

by experience and interest in historical preservation. The Trust retains an architect as a consultant (Code State Government Article, secs. 9-501 through 9-506).

## **OFFICE OF STATE PROSECUTOR**

*State Prosecutor:* Stephen Montanarelli, 1989

*Deputy State Prosecutor:* Gerald C. Ruter

*Assistant State Prosecutors:* Bernard A. Penner; Thomas M. McDonough.

One Investment Place, Suite 103  
Towson 21204-4120 Telephone: 321-4067

The Office of the State Prosecutor was established by Constitutional amendment (Chapter 612, Acts of 1976), ratified by the voters in November 1976. The Office began operation on January 1, 1977. The Office is an independent unit within the Office of the Attorney General.

The State Prosecutor may investigate on his own initiative, or at the request of the Governor, the Attorney General, the General Assembly, the State Ethics Commission, or a State's Attorney, the following criminal offenses: 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 also may investigate criminal activity conducted partly in Maryland and partly in another jurisdiction, or in more than one political subdivision of the State.

If the State Prosecutor finds that an alleged violation of the criminal law set forth above has occurred, he shall make a confidential report of his findings, with recommendations for prosecution, to the Attorney General and the State's Attorney having jurisdiction to prosecute the matter. The State Prosecutor need not make such a report 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 in accordance with the State Prosecutor's recommendations within 45 days of receipt of such recommendations, the State Prosecutor may prosecute such offenses. The

State Prosecutor may immediately prosecute offenses set forth in his report and recommendations, if they are alleged to have been committed by a State's Attorney.

If the State Prosecutor finds that no violation of the criminal law has occurred, or he does not recommend prosecution, he shall report his findings to the person requesting the investigation. The report shall be made available to the public if the subject of the investigation so requests.

In investigating and prosecuting cases in which he is authorized to act, 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 years (Code 1957, Art. 10, secs. 33A-33C).

## **STATE PROSECUTOR SELECTION AND DISABILITIES COMMISSION**

*Chairperson:* Eugene M. Feinblatt, 1988

Barbara Sue Liebman, 1987; Russell T. Baker, Jr., 1988; Charles Cahn II, 1989; Barry A. Gold, 1989; Thomas E. Hickman, 1991.

*Ex officio:* J. Joseph Curran, Jr., *Attorney General*

233 E. Redwood St.  
Baltimore 21202 Telephone: 576-4211

The State Prosecutor Selection and Disabilities Commission was created in May 1977 pursuant to Chapter 612, Acts of 1976.

Upon notification by the Governor that a vacancy exists or is about to occur in the office of the State Prosecutor, the Commission seeks and reviews applications of proposed nominees for the position. The Commission interviews and evaluates eligible applicants and nominates to the Governor the name of the person or persons it finds to be legally and professionally qualified. The Commission reports to the Governor in writing within seventy days after notification that a vacancy exists or is about to occur. The Governor exercises his power of appointment or rejection within thirty days of receipt of the Commission's report.

The Commission may reprimand or recommend to the Governor the removal from office of the State Prosecutor if, after a hearing, it finds that he is guilty of misconduct in office or fails to perform