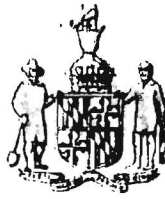


EMMET C. DAVITT
STATE PROSECUTOR



OFFICE OF
THE STATE PROSECUTOR

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October 22, 2012

Jane A. Milne, Secretary
Montgomery County Lodge 35, Inc.
Fraternal Order of Police
18512 Office Park Drive
Montgomery Village, Maryland 20886

Re: Your Complaint Dated October 17, 2012
Our File 13-2906

Dear Ms. Milne,

I have received and reviewed your complaint, which was received by this Office on October 18, 2012. In your letter, you request that we determine whether the activity is illegal and whether any individuals should be "held legally accountable." Whether the matters you complain of constitute criminal violations warranting prosecution of specifically identifiable individuals cannot be determined based merely on the allegations of your complaint.

As I am sure you are aware, the jurisdiction of the Office of the State Prosecutor is limited to the criminal investigation and prosecution, when warranted, of certain types of criminal violations. We will, in due course, conduct a full and fair inquiry into whether there are criminal violations, within our jurisdiction, that warrant prosecution.


Your letter asks that we take immediate action. We can, and will, inform the **County Executive and County Council** that we have received a complaint that this **activity may constitute criminal violations** of the election laws and §13-305 of Article 24, **and may also involve criminal misconduct in office on the part of public officials involved in conducting or directing these activities.**

While this action may have the effect of causing those involved to cease these activities, we have no authority or jurisdiction to provide declaratory opinions, to order public officials to take or refrain from taking specified actions, or to seek civil remedies

*The Leggett administrations actions.
May constitute Criminal Violations
and misconduct in office.*

(such as injunctive relief or the like) for alleged violations. We have, therefore, referred your complaint to the Office of the Attorney General for consideration of whether any such other actions may be warranted.

Very truly yours,



Emmet C. Davitt
State Prosecutor