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GERALD D. GLASS

OFFICE OF



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THE STATE PROSECUTOR
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LEGISLATIVE REFERENCE

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February 15, 1979

The Honorable Harry R. Hughes
Governor of Maryland
State House
Annapolis, Maryland 21401

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ANNAPOLIS, MARYLAND

Dear Governor Hughes:

In accordance with Section 33B(j) of the Annotated Code of Maryland, I am submitting the Annual Report of the State Prosecutor for the calendar year 1978.

The Office of the State Prosecutor became operational on December 1, 1977 with the swearing in of Gerald D. Glass as State Prosecutor.

Upon assuming office, my first priorities were to select a staff and to establish an office at 1508, One South Calvert Street, Baltimore, Maryland.

The budget under which the office operated between January 1, 1978 and June 30, 1978, authorized a staff consisting of the State Prosecutor, one Assistant State Prosecutor, one investigator, one secretary and a part-time law clerk.

Mr. Gerald C. Ruter was selected as the first Assistant State Prosecutor. Mr. Ruter is an experienced prosecutor who had previously served as an Assistant State's Attorney for Baltimore County on the staff of Sandra O'Connor, State's Attorney for Baltimore County.

Mr. Thomas O. Martin, who was selected as the first investigator, possesses 26 years of service in the Federal Bureau of Investigation as a Special Agent; 3 years of investigative service with the Baltimore City State's Attorney's Office, Major Fraud Division; and one year of investigative service with the State Law Department, Antitrust Division.

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The budget under which the office operated between July 1, 1978 and December 31, 1978, authorized an additional Assistant State Prosecutor, investigator and secretary.

Appointed to the staff in July of 1978 were Mr. Neal M. Janey as an Assistant State Prosecutor and Mr. Jerome I. Gulack as an investigator.

Mr. Janey is an experienced prosecutor who had previously served as an Assistant United States Attorney for the District of Maryland on the staffs of Jervis Finney and Russell T. Baker, United States Attorneys for the District of Maryland.

Mr. Gulack possesses 31 years of experience as a Special Agent with the United States Internal Revenue Service, Intelligence Division. Prior to his appointment to this office, Mr. Gulack also had been appointed as a special investigator by various courts and State's Attorneys' Offices throughout the State of Maryland.

During the regular 1978 Session of the General Assembly, several Bills were introduced which had a direct effect on the State Prosecutor's Office. These Bills included proposed legislation relating to the creation of additional state extortion laws, modification of the statute of limitations for designated crimes and amendments to the existing State Prosecutor statute.

Because the proposed legislation did effect my office, I spent a considerable amount of time testifying at Legislative Committee Hearings when the proposed legislation was considered.

The statute of limitations relating to the violation of election laws, state conflicts of interest, and misconduct by public officials was increased from a one year to a two year period. This additional period of time will be advantageous in the investigation of these crimes. However, the same legislation reduced to a two year period the statute of limitations relating to bribery of public officials. Prior to the enactment of this legislation, there was no statute of limitations for bribery of public officials because the punishment for that crime was by confinement to the penitentiary. The reduction in the statute of limitations for bribery offenses will adversely affect the ability of the prosecuting authorities, including the State Prosecutor's Office, to successfully investigate and prosecute one of the most serious breaches of public trust that can be committed by a public official. It is, therefore, my intention to seek remedial

legislation in the next session of the General Assembly.

The expansion of the state extortion laws will be of assistance to the State Prosecutor's Office for offenses occurring after July 1, 1978 that were previously not sufficiently covered by the existing extortion and bribery laws. State extortion laws were enacted which are comparable to existing federal extortion laws. This new legislation should enable the State Prosecutor's Office to have the ability to investigate and prosecute offenses which were previously investigated and prosecuted by the federal authorities.

To satisfy the requirements of Article 33B(m), I met with the Attorney General on a frequent basis. Meetings with the State's Attorneys were held on an individual basis when conferring about pending matters in their respective jurisdictions. Meetings with the State's Attorneys on a group basis were accomplished by attending the Mid-Winter Meeting of the Maryland State's Attorneys Association held in Oakland, Maryland in January, 1978, and by attending the Board of Directors Meeting of the Maryland State's Attorneys Association.

In an effort to maintain existing liaison and to create additional liaison with State, Local and Federal agencies involved in law enforcement, I met with or had contact with the following: the Superintendent of the Maryland State Police and members of his staff; Police Chiefs of various jurisdictions throughout the State of Maryland and members of their respective staffs; the Agents in Charge of the Federal Bureau of Investigation for the State of Maryland and Delaware; the Agent in Charge of the United States Secret Service for Maryland; the United States Attorney for the District of Maryland; the Special Agent in Charge of the United States Customs for Maryland; the Mayor's Coordinating Council for Criminal Justice for Baltimore City and the Governor's Commission on Law Enforcement and Administration of Justice.

In 1978, the State Prosecutor's Office maintained or established liaison with the following national organizations which were related to the function of prosecution and law enforcement: the National District Attorneys Association, Chicago, Illinois; the National College of District Attorneys, Houston, Texas; the Office of the Special Prosecutor for the State of New York; and the Office of the Prosecutor, Seattle, Washington.

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During the calendar year 1978, the Office of the State Prosecutor received 186 requests for the initiation of investigations. The requests for the initiation of investigations were received from all statutorily designated sources.

A screening system was developed and implemented for the processing of investigative requests.

By this screening system, investigations were channeled into two classifications: miscellaneous matters (those matters which did not require a full-scale investigation to resolve) and matters which did require a full-field type of investigation for a resolution.

During 1978, the State Prosecutor's Office received 105 investigative requests which were designated Miscellaneous Complaints. Of these 105 complaints, 77 received a preliminary investigation and were placed in a closed status. As of December 31, 1978, there are 28 such cases still pending in this office.

With respect to the second classification of cases, this office has received requests for and opened 81 cases requiring a full-field investigation. Of these 81 cases, 43 cases have been processed and the investigation completed, resulting in the indictment of 7 individuals on multiple charges. As of December 31, 1978, there are 38 cases of the second classification pending in this office in various stages of a full, indepth investigation.

In conclusion, I would like to extend my appreciation for the courtesies and cooperation shown the State Prosecutor's Office during the past year.

Sincerely yours,



GERALD D. GLASS
State Prosecutor

GDG:lk

cc: Attorney General
Speaker of the House
President of the Senate