



OFFICE OF INSPECTOR GENERAL

November 6, 2012

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

Dear Ms. Milne:

This letter responds to your September 20, 2012 "Request for Investigation into the County Executive's Use of Government Resources for Political Activities" and our subsequent meeting on October 4, 2012 with your designated representatives.

My office conducted an inquiry to address two allegations made in your letter. First, your allegation that the Montgomery County Government's use of resources to support the Council's position by endorsing Question B (supporting Bill 18-11) is in violation of law. Second, that information disseminated by the County in support of Question B is false and misleading.

Your first issue has been addressed by the Maryland State Prosecutor in his letter dated October 26, 2012. In that letter, on which you were copied, the State Prosecutor refers to a written opinion from the County Attorney stating that County Government may legally engage in efforts to persuade voters to support Bill 18-11. The State Prosecutor did not entirely agree with the conclusions of the County Attorney and asked the Maryland Attorney General to render an opinion regarding this issue. However, he stated that the County Attorney's legal opinion was not unreasonable and was relied upon in good faith by the County and its personnel.

Regarding your second issue, nothing in the Maryland Election Law Article addresses truthfulness of electioneering arguments. Your representatives identified as false, certain statements disseminated by the County. However, we found each statement to be consistent with a reasonable interpretation of information provided to the County Council and available to the public during deliberations on Bill 18-11.

Sincerely,

Edward L. Blansitt, III

Cc: Mark P. Hansen, County Attorney
Emmett C. Davitt, State Prosecutor