



Committee: Directly to Council
Staff: Chris Cihlar, Director, OLO
Purpose: Final action – vote expected
Keywords: Office of Legislative Oversight, OLO, work program, FY22

AGENDA ITEM #2G
December 7, 2021
Action

SUBJECT

Resolution to approve the Office of Legislative Oversight's FY22 Workplan Program Supplement

EXPECTED ATTENDEES

None

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

N/A

DESCRIPTION/ISSUE

Each year, the Office of Legislative Oversight (OLO) includes space on its annual work program for additional projects requested by the Council. This resolution adds one additional project to OLO's FY22 work program.

SUMMARY OF KEY DISCUSSION POINTS

- The Council has asked the Office of Legislative Oversight to add one additional project to its FY22 work program.
- Project 28 will examine "Prosecutorial Decisions in the State's Attorney's Office."

This report contains:

Draft Resolution

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Resolution No.: _____
Introduced: November 30, 2021
Adopted: _____

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

Lead Sponsor: County Council

SUBJECT: Amendment to the FY22 Work Program of the Office of Legislative Oversight

Background

1. On July 27, 2021, the Council adopted the FY22 Work Program of the Office of Legislative Oversight. This workplan assigned OLO twenty-seven projects to be undertaken during the current fiscal year.
2. In order to effectively meet the needs of the County Council, OLO is pursuing several strategies that will allow it to be more flexible in the way it addresses Council priorities. To that end, Project #27 in OLO's work plan was entitled, "Assignments as Needed" intended to provide space for the County Council to add needed projects.
3. Since the approval of the FY22 Work Program of the Office of Legislative Oversight, Councilmembers have identified the project described below as an appropriate OLO assignment.

Action

The County Council for Montgomery County, Maryland, approves the addition of Project #28 to OLO's FY22 Work Program. This project will not require or result in any delays to those projects currently assigned in the FY22 OLO work plan.

This is a correct copy of Council action.

Selena Mendy Singleton, Esq.
Clerk of the Council

OLO Work Plan Supplement

Project #28

Prosecutorial Decisions in The State’s Attorney’s Office

Principal Agency: State’s Attorney’s Office

In Maryland, all Counties and the City of Baltimore have a State’s Attorney whose primary responsibility is the investigation and prosecution of all criminal defendants. In Montgomery County approximately 70 attorneys and a staff of legal assistants are tasked with, according to the Office’s Mission Statement, the following responsibilities:

- prosecute criminal violations in Montgomery County;
- educate the public on criminal-justice issues;
- train lawyers for future service;
- address inequality and promote fairness in the criminal justice system;
- insure access to the criminal justice system;
- promote professional relations with judges and attorneys; and
- further the efficient use of criminal-justice resources

One of the top priorities of the current members of the Montgomery County Council is the promotion of racial equity and social justice. To that end Councilmembers are interested in better understanding how the State’s Attorney’s Office of Montgomery County are implementing policies and procedures that further this goal. Councilmembers particularly want to understand if there are significant differences by race or ethnicity that occur in prosecutorial decisions related to cases referred to the Office.

This OLO study will, by race and ethnicity, examine variables associated with cases referred to The State’s Attorney’s Office. OLO will investigate whether differences exist in the cases that were accepted, refused or diverted and then study how these variables interact depending upon the types of charges (i.e. domestic abuse, DUI, drug possession etc.). OLO’s project will potentially include a review of data for cases assigned to the County’s special courts that include Teen Court, Drug Court and others. Finally, OLO will examine the outcome of cases filed in terms of length of pretrial detention, bail imposed, length of sentences and decisions on probation.

OLO will work with the State’s Attorney to determine the methodological approach to be used to answer these questions once the study commences.