significant Activities & Accomplishments

- Helped establish the Maryland Technology Assistance Program to provide individuals with disabilities access to technological resources.
- Implemented a reverse auction for pharmacy benefit management services, awarding MedImpact a \$2.4 billion contract despite challenges from CVS.
- Received a favorable ruling by the Fourth Circuit Court regarding the dischargeability of criminal restitution in Chapter 13 bankruptcy cases.

Maryland Cannabis Administration

Significant Activities & Accomplishments

- Advised and supported MCA through a successful launch of Maryland's adult-use market, assisting in developing communications to both licensees and local law enforcement to help Maryland avoid the types of disruptive activities that plagued similar launches in other States.
- Advised and supported the client through all aspects of the development of the 2023 licensing application process, including: pre-application education and outreach; pre-verification of Social Equity Applicant status, application content, evaluation criteria, the application submission process and the application review process; and the creation of standardized procedures by which to conduct the licensing lottery.
- Assisted with 189 records reviews performed in February 2024, thereby significantly reducing the volume of litigation filed by disappointed applicants. Ultimately only two lawsuits were filed by those who were offered records reviews, and both cases were resolved by successful motions to dismiss.

Department of Commerce

Significant Activities & Accomplishments

- Implemented and closed several rounds of the Cannabis Business Assistance Business Fund.
- Implemented grants for the Francis Scott Key Bridge assistance fund on an emergency basis.
- Won an appeal before the Maryland State Board of Contract Appeals of a procurement award that alleged bias by the procurement officer .

Office of the Comptroller

Significant Activities & Accomplishments

- Managed 165 tax court cases, including constitutional challenges to the digital advertising gross revenue tax.
- Handled 18 appeals, with notable cases including *State v. Badlia Bros., LLC*, and secured important clarifications from the Supreme Court regarding legal interpretations.
- Reviewed legal sufficiency on over 60 public official bonds and 50 procurement contracts/requests for proposals/invitations for bids.

Maryland State Department of Education

Significant Activities & Accomplishments

- Spearheaded and drafted a new regulation that allows the Office of Child Care to impose intermediate sanctions on an emergency basis to address health and safety concerns immediately without having to suspend a program entirely.
- Navigated several complex issues such as the continued expansion of prekindergarten; and issues involving oversight authority, access to accrued interest and the use of project labor agreements within a public-private partnership for school construction.
- Prevailed in 93 out of 101 childcare cases, 3 out of 4 educator licensing cases, and 9 out of 9 food and nutrition program appeals before the Office of Administrative Hearings.
- Worked closely with our private counsel partners in preparation of the appeal and argument of *Bradford v. State Board of Education* before the Maryland Appellate Court.

Maryland Department of Emergency Management

Significant Activities & Accomplishments

- Addressed several employee cases across the past 10-month period, including:

- a unique military matter involving the Uniformed Services Employment and Reemployment Rights Act, which required significant research and exploration to ensure compliance with the specific requirements for the Department and the impacted employee; and
- various employment appeals and grievances on which we provided advice and feedback and negotiated successful outcomes on behalf of the client as needed.

Maryland Energy Administration

Significant Activities & Accomplishments

- Successfully represented MEA in six complex utility rate cases, achieving substantial savings for Maryland utility customers.
- Actively opposed multi-year rate plan requests from BGE and Pepco, defending customer interests effectively.
- Collaborated with MEA to expand energy programs that reduce greenhouse gas emissions and promote energy efficiency.
- Worked with MEA, PPRP, and the PSC to enhance Maryland's electric grid, balancing reliability improvements with consumer interests.
- Represented MEA in hearings regarding the emerging offshore wind industry, advocating for renewable energy credits for development.

Department of the Environment

Significant Activities & Accomplishments

- Obtained a \$11.9 million dollar settlement with Perdue for the illegal installation of equipment without an air permit.

Maryland Environmental Service

Significant Activities & Accomplishments

- Assisted MES in negotiating an extension of the Midshore Regional Landfill agreement that will (1) keep the landfill operating for an additional 12 years and (2) maintain the regional relationship until at least 2083.
- Negotiated and drafted a complex agreement with Montgomery County to enhance and expand the services MES provides the County.
- Assisted MES in closing out its contractual obligations at the Back River Wastewater Treatment Plant after MES, at the direction of MDE, took over operations at the facility in 2022.

Maryland General Assembly

Significant Activities & Accomplishments

- Successfully met client needs and Unit responsibilities in the 2024 session, during which the legislature passed a historically high number of bills (1053) – a 30% increase from 2023.

Department of General Services

Significant Activities & Accomplishments

- With the assistance of the Office of Counsel to the General Assembly, provided guidelines for Officer engagement when observing suspected picketing activities to the Maryland Capitol Police and Maryland State Police details stationed in the State House.
- Assisted the Office of Real Estate in drafting its first EV Charging Station Agreement to construct EV charging stations at agency-leased facilities to service electric vehicles that are a part of the State's fleet. This first agreement will act as the template for future construction of EV charging stations at other commercial leased spaces.

Department of Health

Significant Activities & Accomplishments

- Assisted MDH in negotiating a managed care contract with Kaiser Permanente and obtained a dismissal of pending litigation with Kaiser.
- Successfully defended the State, including obtaining (1) a dismissal of three counts in a lawsuit against MDH and DHS regarding foster children in “overstay” status, (2) a dismissal of three counts in a lawsuit regarding Medicaid payments to nursing homes, and (3) a win before the Appellate Court of Maryland in a “failure to cooperate” case involving a physician and the Board of Physicians.

Maryland Health Benefit Exchange

Significant Activities & Accomplishments

- Handled a producer revocation appeal case at the Office of Administrative Hearings. The unit was successful at OAH, and MHBE's revocation decision was upheld on a (proposed) summary decision. The MHBE Board adopted the ruling and issued a final decision on the matter. Currently, the case is on appeal in the circuit court.

- Defended MHBE in a year’s long procurement protest and appeal before the MHBE Board. Ultimately, the MHBE Board agreed with MHBE's protest award decisions and issued an order dismissing the protest appeals.

Health Occupations Prosecution and Litigation

Significant Activities & Accomplishments

- Partnered with board counsel to establish a comprehensive procedure for Certified Nursing Assistant (CNA) Training Programs. This initiative enables these programs to work directly with board staff to resolve post-COVID deficiencies and ensure compliance.
- Brought over 300 enforcement actions and summarily suspended 62 practitioners when emergency action was needed to protect the health, safety, or welfare of Maryland residents.
- Collaborated with the Board of Nursing and the FBI, to effectively suspend nurses who had obtained fraudulent degrees from unaccredited nursing schools, ensuring that only qualified professionals are providing care.

Maryland Higher Education Commission

Significant Activities & Accomplishments

- Updated and restructured regulations that set forth requirements for academic program review hearings.
- Drafted bylaws for Program Review Process Advisory Council established by the General Assembly in 2024
- Assisted MHEC create a comprehensive Fleet Vehicle Policies and Procedures Manual
- Drafted the delegation of procurement and contracting authority document for MHEC.

Higher Education Division

The Higher Education Division provides legal advice and representation to the public higher education institutions in the State, including the University System of Maryland and its 12 constituent institutions and three regional centers, as well as to Morgan State University, St. Mary's College of Maryland, and Baltimore City Community College. The Division also advises and represents the Maryland Institute for Emergency Medical Services Systems and the Historic St. Mary's City Commission.

Significant Activities & Accomplishments

- Assisted clients in managing difficult issues with First Amendment and Title VI implications arising out of student activism on campuses. The Division has researched, drafted, and provided advice memoranda to, and conducted presentations on institutions' obligations under the First Amendment and Title VI to ensure that their handling of issues that could arise in connection with student activism was consistent with their legal obligations.
- Assisted institutions with property acquisitions, such as the acquisition of Lake Clifton High School property and a lease with purchase option of a building adjacent to its campus.
- Assisted the USM with issuance of \$104,865,000 in bonds to fund system priorities.
- Helped UMBC negotiate a settlement with the U.S. Department of Justice to avoid litigation against the State for alleged failure by the University to comply with its Title IX obligations in its handling of allegations by members of the men's and women's swim team that they were victims of sexual harassment and sex discrimination by the former head swim coach. The settlement provided for up to a total of \$4.1 million in payments to students who were allegedly victims of harassment and discrimination. It also provided that the University would make certain changes to strengthen its Title IX Office and its handling of Title IX complaints. The Division has been assisting the University in carrying out its obligations under the agreement.

Department of Housing & Community Development

Significant Activities & Accomplishments

- Assisted the Department with:
 - Issuing \$541 million in multifamily bonds which supported 25 projects including the rehabilitation of a 757-unit project for families in Anne Arundel County in the amount of \$178 million which is the largest project in the Department's history;
 - Issuing \$926 million single family bonds which supported 2793 low- and moderate-income households purchase homes in Maryland;
 - Issuing \$34 million in Local Government Infrastructure bonds which supported the jurisdictions of Berlin, Cumberland, Laurel, Leonardtown, St. Mary's Metropolitan Commission, and Thurmont with 12 projects;
 - Thirty-two broadband grant agreements in the amount of \$39 million which assisted 41,000 households and businesses achieve or improve internet connections; and
 - 34 loans totaling \$5.6 million and 14 grants totaling \$437,000 to 48 businesses as part of the Francis Scott Key Bridge Recovery effort.

Department of Human Services

Significant Activities & Accomplishments

- Prevailed in approximately 90% of the Child in Need of Assistance and Termination of Parental Rights appellate proceedings handled since January 1, 2023. The Unit helped achieve permanency for youth who have been the victims of abuse or neglect and whose biological parents have been determined by the courts to be either unable or unwilling to properly care for them.
- Effectively represented DHS in three systemic litigation proceedings involving (1) the foster care system in Baltimore City; (2) psychotropic medications for foster children; and (3) hospital overstay for youth committed to DHS.
- Provided ongoing advice to DHS regarding its efforts to procure vendors to reduce EBT fraud and to implement microchip card technology, and to procure vendor assistance to reduce wait times for customers calling into the DHS customer call center.

Department of Information Technology

Significant Activities & Accomplishments

- Assisted DoIT in obtaining changes to the statutory provisions regarding the State's major information technology development project directed towards enhancing/clarifying DoIT's role and authority with respect to such projects.

Inspector General for Education

Significant Activities & Accomplishments

- Became a fully financially independent agency in July 2024.
- Drafted and published over a dozen investigative reports, investigative audits, and management alerts.

Maryland Insurance Administration

Significant Activities & Accomplishments

- Successfully prosecuted numerous enforcement actions against brokers, agents, and public adjusters who have acted in an unlawful manner.
- Successfully negotiated with several entities that were operating in the State without proper licensure.

Department of Juvenile Services

Significant Activities & Accomplishments

- Provided timely counsel on novel issues that arose in relation to the creation and implementation of the Juvenile Services Education Program within DJS.
- Beginning on October 1, 2023, began handling the deluge of lawsuits that have been filed against DJS under the 2023 Child Victims Act (“CVA”).

Maryland Department of Labor

Significant Activities & Accomplishments

- Assisted with the drafting of the PORT Act and implemented multi-million-dollar relief programs for workers and businesses in response to the Francis Scott Key bridge collapse in March 2024.
- Filled over 20 wage and hour cases in court against employers since January 2023, having settled many others administratively. In 2023, the Department processed 375 claims in which wages were recovered totaling \$785,446.

Maryland State Lottery and Gaming Control Agency

Significant Activities & Accomplishments

- Continued to advise and represent the agency in legal matters relating to its nine gaming activities in the State: traditional lottery; casinos; sports wagering; online fantasy competitions; instant ticket lottery machines to benefit veterans’ organizations; electronic instant bingo machines in Anne Arundel and Calvert Counties; skills-based gaming devices; amusement gaming devices; and family amusement centers in Worcester County. These gaming activities provide a vital funding stream for important public programs and services around the State.

Military Department and Veterans Affairs

Significant Activities & Accomplishments

- Provided legal support for the award of a new contract to operate the Charlotte Hall Veterans Home, thus ensuring our veterans receive the services and care they deserve for serving our country. The Charlotte Hall Veterans Home, managed by the Department, is the State’s only nursing facility specifically dedicated to the needs of our veterans.
- Assisted in the procurement process for the awarding of a \$1.6 billion contract for medical and mental health care for incarcerated individuals.
- Helped bring to a successful resolution the United States Department of Labor investigation into overtime payments that were owed to correctional officers.

Department of Natural Resources

Significant Activities & Accomplishments

- Represented the Department in 89 administrative, State circuit court, and appellate cases and federal matters.
- Assisted DNR in attaining 3,144 acres in fee simple land acquisitions and 9,943 acres in conservation easements, as well as 1,596 acres in Maryland Environmental Trust conservation easements.

Department of Planning

Significant Activities & Accomplishments

- Overhauled the grant and loan agreements that the Maryland Historical Trust and the Maryland Heritage Areas Authority use to make them more accessible to more individuals without the need for attorney advice.
- Continue to advise the Canal Place Preservation & Development Authority with respect to the “River Park” – a broadly supported plan to convert a disused industrial stretch of the Potomac into a whitewater park with shoreside recreational amenities.

Department of State Police

Significant Activities & Accomplishments

- Reviewed and provided advice on various legislative changes and supported the integration of these changes into MSP policies, including the interpretation of (1) the use-of-force statute, (2) the law enforcement disciplinary process, (3) revisions to juvenile justice laws, and (4) new laws regarding body-worn cameras.
- Advised the Department on updated firearm laws, expanded regulations governing security officers, and the enhancement of the Purple and Silver Alert systems.
- Managed significant litigation matters for the Department, including (1) negotiating a consent decree with the U.S. Department of Justice concerning the Department’s applicant testing practices and (2) successfully defending the Department in several complex cases involving Title VII claims.

Prescription Drug Affordability Board

Significant Activities & Accomplishments

- Drafted four chapters of regulations including the cost review study process, and most recently, the upper payment limit regulations. These are the linchpins of the Board’s work and are supported by hours of research and numerous lengthy advice memorandums exploring how to structure the process, limitations on the Board’s authority, and impact and risk assessments.

Office of the Public Access Ombudsman

Significant Activities & Accomplishments

- Promoted timely access to public information. Issued every written decision within its 120-day statutory deadline, despite a significant spike in complaints (33 in FY 2023 versus 114 in FY 2024).
- Adopted revised interpretive regulations that reflect new statutory obligations that (1) generally require mediation matters to be closed within 90 days, and (2) require the Ombudsman to issue a written final determination at the close of a matter.

Public Employee Relations Board

Significant Activities & Accomplishments

- Successfully consolidated three existing boards—the State Labor Relations Board, the State Higher Education Labor Relations Board, and the Public School Labor Relations Board—into a single, more efficient entity. After new leadership was appointed, completed a comprehensive overhaul of regulations and policies, ensuring a modernized framework for handling labor relations disputes.
- Consolidated and adjudicated a backlog of cases, streamlining the resolution process.

Department of Public Safety & Correctional Services

Significant Activities & Accomplishments

- Successfully transitioned operation of Charlotte Hall Veterans Home to a new vendor, after years of procurement disputes. The Charlotte Hall Veterans Home, managed by the Maryland Department of Veterans and Military Families, is the State’s only nursing facility specifically dedicated to the needs of our veterans.
- Facilitated the procurement of a new medical and mental health contract for services to incarcerated individuals. One of the most significant challenges in operating the State’s correctional facilities is the provision of adequate medical and mental health services to the inmate population. During 2024, the Board of Public Works, based on a recommendation from

the Department of Public Safety and Correctional Services, awarded a five-year contract for these services at a cost of over \$1 billion.

Maryland Public Television

Significant Activities & Accomplishments

- Launched Maryland Center for Media Literacy & Education, which will, among its educational programs, offer tools and resources to empower Marylanders of all ages to effectively navigate media in a digital world.
- MPT's ad agency, Maryland State Ad Agency (MSAA), served multiple state agency clients with advertising and public service campaigns to engage Maryland residents.
- Received a Best Small Agency" award by Muse Creative Awards program.

State Retirement and Pension System

Significant Activities & Accomplishments

- Advised and negotiated new and additional investments in 52 private market funds and co-investment vehicles totaling approx. \$4.5 billion in assets.
- With assistance from Assistant Counsel, successfully represented the System in its appeal of an IRS final notice of intent to levy concerning the System's remission and reporting of non-U.S. payee withholding taxes for years dating back to 2015, resulting in removal of assessments, interest, and penalties and no balance due.
- Represented the System in approximately 50 administrative appeals for disability retirement benefits and associated judicial review proceedings.

Secretary of State

Significant Activities & Accomplishments

- Successfully implemented a process to bring charities with longstanding disclosure deficiencies into compliance with the Maryland Solicitations Act.
- Created a new cancellation tool to improve efficiency and data collected and maintained in the charities database.
- Educated the public on the registration status of charities.

Department of Service and Civic Innovation

Significant Activities & Accomplishments

- Supported launch of new community service program by developing and implementing legal procedures and compliance frameworks, including human resources protocols, risk assessments, and procurement/contract review and approval, all in adherence to state and federal regulations.

Maryland Stadium Authority

Significant Activities & Accomplishments

- Negotiated a new, long-term lease with the Baltimore Orioles to keep the team in the State upon the expiration of its original lease of Oriole Park at Camden Yards.
- Provided advice, legal support, and document preparation for bonds and other forms of debt to support a portfolio of projects, including:
 - M&T Bank Stadium
 - Oriole Park
 - Sports & Entertainment Facilities
 - Blue Line Corridor Facilities
 - Statewide public-school construction
- Provided legal support for MSA's demolition of approximately 1,300 vacant properties in Baltimore under the State-funded Project C.O.R.E.

Subsequent Injury Fund

Significant Activities & Accomplishments

- For fiscal year 2024, represented SIF in approximately 1,600 matters before the Workers' Compensation Commission and at the Circuit Court level.

Maryland Teachers and State Employees Supplemental Retirement Plans Agency

Significant Activities & Accomplishments

- Worked with the Agency on the custodial banking services contract issue by providing research, ideas, information, and advice to the Board and developing a strategy to reduce the amount of assets required to be held by the current custodial bank.
- Worked on and closed transactions to transition existing funds to three lower-fee collective investment trusts (and mutual funds), to transition existing retirement trust funds to a new trustee, and to transition certain funds in the stable value fund to four building block trusts.

Maryland Technology Development Corporation (TEDCO)

Significant Activities & Accomplishments

- Closed a high volume of investments, including those funded with federal funds supplied by the US Department of Treasury's State Small Business Credit Initiative (SSBCI), enabling TEDCO's Investment Team to build a portfolio that now includes approximately \$200,000,000 in assets under management.
- Closed a complex \$3,000,000 investment in a Venture Capital Limited Partnership using SSBCI funding. In addition, we have supported the Maryland Innovation Initiative's expansion by handling the transactional work generated by the recent addition of two new Pilot Programs and the increased funding brought with them and closed a higher volume of new Maryland Stem Cell Research Fund awards generated by the recent significant increase in its budget to its current level of \$20,500,000 per year.

Maryland Thoroughbred Racetrack Operating Authority

Significant Activities & Accomplishments

- Entered a comprehensive agreement to transfer thoroughbred racing operational responsibilities to the State by Jan. 1, 2025 (acquired Pimlico and the rights to the Preakness and Black Eyed Susan races).
- Established a non-profit entity that will carry out day-to-day operations of the Pimlico track.
- Started the redevelopment of the future Pimlico facilities.

Maryland Department of Transportation (and Modals)

Significant Activities & Accomplishments

- Provided legal advice on a wide range of matters that are not typical advice and practice areas and coordinated with both the Civil Division, the Governors' Office, and Assistant Counsel to provide advice in the immediate aftermath of the FSK Bridge disaster, but also responding to Public Information Act Requests from the media and others.
- Responded to many Public Information Act Requests from the media and others.
- Provided legal advice and guidance to Maryland Aviation Administration (MAA) and MDOT regarding the solicitation and eventual re-solicitation of the revenue producing concessions contract at BWI Marshall Airport.
- Defended the Motor Vehicle Administration (MVA) in hundreds of administrative drunk driving cases in Circuit Court judicial review.

State Treasurer's Office

Significant Activities & Accomplishments

- Resolved 29 cases on motions to dismiss; resolved four cases on motions for summary judgment; settled 11 cases; and resolved 10 employment matters.
- Successfully assisted STO in the transition to administrator of the Maryland 529 Program College Savings Program, which presented unique legal challenges
- Collaboratively resolved insurance bridge coverage release issues which resulted in the payment of \$350,000,000 to the State.

Uninsured Employers' Fund

Significant Activities & Accomplishments

- Increased collection efforts to seek recovery of assessments and subrogation claims for benefits paid by the UEF from uninsured employers who have defaulted in paying benefits ordered by the WCC.
- Sought repayment of the benefits paid by the liable uninsured employers by way of civil collection and enforcement actions.
- Increased the number of promissory notes entered by uninsured employers to repay debts owed to the UEF because of the UEF paying benefits to injured workers due to the employers' failure to have insurance.

Workers Compensation Commission

Significant Activities & Accomplishments

- Successfully updated regulations that require all attorneys to register with and to use CompHub.
- Also updated regulations to provide for increased efficiency by allowing insurers and self-insured employers to submit their required reports electronically and allowing CompHub to serve awards, notices, and orders electronically.

RECOMMENDATIONS

The Attorney General offers the following recommendations in support of our commitment to promoting equity and justice on behalf of all Marylanders:

Criminal Justice Reform

Maryland has the nation's highest percentage of Black people in its prisons when compared to the general population: while Black Marylanders make up about 30% of the state's overall population, 71% of people incarcerated in Maryland correctional facilities are Black. To address this crisis, the Maryland Equitable Justice Commission—a joint initiative led by the Office of the Attorney General and the Maryland Office of the Public Defender and comprised of more than 40 representatives from state agencies, community groups, subject matter experts, and directly impacted residents—recently approved 18 data-driven recommendations for legislative and agency reforms, program development, data collection, and other measures designed to reduce racial disparities in Maryland prisons and jails. It is critical that policymakers support, enact, and fully fund these measures to help dismantle the longstanding and systemic inequities in the State's criminal justice system.

Worker Protection

Wage theft, which occurs when an employer withholds benefits that an employee has already worked for, is a significant and growing problem in Maryland and the United States as a whole. Wage theft often goes unreported either because employees are not aware of what they are owed or because they fear retaliation. To combat wage theft in Maryland, the OAG established a Worker Protection Unit, which significantly strengthened the enforcement of worker protection laws, including those related to wage theft. This initiative was designed to empower the Attorney General to enforce worker protection laws concurrently with the Maryland Department of Labor, ensuring that workers' rights are safeguarded without delay or limitations. Additional revisions to the Workplace Fraud Act (WFA) are needed to enhance existing law by applying the Act's protections to all industries in the State, streamlining processes for investigations, and holding general contractors accountable for misclassification of workers done by subcontractors. These reforms will promote fair labor practices across all industries, reinforcing Maryland's commitment to protecting our workforce.

Vulnerable Adults

The largest population in the United States consists of people over the age of 65. Alarming, many seniors and "vulnerable adults" are targets of crimes ranging from financial

exploitation to patient abuse in nursing home facilities. To combat these injustices, the Office recommends two measures aimed at protecting the vulnerable adult population in the State.

The first recommendation is to require that video recording equipment be installed in common areas of long-term care facilities to improve transparency and accountability in skilled nursing and assisted living environments. Mandating the installation of cameras in common areas with footage stored for an appropriate period and made available for law enforcement inspection, this initiative seeks to provide an added layer of security and peace of mind for families and residents alike.

The second recommendation focuses on the financial exploitation of vulnerable adults and establishes that caregivers, family members, and household members have a heightened responsibility when handling the financial affairs of vulnerable adults and those over the age of 68. The State should not have to prove deception, intimidation, or undue influence when a caregiver, family member or household member exploits a vulnerable adult – rather the existence of these relationships where a vulnerable adult trusts these individuals with their lives should be enough. Prohibiting the intentional exploitation of such individuals will enable the State to better protect some of society’s most at-risk populations from manipulation and abuse.

Civil Rights

The OAG is committed to promoting policies and other initiatives that combat systemic inequities and protect the rights, responsibilities, and privileges of all Marylanders and recommends three measures to help accomplish this goal.

The first and second recommendations focus on ensuring that all Marylanders have equal access to housing and employment opportunities in the State. Explicit discriminatory actions have become less common, yet discrimination and disparities persist. Under federal fair housing and fair employment laws, conduct that has a *disparate impact* (when policies, practices, rules, or other systems that appear to be neutral result in a disproportionate impact on a protected group) is prohibited. Currently, Maryland law does not explicitly provide a remedy for conduct that has a disparate impact – expressly prohibiting conduct that has a disparate impact in both the housing and employment context would help eliminate barriers that have historically marginalized vulnerable communities in the State.

Additionally, the Department of Housing and Community Development (DHCD) and local jurisdictions are required by State law to “affirmatively further fair housing”. However, the statute does not (1) require local jurisdictions to take any *specific* action to affirmatively further fair housing and (2) provide an enforcement mechanism to ensure the obligation to affirmatively further fair housing is met. DHCD should be given the authority to adopt regulations providing specific actions that should be taken to affirmatively further fair housing and a State-level

enforcement mechanism for persons that do not comply with the regulations should be added to provide the clarity and deterrent effect that would make the current statute more impactful.

The third recommendation focuses on the protecting the rights and liberties of certain detained individuals. Regardless of whether an individual is detained in a private detention facility, the individual should still be entitled to the certain fundamental rights and protections under State law. Private detention facilities should not be allowed to deprive individuals of rights, privileges, or immunities secured by the United States or Maryland Constitution or State or federal law nor discriminate against individuals detained within the facilities without recourse. When these abuses occur, OAG should be able to commence a civil action to protect these individuals rights and liberties.

The above measures reflect the Office's commitment to upholding dignity, respect, and opportunity for all.

Together, these recommendations underscore the OAG's dedication to fostering a safer and fairer community for all Marylanders. Advancing these recommendations will not only address several urgent concerns impacting our communities but will also lay the groundwork for a more equitable future for years to come.