



REPORT
OF THE
MARYLAND STATE PROSECUTOR
2023

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Seal of the Office of the State Prosecutor



Motto of the Office of the State Prosecutor

The agency motto is “Quis Custodiet Ipsos Custodes?” The Latin phrase, roughly translated as “Who Will Guard the Guardians?”, is found in the work of the Roman poet Juvenal and is frequently quoted to highlight the challenging efforts of a society to hold accountable those who wield public power.

Mission and Vision

The Office of the State Prosecutor combats political corruption, official misconduct, election law violations, and other crimes throughout Maryland by conducting independent, professional, and timely investigations and prosecutions of alleged criminal offenses, partnering where appropriate with federal, state, and local partners, and leveraging the best available technical, legal, and human resources.

I. Foreword

The Maryland Office of the State Prosecutor (OSP) was formed by constitutional amendment and legislation in 1976 and began operation in January 1977. Responding to several contemporary political scandals, OSP was intended to restore public confidence in the integrity of state and local government institutions and the electoral process in Maryland by establishing an independent, politically neutral, law enforcement agency to investigate and prosecute allegations of corruption and misconduct involving public officials and employees, and potential violations of Maryland election, ethics, and campaign finance laws.

In 2023, OSP successfully targeted political corruption, official misconduct, and criminal threats to the electoral process throughout the State, proceeding independently or in concert with local, state, and federal partners. Pursuant to our charter, OSP operated in a politically neutral, independent modality, while striving to be as transparent as possible to individual complainants, other law enforcement stakeholders, and the public at large. At the same time, OSP has continued to refine its operating protocols, policies, and organizational structure, resulting in an improved capability to respond to alleged complex financial crimes and highly sensitive special victim offenses. OSP has also supported legislative and policy initiatives regarding necessary legal reforms to enhance its ability to successfully investigate and prosecute instances of corruption and official misconduct. Details of many of these efforts can be found below.

OSP's success is due in large part to our superb team of prosecutors and investigators. I am extremely proud of their accomplishments during this past year and anticipate even greater achievements in the years to come.

Charlton T. Howard III

II. Statutory Authority

The OSP was established by constitutional amendment and legislation in 1976 (Chapter 612, Acts of 1976, ratified Nov. 1976), and began operation in January 1977.

The State Prosecutor may investigate on his/her/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. These offenses include: 1) State election law violations; 2) State public ethics law violations; 3) State bribery law violations involving public officials or employees; 4) misconduct in office by public officials or employees; and 5) extortion, perjury, or obstruction of justice related to any of the above.

At the request of the Governor, Attorney General, General Assembly, or a State's Attorney, the State Prosecutor may also investigate alleged crimes conducted partly in Maryland and partly in another jurisdiction, or in more than one political subdivision of the State.

If a violation of the criminal law has occurred and the State Prosecutor recommends prosecution, the Office makes a confidential report of its findings and recommendations to the Attorney General or the State's Attorney having jurisdiction to prosecute the matter. Such a report need not be made to the State's Attorney, however, if the State Prosecutor's findings and recommendations contain allegations of offenses committed by the State's Attorney. If the State's Attorney to whom the report is rendered fails to file charges within 45 days in accordance with the State Prosecutor's recommendations, the State Prosecutor may prosecute such offenses. The State Prosecutor may immediately prosecute offenses set forth in the report and recommendations if they are alleged to have been committed by a State's Attorney.

Where no violation of the criminal law has occurred or prosecution is not recommended, the State Prosecutor reports the Office's findings to the agency that requested the investigation. The report is made available to the public if the subject of the investigation so requests.

In investigating and prosecuting cases within OSP's jurisdiction, the State Prosecutor has all the powers and duties of a State's Attorney.

The State Prosecutor is nominated by the State Prosecutor Selection and Disabilities Commission and appointed by the Governor for a term of six (6) years

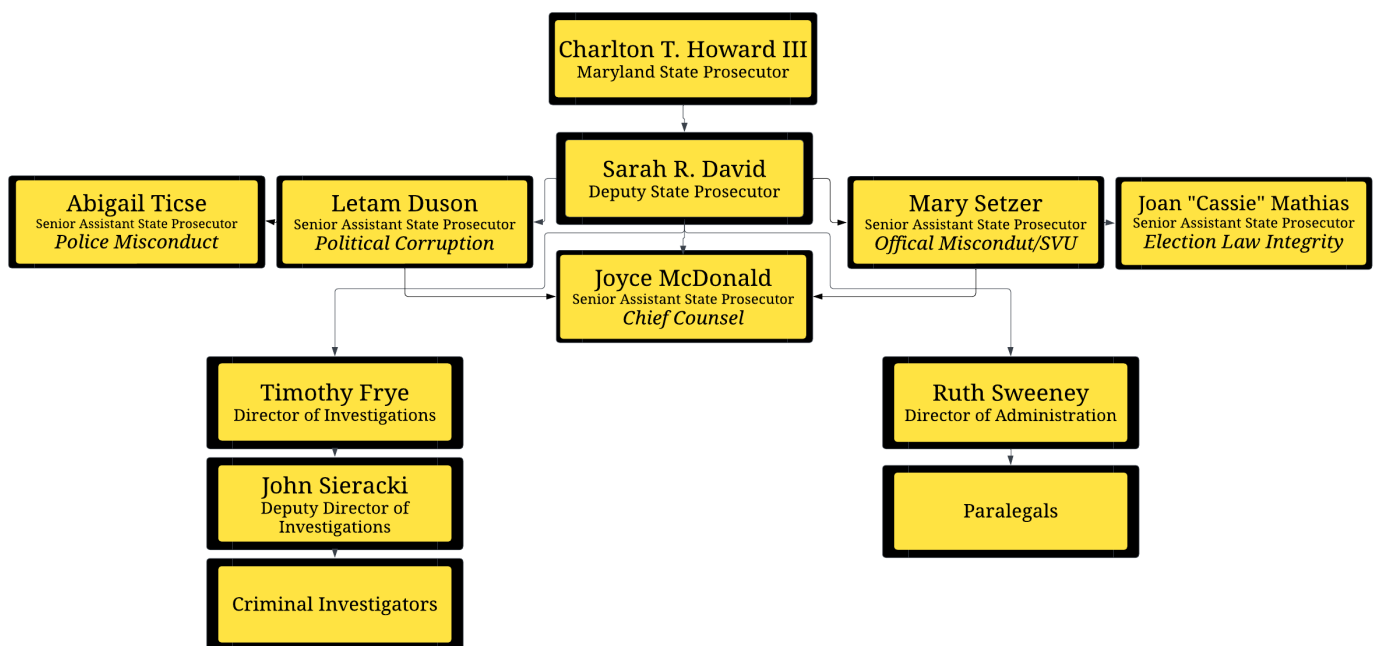
and until his/her/their successor is appointed and qualifies. The State Prosecutor may be removed only for misconduct in office, persistent failure to perform the duties of the office, or conduct prejudicial to the proper administration of justice (*Criminal Procedure Article*, Md. Code, Sections 14-101 through 14-114).

III. Agency Leadership and Current Organization

OSP Structure

At the conclusion of 2023, OSP had sixteen permanent personnel: six attorneys (including the State Prosecutor), nine special agent/criminal investigators, and one administrative manager. OSP also employed one contractual part-time attorney, one contractual part-time investigator, two contractual paralegals, and one contractual part-time forensic auditor, as well as a small number of law student interns on a periodic, part-time basis. All personnel are primarily assigned to the OSP office at 300 East Joppa Road, Suite 410, Towson, Maryland 21286, though liberal telework is often employed to ensure flexibility of operational response. As the Office has state-wide jurisdiction, and consequently investigates and prosecutes cases throughout the state, OSP personnel often engage in extensive travel, and frequently expend significant resources to remain on site during the pendency of a case or court hearing.

The office is organized as indicated in the chart below:



OSP Leadership

Full biographies of OSP senior leadership can be found in the Appendix.

State Prosecutor

Charlton T. Howard III was appointed as the Maryland State Prosecutor by Governor Larry Hogan on November 7, 2019, charged with directing the investigation and prosecution of public corruption, official misconduct, election law violations, and other crimes throughout Maryland.

Deputy State Prosecutor

Sarah David joined the Maryland Office of the State Prosecutor in 2018 as a Senior Assistant State Prosecutor. She was promoted to Deputy State Prosecutor in January 2020. Ms. David oversees the Office's strategic partnerships, legislative agenda, and budget, as well as a caseload of corruption and police misconduct cases.

Senior Assistant State Prosecutor, Political Corruption

Letam Duson joined the Maryland Office of the State Prosecutor in May 2021 and is responsible for litigating corruption and other official misconduct matters throughout the State.

Senior Assistant State Prosecutor, Police Misconduct

Abigail Ticse joined the Office of the State Prosecutor in 2022 and was promoted to the position of Senior Assistant State Prosecutor – Police Misconduct in February 2023. She is responsible for leading the Office's efforts targeting law enforcement misconduct and corruption throughout the State.

Senior Assistant State Prosecutor, Official Misconduct & Special Victims

Mary Setzer joined the Maryland Office of the State Prosecutor in 2023 and is responsible for the investigation and litigation of political corruption and public official misconduct matters throughout the State, specializing in those cases involving special victims.

Senior Assistant State Prosecutor, Election Integrity

Joan “Cassie” Mathias joined the Maryland Office of the State Prosecutor in 2023. She is a Senior Assistant State Prosecutor responsible for the investigation and litigation of political corruption and public official misconduct matters throughout the state, specializing in those cases involving election integrity.

Senior Assistant State Prosecutor, Chief Counsel

Joyce McDonald joined the Maryland Office of the State Prosecutor at the end of 2023 on a part-time basis upon her retirement from the U.S. Attorney’s Office in Maryland after a highly successful career. One of the most respected corruption prosecutors in Maryland, she provides expertise and support to complex corruption and litigation matters.

Director of Investigations

Timothy Frye joined OSP in 2013 and was appointed as the Director of Investigations in 2017, responsible for overseeing all agency investigations, and coordinating joint efforts with counterpart local, state, and federal law enforcement organizations.

Deputy Director of Investigations

John Sieracki joined OSP in 2020 after a 31-year career as a criminal investigator with local, state, and federal law enforcement experience. He was promoted to Deputy Director of Investigations in 2023, responsible for conducting criminal investigations, providing investigative support and guidance to ongoing OSP prosecutions, as well as fulfilling the duties of the Director in his absence.

Director of Administration

Ruth Sweeney joined the Office of the State Prosecutor in 2019 and currently serves as the Director of Administration where she is responsible for managing the daily administrative operations for the office.

IV. Agency Operations

During 2023, OSP continued to pursue an ever-increasing caseload of public corruption, official misconduct, and election/campaign finance law offenses with diligence and success. Several technical enhancements and operational improvements – including the employment of an electronic case management system and sophisticated forensic accounting software, as well as the growing utilization by the public of an automated complaint portal on the OSP agency website – resulted in an increase in both the quantity and relevance of complaints and consequent investigations, as well as a greater rate of successful closures. In addition, sustained engagement with key law enforcement partners, particularly the Maryland State Police (MSP), the Federal Bureau of Investigation (FBI), the United States Attorney’s Office, and local State’s Attorney’s Offices, allowed OSP to leverage necessary investigative and legal resources.

Complaints are received via referral from the Governor, the Attorney General, the General Assembly, local State’s Attorneys, the State Board of Elections, the State Ethics Commission, other state or local agencies, or by the general public via personal contact or by the aforementioned complaint portal located on the OSP website. Complaints can also be initiated by OSP on its own initiative. All complaints are reviewed, assessed, and assigned by the Office’s leadership intake team.

OSP employs a vertical prosecution model, where prosecutors and investigators partner from the very beginning of an investigation through any eventual prosecution or other resolution. All cases are tracked and documented in accordance with OSP policy utilizing an electronic case management system.

Cases are investigated either unilaterally by OSP personnel, or jointly by OSP personnel and other agencies, most often MSP or FBI. At the conclusion of an investigation eliciting evidence of a crime, a charging decision is made after appropriate coordination with the local State’s Attorney. OSP attorneys then charge and prosecute the case in the appropriate state court and also handle all subsequent appeals and post-conviction matters. If a joint OSP-FBI case is also prosecuted in federal court by the U.S. Attorney’s Office, OSP attorneys will often support the prosecution as designated Special Assistant United States Attorneys.

Election Law

OSP is responsible for the investigation and enforcement of numerous election laws, including allegations of failure to file required reports or pay required fees, authority line violations, double voting, voting by non-citizens, and over-contributions, among many others. Many referrals come to OSP from the State Board of Elections. These two agencies work closely together to ensure the election laws of Maryland are upheld.

Since OSP's inception, the number of referrals involving election law violations has increased significantly during periods of heavy election activity (tracking the federal and state election cycles). While most cases involving sustained violations are resolved with compliance agreements and administrative penalties, some matters involving significant violations or recalcitrant defendants require criminal prosecution.

Election law violations that do not meet the threshold for criminal liability are handled administratively by OSP with the issuance of civil citations, which if contested, are adjudicated in the District Court of Maryland.

Special Victims Unit

In 2023, OSP established a Special Victims Unit (SVU) in response to an ever-increasing number of official misconduct complaints alleging sexual assault, sexual exploitation, and workplace violence. The SVU was facilitated by additional funding provided in the last legislative session, and established to enable the Office to best address the complexities and sensitivities which accompany the prosecution of crimes involving exploitation or violence targeting women, children, and vulnerable adults, particularly when the perpetrators of such conduct are public officials.

In 2023, OSP received fifty-three SVU-related official misconduct complaints. OSP also prosecuted several high profile cases involving special victims, including a Baltimore City prosecutor who abused the grand jury by issuing grand jury subpoenas to stalk two women who had formerly been his intimate partners; a Calvert County Sheriff's Deputy who engaged in sexual intercourse with a woman who requested police assistance in a domestic violence situation; a Cecil County Sheriff's Deputy who took sexually explicit videos of a partner without her consent, and distributed the videos to a social media user; and an Annapolis police detective who failed to properly investigate sexual assault allegations.

As illustrated, OSP regularly receives complaints about sexual misconduct committed by public officials in a variety of roles. While OSP collaborates with local, state, and federal partners on specific cases, particularly to help ensure the safety of victims, the inherent conflicts and challenges confronting our partners with many of these allegations underlines the importance of our role as an independent agency with specialized expertise in the often-nuanced law regarding public official misconduct. Additionally, the nature and sensitivity of the Office's investigations means that much of the investigative tasks must be handled internally within OSP.

The OSP SVU has also been preparing training materials, regarding misconduct involving sexual violence or exploitation, for various internal affairs divisions of police departments throughout Maryland. The training will ensure that the departments are better equipped to identify cases in this area which may constitute misconduct in office and refer those cases to OSP for a proper criminal investigation. OSP also plans to conduct training for administrative bodies, particularly our non-law enforcement ethics-based partners, such as the State Ethics Commission, Office of Legislative Ethics, and other agencies who address these complaints in a non-criminal context, so that they are also equipped to identify complaints that should be referred to the Office for investigation.

In the past, OSP has been forced to decline cases that were brought to the Office at a late stage in the investigation because corruption issues were not addressed at an earlier junction and in accordance with the statute of limitations. With the outreach and training OSP will conduct through the SVU, we anticipate our Office being referred these cases earlier, at a time where we are better equipped to handle the complexities related to misconduct in office.

Anti-Corruption Policy Initiatives

OSP couples its investigative and prosecutorial mission with efforts to enhance the government's ability to comprehensively address issues related to public corruption and fair elections. OSP works with the Maryland State's Attorney's Association and the Maryland State Board of Elections along with other agency partners to promote legislation to address corruption and election law issues. For example, OSP and the State Board of Elections worked together to extend the statute of limitations for election law violations to four years, providing the offices with adequate time to address cases where significant fraud takes longer to uncover and investigate. OSP is also working on legislation to stay internal police investigations until the related criminal investigation is completed. This will ensure that the Office can bring the strongest criminal cases and address the most serious corruption crimes brought against police officers.

OSP has also engaged the Maryland Sentencing Commission to enhance sentences for individuals who used their position of trust to commit a crime. The Office is working with the Commission to address the low guidelines in cases where individuals engage in massive theft schemes, sexual offenses, and other crimes using their positions of trust.

OSP representatives serve on the Domestic Violence Workgroup of the Maryland States Attorneys Association, the Maryland State Bar Association’s Criminal Law Section Council, the Family Violence Workgroup’s Stalking Task Force, and several other organizations that address policy concerns in criminal law. We are proud to extend our efforts to ensure compliance and create laws that enhance transparency and accountability in Maryland.

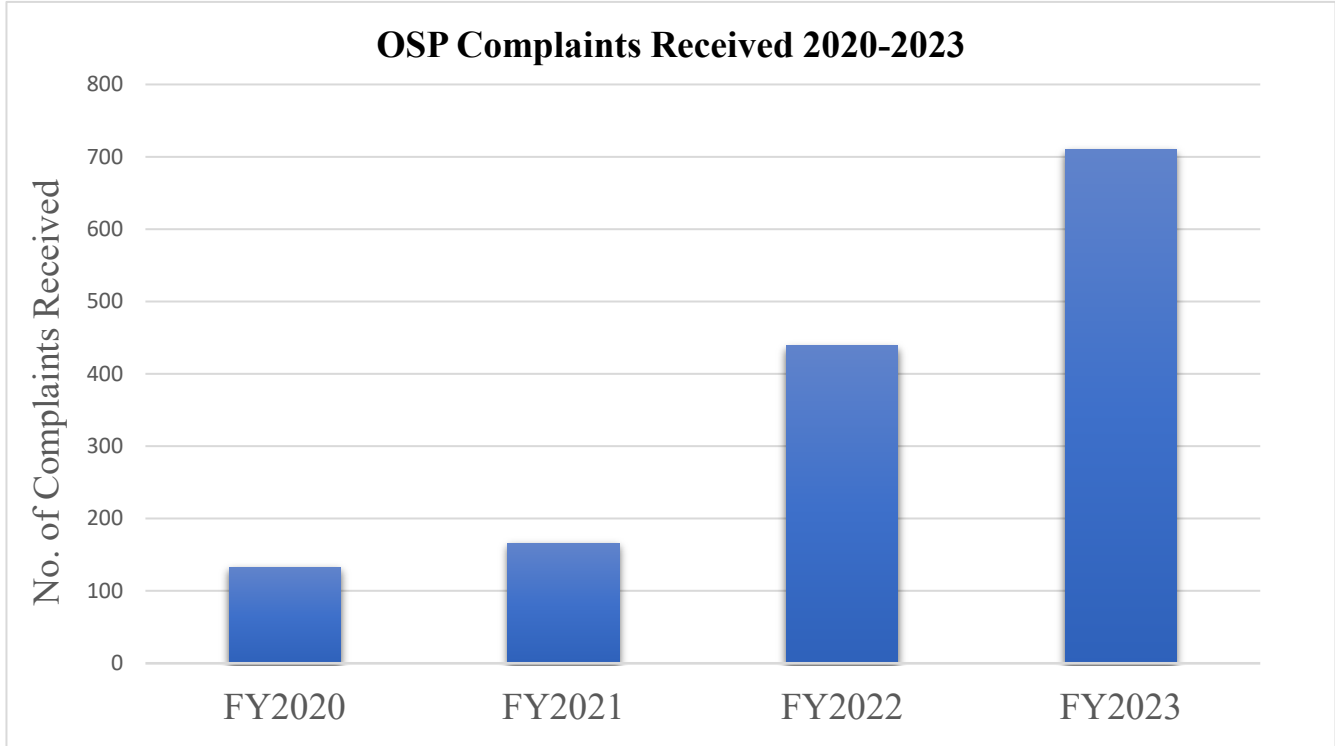
Operational Statistics

Details of the Office’s investigations and prosecutions during the reporting period are provided in the charts below.

OSP Criminal Investigations (excluding Election Law Failure to File cases)				
Fiscal Years	FY 2020	FY 2021	FY 2022	FY 2023
Number of Complaints Received	136	166	439	710
Number of Investigations Opened	35	93	63	109
Number of Investigations Closed	14	27	26	24
Number of Cases Referred	N/A	33	66	151
Cases Charged	7	13	5	5
Post Conviction & Appellate Litigation	5	12	12	8

General Criminal Investigations

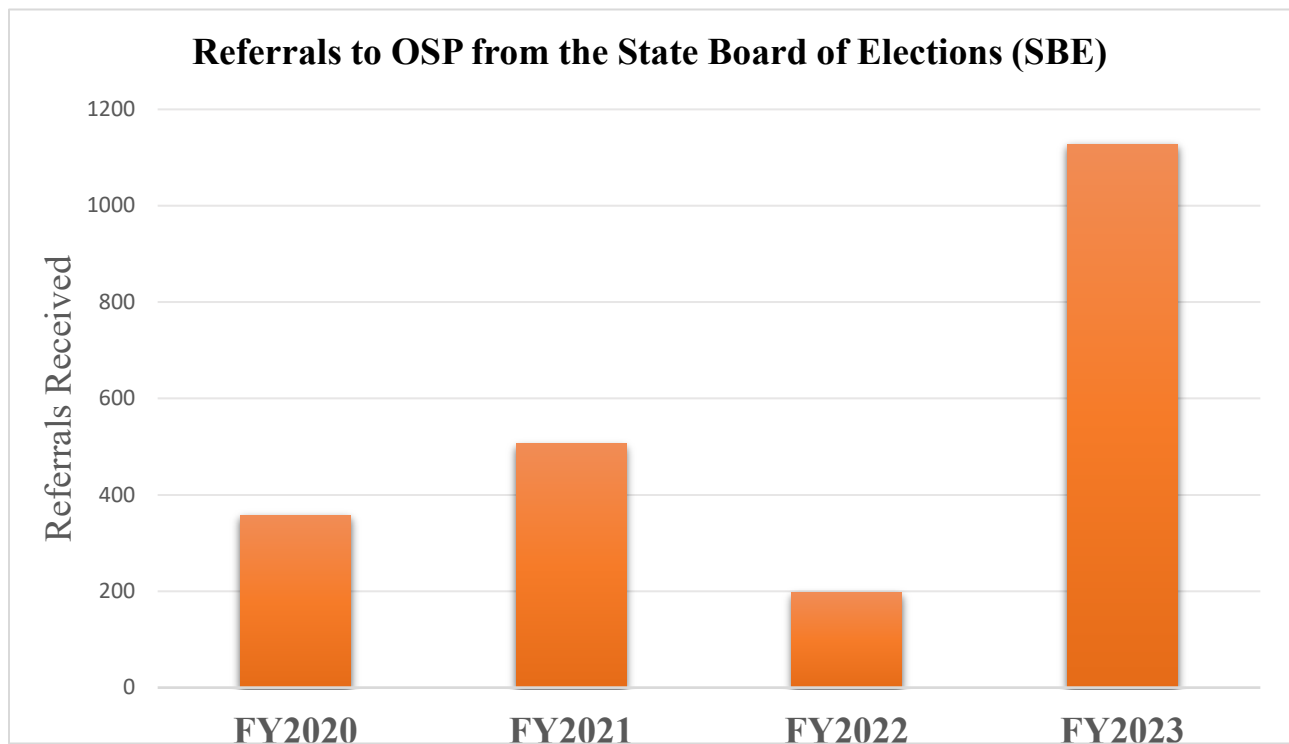
General Criminal Complaints

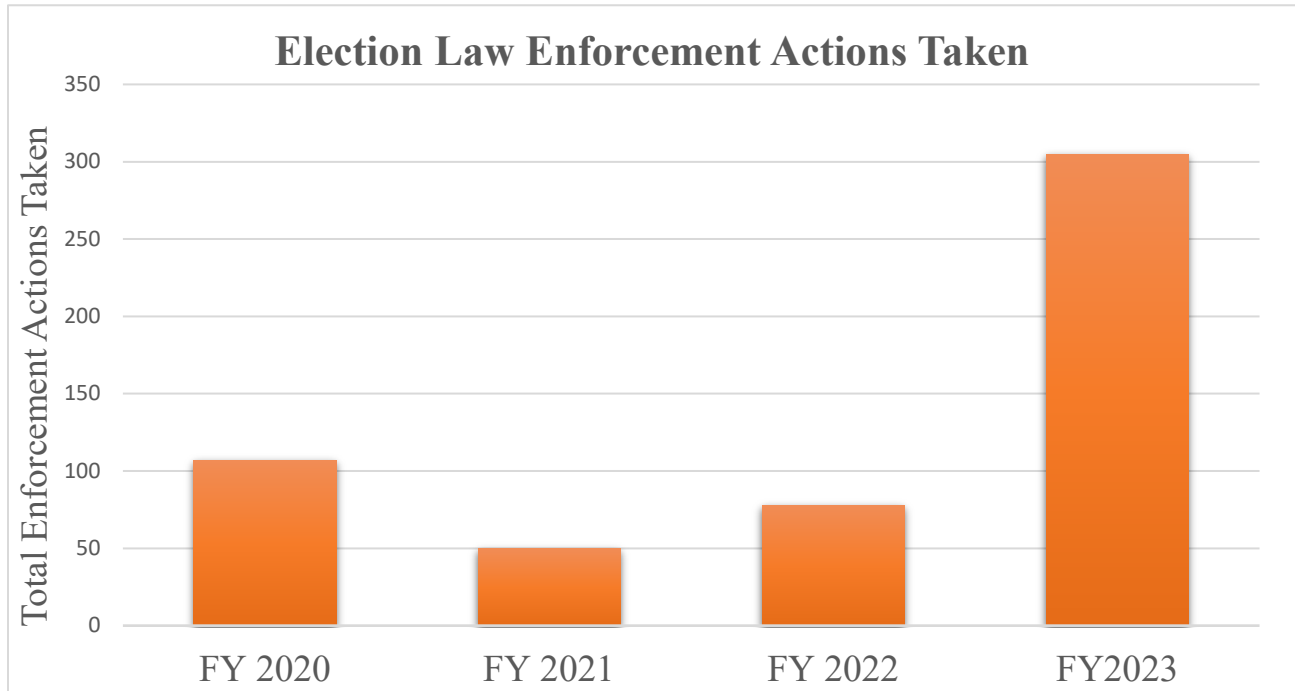


Election Law and Campaign Finance Complaints

OSP Election Law Enforcement				
Fiscal Years	FY 2020	FY 2021	FY 2022	FY 2023
Number of Referrals	358	506	197	1128
Enforcement Action Taken	105	49	68	631
Civil Penalties	\$24,680	\$128,391	\$133,405	\$201,090

The rate of election law and campaign finance referrals, the majority of which originate from the State Board of Elections, tracks the federal and state election cycles. Delays in reporting are often caused by the challenges of collecting information from local boards of election and garnering essential financial data from a plethora of institutions. Given the past trends following hotly contested elections, and the technical and process improvements discussed above, OSP expects ever-increasing numbers of both referrals and enforcement actions during periods of heavy election activity in the upcoming fiscal years.





OSP works closely with the State Board of Elections to coordinate the processing and assessment of complaints to ensure OSP’s limited investigative and prosecutorial resources are employed in an optimum manner to enforce the laws safeguarding the integrity of state and local elections. OSP enforcement actions include both civil and criminal remedies, and in the first instance are most often geared to bring errant parties into compliance with the regulatory requirements, while at the same time identifying individual instances of criminal culpability meriting further investigation and litigation. Despite the cyclical reduction in referrals, OSP’s focused engagement and coordination with the State Board of Elections, and the Office’s technical and process improvements discussed above, have resulted in a greater quantity and quality of OSP enforcement actions over the past two years, a trend which is expected to continue.

V. Significant Case Examples

State of Maryland v. Kyle Thomas

On August 23, 2023, former Cecil County Sheriff's Office Deputy Kyle L. Thomas, was charged by criminal information with misconduct in office, witness retaliation, visual surveillance with prurient intent, revenge porn, and distribution of obscene material. He subsequently pleaded guilty to misconduct in office and visual surveillance with prurient intent and was sentenced by the Honorable Paul Bowman to six years in prison, with all but one year suspended, followed by three years of supervised probation.

According to the Statement of Facts accompanying the plea, Thomas served as a Deputy for the Cecil County Sheriff's Office from February 2021 through July 2023. During that time, Thomas shared sexual photos and videos with a woman with whom he had a romantic relationship, identified as "VICTIM 1," primarily using the social media application Snapchat, because communications and other exchanges typically disappear from the application once viewed. In June 2021, while on duty as a sworn Deputy and acting in his official capacity, Thomas took an explicit video of himself in his police uniform, in the Sheriff's Office, and shared the video with VICTIM 1 on Snapchat.

VICTIM 1 ended her relationship with Thomas shortly thereafter and reported Thomas to the Cecil County Sheriff's Office. In response, the Sheriff's Office initiated an internal investigation. When Thomas learned of the investigation, he filed charges with a Cecil County Commissioner, requesting that criminal charges be filed against VICTIM 1 for presenting the Sheriff's Office evidence against him.

During the same period, Thomas was in a sexual relationship with another woman, identified as "VICTIM 2." Thomas took photos and videos of VICTIM 2 engaged in sexual acts, without her knowledge or consent, and sent the videos to dozens of different social media users. Thomas paid several of the users to watch the videos.

When VICTIM 2 attempted to end her relationship with Thomas, he threatened to post photos and videos of VICTIM 2 on social media, and later sent explicit photos to her loved ones. In May 2023, Thomas received a copy of a search warrant affidavit in this investigation that contained statements made by VICTIM 2. The next day, Thomas sent VICTIM 2 a photo of the affidavit accompanied by expletives calling VICTIM 2 a "liar" and a "b****." In May 2023, VICTIM 2 obtained a Final Protective Order against THOMAS. Thomas was charged and convicted by the Cecil County State's Attorney's Office for violating the Protective Order.

While sentencing Thomas, Judge Bowman stated, “The defendant’s conduct is best described as depraved, sadistic, and vicious.”

State of Maryland v. William “Christopher” McCollum

On February 16, 2023, William “Christopher” McCollum, Treasurer for the campaign finance committees “Friends of Cathy Bevins” and the “Baltimore County Victory Slate,” was charged with multiple counts of felony theft scheme, embezzlement, and perjury. He subsequently pleaded guilty to one count of felony theft scheme and one count of perjury.

According to the Statement of Facts accompanying the plea, McCollum was methodically stealing funds raised by the committees. Between April 2015 and January 2020, McCollum embezzled \$111,014.89 in funds from the “Friends of Cathy Bevins” campaign, which he used for his personal benefit. McCollum stole the funds using direct payments to pay his personal credit card bills and by taking checks made out to the “Friends of Cathy Bevins” from donors and depositing those checks directly in his personal bank account. While acting in his official capacity, he transferred money from the campaign accounts to his bank accounts and wrote checks from the campaign to supposed vendors and deposited them into said accounts. McCollum also used campaign funds while traveling in Puerto Rico and for flights to Florida.

When acting as the treasurer for the “Baltimore County Victory Slate,” McCollum embezzled \$31,269.63 from May 2015 through December 2018. McCollum used similar tactics to deposit checks made out to the “Baltimore County Victory Slate” into his personal bank account as well as pay his credit card bills.

On July 31, 2023, McCollum was sentenced to five years, with all but six months suspended, for one count of felony theft scheme and for one count of perjury.

United States v. Adam Chaudry

On September 30, 2022, Adam Lane Chaudry, a former Baltimore City Assistant State’s Attorney, was indicted in federal court with ten counts of fraud related to obtaining confidential phone records, as the result of an earlier OSP investigation which resulted in State charges, later dismissed upon the receipt of federal charges. Sarah David, Deputy State Prosecutor, was designated a Special Assistant United States Attorney and co-counsel for the federal prosecution.

According to the charging documents, from June 2009 to June 2021, Chaudry worked as an Assistant State’s Attorney in the Baltimore City State’s Attorney’s Office, working in the homicide division beginning in September 2015. Between January 2019 and April 2021, Chaudry caused thirty-three grand jury and trial subpoenas to be issued

for the telephone records of VICTIM 1, claiming that the subpoenas were related to a “special investigation in the Circuit Court for Baltimore City”, and though there was no related case number, Chaudry claimed, “The information sought in this subpoena is relevant and material to a legitimate law enforcement inquiry.”

Similarly, Chaudry caused grand jury and trial subpoenas to be issued for the telephone records of VICTIM 2 between February 2019 and April 2021, VICTIM 3 between March 2019 and April 2020, VICTIM 4 between March 2019 and February 2021, and VICTIM 5 between January 2019 and February 2020. It should be noted that VICTIMS 3, 4, and 5 were considered long-time friends of VICTIM 1.

Furthermore, Chaudry was accused of using resources of the Baltimore City State’s Attorney’s Office to further his own agenda against VICTIMS 1 and 2.

On April 18, 2023, Adam Chaudry was sentenced in the U.S. District Court to two years in federal prison, followed by three years of supervised release for two counts of fraud in connection with obtaining confidential phone records. As part of the plea, Chaudry admitted to committing these crimes to stalk his victims.

State of Maryland vs. Richard Impallaria

On January 13, 2023, former Maryland State Delegate Richard K. Impallaria pleaded guilty to misconduct in office for misusing state funds in Anne Arundel County Circuit Court.

According to the facts read in support of the plea, Impallaria served as a duly elected member of the Maryland House of Delegates of the Maryland General Assembly from 2002 through January 10, 2023, representing portions of Baltimore and Harford Counties in the 7th legislative district.

As a member of the General Assembly, Impallaria was allocated funds for a district office located within his district, to be used primarily for legislative business. Beginning in 2012, Impallaria facilitated rental payments from the General Assembly to his personal landlord using state funds for his “district office,” which was actually a building next door to his longtime personal cottage, outside of his district. The building in question was not used for legislative business but was instead used to store Impallaria’s personal items. Both the “district office” and Impallaria’s personal cottage shared the same owners, one of whom was Impallaria’s Legislative Aide.

The General Assembly paid, on average, double the amount of rent for Impallaria’s “district office” than any other tenant in the community. The same month the General

Assembly began paying rent on Impallaria’s “district office,” and after ten years of making monthly rent payments, Impallaria stopped paying rent on his neighboring personal cottage that he continued to occupy. Rent ledgers maintained by the landlords for the properties indicated that the monthly payments received from the General Assembly were divided and split between Impallaria’s “district office” and the rent of his personal neighboring cottage. Between July 2012 through and including May 31, 2022, the State of Maryland paid \$92,800 in rent for Impallaria’s “district office.” During that same period, Impallaria paid \$0 in rent for his neighboring cottage. The monthly rental payments for Impallaria’s personal cottage collected from the General Assembly during that time were \$44,100.

Pursuant to the plea agreement, Impallaria also agreed to plead guilty in Baltimore County Circuit Court to two misdemeanor weapons charges relating to rifles found during a search of his property by OSP, to pay restitution in the amount of \$44,100, and perform 100 hours of community service.

On June 21, 2023, Delegate Impallaria was sentenced in Anne Arundel County Circuit Court to probation before judgment.

State of Maryland v. James L. Wahlgren

On January 9, 2023, James L. Wahlgren, a former Corporal at the Calvert County Sheriff’s Office, was charged with Misconduct in Office and engaging in sexual intercourse with a person requesting police assistance.

In March 2022, Wahlgren reportedly responded to a residence of a woman, identified as J.B., in response to her request for police assistance. Wahlgren subsequently transported J.B. to an area hospital for treatment. Prior to leaving the hospital, Wahlgren left J.B. his cell phone number. Less than one week later, J.B. called Wahlgren while he was on duty and once again requested police assistance at her residence, related to a domestic dispute, to which Wahlgren responded and transported J.B. to a nearby hotel in his police vehicle. While at the hotel, Wahlgren entered the victim’s room and engaged in sexual intercourse with her. During this encounter, Wahlgren failed to activate his body camera footage or maintain contact with a dispatcher, both of which are required by the Calvert County Sheriff’s Office’s policies and procedures. Wahlgren also failed to create any written reports related to the interactions with J.B.

On April 13, 2023, Wahlgren was sentenced to probation before judgment with three years of probation.

State of Maryland v. Gwynne L. Tavel, Jr.

On September 26, 2022, Gwynne L. Tavel, Jr., a former Annapolis Police Department Officer, was charged with several counts of misconduct in office. He subsequently pleaded guilty to one count of misconduct in office.

Charging documents stated that while working at the Annapolis Police Department, Tavel received a complaint dating back to August of 2018 where a young woman reported being raped. Tavel failed to communicate with the victim and notify her of the closure of her case. Using his supervisory position, Tavel indicated in official documentation that the case was closed due to the victim being “uncooperative,” despite not having answered her calls and emails, nor speaking to her in over two years.

On January 4, 2023, Tavel was sentenced to probation before judgement with one year of probation and was ordered to perform 100 hours of community service. Tavel had previously submitted his resignation from the Annapolis Police Department.

State of Maryland vs. Francis Bagnall

On October 5, 2023, Baltimore County resident Francis G. Bagnall was charged with voting in the 2018 Maryland Gubernatorial General Election without having the legal authority to vote.

Bagnall was subsequently sentenced to probation before judgment by the Honorable Robert E. Cahill, Jr. pursuant to a signed plea agreement, the terms of which represent one of the first cases using a special form of probation before judgment passed by the General Assembly in the 2023 Legislative Session. The law is designed to allow individuals to take responsibility for criminal behavior without triggering immigration consequences and incorporates mechanisms to ensure future compliance with the law through the terms of probation.

According to the Statement of Facts admitted into the record, Bagnall has lived in the United States since 1990 and registered to vote in Maryland in 1996, although he was not a citizen of the United States. Bagnall voted in the 2018 Gubernatorial Election, despite lacking citizenship. Bagnall subsequently responded to a jury summons wherein he indicated that he was not a citizen of the United States to avoid participating in jury duty.

State of Maryland vs. Alexandra Gilbreath

On May 4, 2022, charges were filed against Alexandra Gilbreath, the Treasurer for the political committee, “Team 30 Slate.” Gilbreath was charged with felony theft scheme, embezzlement, perjury, and failing to file campaign finance reports.

According to charging documents, from October 10, 2018 through January 2, 2019, Gilbreath transferred approximately \$4,321.21 from the “Team 30 Slate” bank account to her personal Venmo account, which she then used to pay for her personal expenses. Gilbreath also failed to report the same Venmo transactions, cash withdrawals, and additional transactions on campaign finance reports, which she filed under the penalties of perjury.

On September 29, 2022, Gilbreath pleaded guilty to misdemeanor theft in the Anne Arundel County Circuit Court. She was sentenced to probation before judgment with one year of probation, which was extended for an additional three months. Gilbreath was also ordered to complete 100 hours of community service and to pay \$4,321.21 in restitution to “Team 30 Slate.”

Examples of Civil Election Law Enforcement

1776 Project PAC

On October 12, 2023, OSP and the State Board of Elections announced that the 1776 Project PAC was fined \$20,250 dollars and issued a civil citation for sending 13,879 text messages to Carroll County voters in the 2022 School Board Election.

The text message sent on November 1, 2022 to Carroll County voters, read “Stop indoctrination in our schools, early voting has started [sic] vote for the pro-parent ticket for school board Tara Battaglia, James Miller and Steve Whisler.” Maryland law requires campaign messages sent on behalf of candidates to indicate who paid for the information to be distributed, whether it is a yard sign, a pamphlet, or a digital advertisement. There was no authority line or information stating that the text was paid for by the 1776 Project PAC.

Traditionally, authority line violations have been sanctioned with minimal citations but the advent of advanced technology in campaigns, which allows candidates to access thousands of people with the press of a button, requires more scrutiny to ensure the public knows who paid for information they receive about candidates.

Fraternal Order of Police, Lodge 7

The Fraternal Order of Police, Lodge 7 is a membership entity that receives payroll deductions intended for an associated Political Action Committee (PAC) that is registered as a campaign finance committee with the State Board of Elections. Employees of the St. Mary's County Sheriff's Office who are members of the Lodge, designated money to be deducted from their payroll to be deposited to FOP Lodge 7 campaign finance account. The money is to be transferred to the campaign finance account within 30 days. Additionally, each payroll deduction is to be reported on campaign finance reports filed to the State Board of Elections.

Between 2019 and 2023, the Fraternal Order of Police, Lodge 7, failed to transfer the designated funds to the associated account. Furthermore, the individual donations were not reported on the appropriate campaign finance reports.

On March 16, 2023, OSP issued civil citations to the Fraternal Order of Police, Lodge 7 in the amount of \$10,000 for violations of campaign finance law.

Baltimore City Republican Central Committee

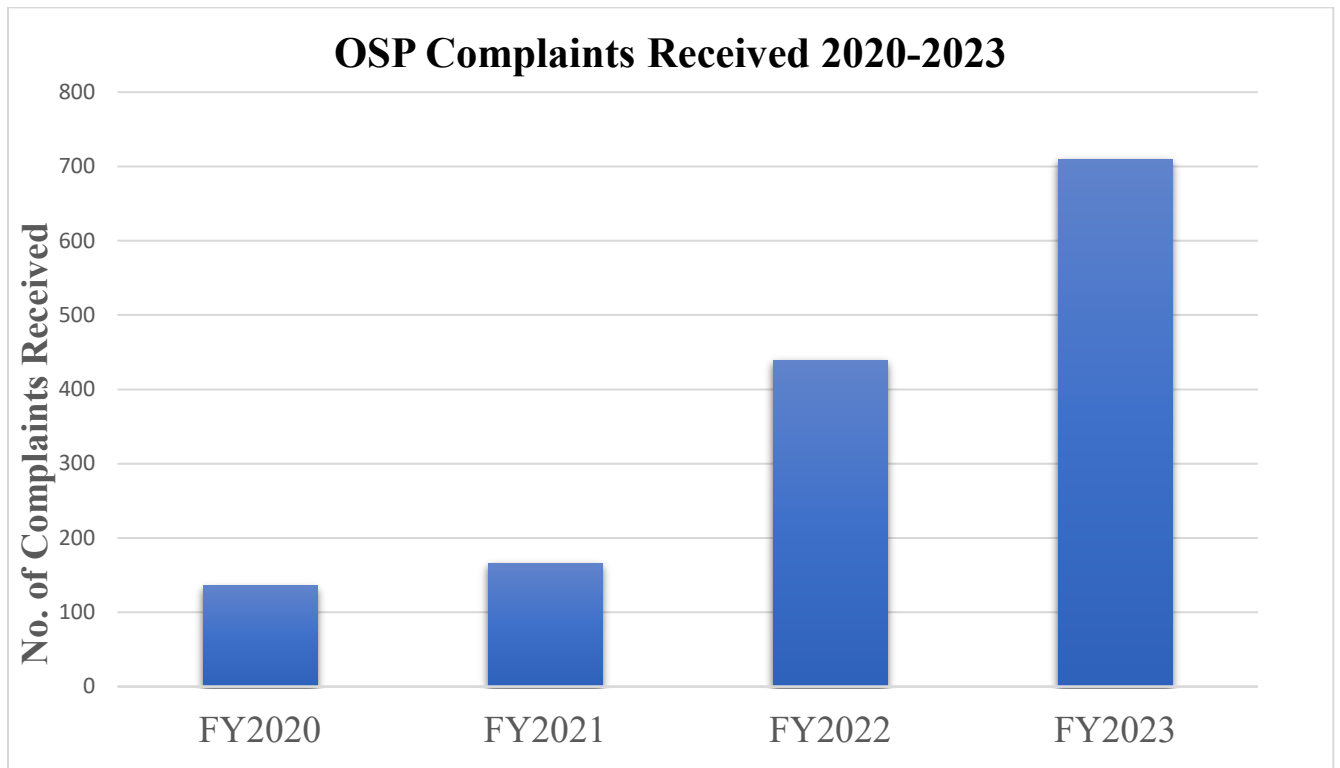
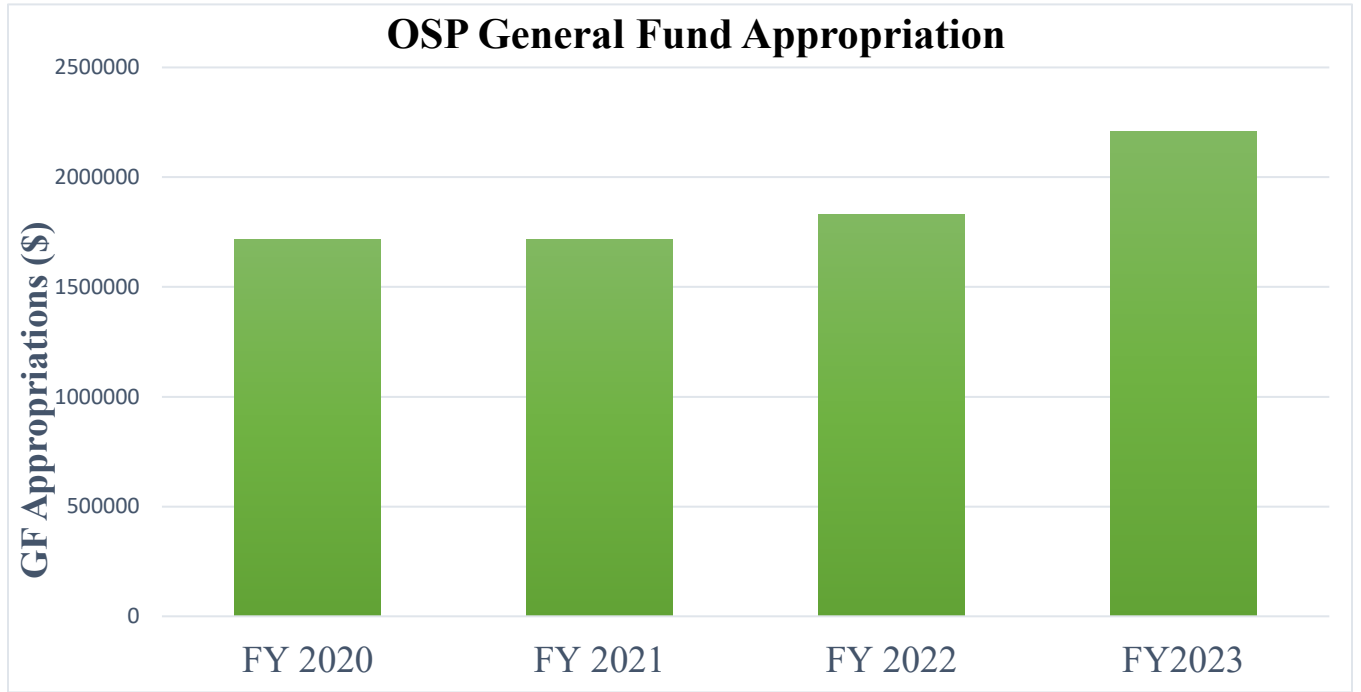
On November 29, 2023, Thomas Kennedy, chairman of the Baltimore City Republican Central Committee, was issued a \$1,000 civil citation for violation of Maryland Election Law 13-207(c)(1) which states "a chairman and a treasurer shall be appointed on a form that the State Board prescribes and that is signed by the chairman and treasurer." Mr. Kennedy was acting as the chairperson of the Baltimore City Republican Central Committee from at least 2021, however the form submitted to the State Board of Elections appointing Kennedy as chairperson was not received until June 16, 2023.

V. Agency Budget

The charts below reflect the OSP budget during the reporting period and immediately preceding periods. The subsequent charts display the rise in complaints received by the Office compared to the budget allocation over the same reporting period, demonstrating that the increase in the Office's budget has not kept pace at the same rate as the rising number of cases. OSP anticipates future requests for additional resources to meet the continuing growth in mission requirements.

OSP Budget				
Fiscal Years	FY 2020	FY 2021	FY 2022	FY 2023
FUNDS				
General	\$1,714,610	\$1,717,166	\$1,829,050	\$2,209,614
Special
Total Funds	\$1,714,610	\$1,717,166	\$1,829,050	\$2,209,614
Reimbursable
STAFF				
Authorized	13	13	13	13
Contractual (FTE)	.	.	1.5	3
Total Staff	13	13	14.5	16

Budget vs. Criminal Complaints



VII. Contacting the State Prosecutor

Mailing Address, Phone Number, and Email Address

Office of the State Prosecutor
Hampton Plaza
300 East Joppa Road, Suite 410
Towson, Maryland 21286
Phone: 410.321.4067
Fax: 410.321.3851
Email: info.osp@maryland.gov

Social Media

OSP shares information through its various social media outlets, to include Twitter (@OSP_MD), LinkedIn (Office of the Maryland State Prosecutor), Facebook (@OSPMD), and Instagram (osp_md).

How to File a Complaint

OSP has jurisdiction to investigate and prosecute violations of state law related to: 1) election law violations; 2) public ethics law violations; 3) bribery law violations involving public officials or employees; 4) misconduct in office by public officials or employees; and 5) extortion, perjury, or obstruction of justice related to any of the above.

Anyone may file a complaint with OSP. The OSP online complaint form on OSP's website (osp.maryland.gov/file-a-complaint/) is the most efficient way to file a complaint. Information about the complainant can be provided, or complaints can be filed anonymously.

The information provided by complainants is handled according to OSP's internal policies and guidelines, and appropriate action is taken. It is OSP's general policy not to comment on the status or existence of any investigation unless and until it is charged criminally.

VIII. Appendices

a. Executive Biographies

Charlton T. Howard III, Maryland State Prosecutor

Mr. Howard was appointed as the Maryland State Prosecutor by Governor Larry Hogan on November 7, 2019.

A Maryland native, Mr. Howard was born in Baltimore and raised in Dundalk. He graduated with merit from the U.S. Naval Academy in 1980 and served for five years as an intelligence officer in the U.S. Marine Corps. After leaving active duty, Mr. Howard attended the University of Maryland School of Law, where he was Editor in Chief of the Maryland Law Review, graduating with honor in 1988. He subsequently clerked for the Honorable Francis D. Murnaghan, Jr., U.S. Court of Appeals for the Fourth Circuit. In 1989, Mr. Howard was appointed as an Assistant State's Attorney (ASA) in Baltimore, prosecuting misdemeanor and felony crimes.

Continuing to serve as a reserve officer, Mr. Howard transferred from the Marine Corps to the Navy Reserve. In 1991, he was recalled to active duty for the Persian Gulf War and assigned as a counterintelligence agent with the Naval Criminal Investigative Service (NCIS). At the conclusion of the war, he accepted a civilian position as an NCIS Special Agent, conducting and managing criminal, counterintelligence, and terrorism investigations for the next 22 years in various locations throughout the world, including the Americas, Asia, Europe, and the Middle East. His assignments included case agent for award-winning narcotics operations and homicide investigations in Southeast Asia; lead counterintelligence agent for the International Force East Timor; lead supervisor for the USS Cole Task Force; Assistant Special Agent in Charge, Central and South America; Chief, Overseas Counter-Terrorism Division; Chief of the Department of the Navy Multiple Threat Alert Center (MTAC); Special Agent in Charge, Washington Field Office; and Assistant Director, Intelligence and Information Sharing. In 2006, he served as the Director of the Multi-National Force Iraq Strategic Counterintelligence Directorate, leading joint counterespionage and counter-terrorism efforts in Iraq during the height of the insurgency. In 2010, Mr. Howard was named NCIS Executive Assistant Director, and concurrently head of all Navy Human Intelligence Operations. He ultimately retired from NCIS in 2013.

Mr. Howard then returned to the Baltimore City State's Attorney's Office as an ASA in the Major Investigations Unit, prosecuting criminal gang members and

violent repeat offenders. In 2015, he joined the Maryland Attorney General's Office, serving as a Supervisory Assistant Attorney General overseeing the statewide child support enforcement program, until appointed to his current position.

Mr. Howard was named the NCIS Special Agent of the Year in 2000. His other awards include the Navy Superior Civilian Service Award, two Navy Meritorious Civilian Service Awards, the NCIS National Security Career Achievement Award, the Department of Defense Counterintelligence Award, the International Narcotics Enforcement Officers Association International Award of Honor, the Defense Meritorious Service Medal, the Joint Civilian Service Commendation Award, and numerous other law enforcement, intelligence community, and military commendations and service awards. Mr. Howard retired from the Naval Reserve in 2007 as a Navy Captain.

Sarah R. David, Deputy State Prosecutor

Ms. David joined the Maryland Office of the State Prosecutor in 2018 as a Senior Assistant State Prosecutor. She was promoted to Deputy State Prosecutor in January 2020. Ms. David oversees the Office's strategic partnerships, legislative agenda, and budget, as well as a caseload of corruption and police misconduct cases.

Ms. David graduated *Phi Beta Kappa* from Johns Hopkins University in 2003 where she studied Political Science and Arabic. A 2006 Truman Scholar and a 2008 George J. Mitchell Scholar, Ms. David obtained a Master's Degree in Comparative Ethnic Conflict from Queens University in Belfast, Northern Ireland. Ms. David studied Arabic language in both Egypt and Morocco before working as an Intelligence Research Specialist in the New York City Police Department's (NYPD) Counterterrorism Division. During her time at the NYPD, Ms. David served as primary briefer to the Deputy Commissioner for Counterterrorism, a regional specialist in the Levant and Iraq, and was tasked to the Joint Terrorism Task Force for special case assignments.

Ms. David attended the Francis King Carey University of Maryland School of Law as a Leadership Scholar and graduated *cum laude* in 2013. After graduating from law school, Ms. David clerked for the Maryland Court of Special Appeals before serving as an Assistant State's Attorney in the Baltimore City State's Attorney's Office where in addition to her general caseload she was specially assigned to high-profile, complex prosecutions. Ms. David left the State's Attorney's Office to serve as Chief of Staff to the Chairman of the Judicial

Proceedings Committee in the Maryland State Senate, where she worked on legislation related to criminal, civil, family, and many other areas of law.

Ms. David has been recognized in the community for her work in non-profits and professional organizations by the Maryland Bar Foundation as a Maryland Bar Fellow, as a graduate of the Maryland State Bar Association Leadership Academy, by the Associated Jewish Charities as a Fred Walpert Community Award Recipient, and by the Maryland Daily Record's Leading Women.

Letam Duson, Senior Assistant State Prosecutor, Political Corruption

Ms. Duson joined the Maryland Office of the State Prosecutor in May 2021, and is responsible for the investigation and litigation of political corruption and public official misconduct matters throughout the state.

A 2013 graduate of the University of Maryland Francis King Carey School of Law, Ms. Duson also graduated from the University of Maryland College Park in 2010 with a dual major in Government & Politics and Psychology.

During law school, Ms. Duson served as a Rule 16 Student Attorney for the Appellate and Post-Conviction Advocacy Clinic, where she prepared an appellate brief, reply brief, and delivered an oral argument on behalf of her client before the Maryland Court of Special Appeals. Ms. Duson also served as an Articles Editor on the *University of Maryland Law Journal of Race, Religion, Gender and Class* and was a member of the law school's National Trial Team. Ms. Duson was an intern to the Honorable Lynn Stewart Mays in the Circuit Court for Baltimore City, as well as an intern in the Howard County State's Attorney's Office. Ms. Duson was also a Rose Zetzer Fellow in the *Women, Leadership & Equality Program*, and was a recipient of the 2013 Litigation and Advocacy Award for her contributions to the school's achievements in intra and inter-school trial and appellate competitions.

Immediately after graduating from law school, Ms. Duson clerked for the Honorable Broughton M. Earnest in the Circuit Court for Talbot County. Prior to joining the Maryland Office of the State Prosecutor, Ms. Duson was an Associate Attorney at Rollins, Smalkin, Richards & Mackie, LLC where she litigated complex auto tort, premises, and products liability cases. Prior to that, Ms. Duson was an Associate Attorney with a civil defense litigation firm in Baltimore City where she handled auto tort and complex premises liability cases involving toxic exposures. Ms. Duson also served as an Assistant State's Attorney in Baltimore City for four years, handling a variety of cases, ultimately concluding her tenure in the Violent Felony Division.

Ms. Duson is a member of several bar associations and organizations, including: the Maryland State Bar Association, the Alliance of Black Women Attorneys of Maryland, Inc., the Monumental City Bar Association, the Bar Association of Baltimore City, and the Lawyers Campaign Against Hunger. Ms. Duson is a recipient of the Daily Record Leadership in Law – Generation J.D. Award, a Maryland Bar Fellow, and a member of the Board of Directors for Civil Justice, Inc.

Abigail Ticse, Senior Assistant State Prosecutor, Police Misconduct

Ms. Ticse joined the Office of the State Prosecutor in 2022 and was promoted to the position of Senior Assistant State Prosecutor – Police Misconduct in February 2023. She is responsible for leading the office’s efforts targeting law enforcement misconduct and corruption throughout the state.

Ms. Ticse graduated *magna cum laude* and Order of the Coif from the University of Maryland School of Law, where she served as an Associate Editor of the Maryland Law Review. During law school, Ms. Ticse interned for the Organized Crime Unit of the Maryland Attorney General’s Office, and the Honorable Marcus Z. Shar of the Circuit Court of Baltimore City. She also participated in the Consumer Protection Clinic representing underserved members of the community.

After law school, Ms. Ticse clerked for the Honorable Michael A. DiPietro of the Circuit Court for Baltimore City. She then worked as an Associate at Silverman Thompson, practicing civil litigation and criminal defense. Prior to joining the Office of the State Prosecutor, Ms. Ticse was an Assistant United States Attorney for the District of Maryland in the Major Crimes Unit, where she investigated and prosecuted federal crimes throughout the State.

Ms. Ticse has been recognized by *Maryland Super Lawyer* as a “Rising Star” and by *Best Lawyers* as “One to Watch.”

Mary Setzer, Senior Assistant State Prosecutor, Official Misconduct & Special Victims

Ms. Setzer joined the Maryland Office of the State Prosecutor in 2023, and is responsible for the investigation and litigation of political corruption and public official misconduct matters throughout the state, specializing in those cases involving special victims matters.

Ms. Setzer graduated *magna cum laude* from the University of Baltimore School of Law in 2012, where she served as the Comments Editor for the *University of Baltimore Law Review* and was a member of the Heusler Honor Society.

Immediately after graduating from law school, Ms. Setzer clerked for the Honorable Paul A. Hackner in the Circuit Court for Anne Arundel County. She then served as an Assistant State's Attorney in the Anne Arundel County State's Attorney's Office, handling a variety of high-profile cases including sexual assaults and homicides, and serving as the Chief of the Domestic Violence Division of the Special Victims Unit.

Prior to joining the Office of the State Prosecutor, Ms. Setzer served as an Assistant United States Attorney for the District of Maryland for four years, where she led the office's investigative efforts in human trafficking cases, investigating and litigating highly complicated and high-profile human trafficking cases throughout the State. Ms. Setzer also served as the Violence Against Women Act (VAWA) Coordinator for the United States Attorney's Office and prosecuted numerous federal child exploitation and sex crimes cases.

Ms. Setzer was selected as the 2022 recipient of the "Top Prosecutor" Award by *Women in Federal Law Enforcement* (WIFLE), a national award presented to a federal prosecutor who has demonstrated exemplary achievements in the prosecution of crimes involving trafficking of women and children. She was also selected as the 2022 recipient of the "Investigation of the Year" Award by Homeland Security Investigations, for her multi-year investigation of a human trafficker who victimized dozens of women and children throughout Maryland.

Ms. Setzer has presented as a guest lecturer on numerous occasions on topics relating to Violence Against Women, including presentations to large audiences comprised of health care professionals, law enforcement officials, attorneys, and victim service professionals.

Joan "Cassie" Mathias, Senior Assistant State Prosecutor, Election Integrity

Ms. Mathias joined the Maryland Office of the State Prosecutor in 2023. She is responsible for the investigation and litigation of political corruption and public official misconduct matters throughout the state, specializing in those cases involving election integrity.

Prior to this position, Ms. Mathias spent six years as an Assistant United States Attorney for the District of Maryland, where she investigated and prosecuted cases

involving violent and organized crime and money laundering. She also led the Bank Secrecy Act Task Force. Ms. Mathias was awarded the Deborah A. Johnston Profile in Courage Award, which is presented to one or more Assistant U.S. Attorneys who demonstrate extraordinary courage and commitment to duty while representing the United States of America.

In addition, Ms. Mathias served as an Assistant Attorney General in the Organized Crime Unit of the Office of the Attorney General of Maryland. Ms. Mathias also spent time in Washington D.C. serving as an associate in King & Spalding's Government Investigations and Special Matters unit.

Ms. Mathias graduated *summa cum laude* from the University of Pennsylvania and received her J.D. from Harvard Law School.

Timothy Frye, Director of Investigations

Mr. Frye has been with OSP since 2013 and is a career criminal investigator with 35 years of state-wide law enforcement experience.

Amongst other duties, Mr. Frye is responsible for directing a staff of OSP special agents conducting criminal investigations of suspected public corruption, misconduct by public officials, violations of the election laws, and other crimes, as well as overseeing the review and processing of all complaints and referrals to the Office and providing investigative support to ongoing OSP prosecutions. He also serves as the OSP liaison to the Maryland law enforcement community and leads the Office's information sharing and data collection efforts.

Prior to joining OSP, Mr. Frye served with the Maryland State Police for 27 years, including 20 years in the Criminal Investigation Division, where he had multiple roles as an investigator, supervisor, and commander. Mr. Frye's assignments included 13 years supporting the Maryland Attorney General's Criminal Investigation Division, eight years with the State's gun violence reduction/firearms efforts, and three years in the Homicide Unit.

Mr. Frye is a native Marylander and a graduate of the University of Maryland.

Ruth Sweeney, Director of Administration

Ms. Sweeney joined the Office of the State Prosecutor in 2019 and currently serves as the Director of Administration where she is responsible for managing the daily administrative operations for the office.

Ms. Sweeney graduated from Roanoke College with a Bachelor of Arts in Political Science. She retired as a paralegal from the Baltimore County State's Attorney's Office (SAO) in 2018. During her tenure at the SAO, she received a Governor's Citation and a Baltimore County Police Department Chief's Award for her work as the SAO paralegal working with the Baltimore City/Baltimore County Police Departments' Regional Auto Theft Taskforce.

Ms. Sweeney received a second Chief's Award from the Baltimore County Police Department for her work in implementing the SAO Body Worn Camera Unit.

Ms. Sweeney is honored to have served the citizens of Maryland at both the Baltimore County State's Attorney's Office and the Office of the State Prosecutor for over thirty years.

b. Maryland State Prosecutors



Gerald Glass 1977-1984

Stephen Montanarelli 1984-2004

Robert Rohrbaugh 2004-2010

Emmet C. Davitt 2010-2019

Charlton T. Howard III 2019-Present