

BOARD OF PUBLIC WORKS
SECRETARY'S
ACTION AGENDA
July 2, 2025



REVISED

4. **BOARD OF PUBLIC WORKS** (cont'd)
Office of Administrative Hearings
Compensation to Erroneously Confined Individual James Langhorne

Remarks: Conviction & Release. On February 3, 1998 Mr. Langhorne was convicted in Baltimore City Circuit Court of murder. His conviction was vacated, and he was released from confinement on February 10, 2025.

Actual Innocence. On February 10, 2025, Mr. Langhorne's conviction was vacated in the Baltimore City Circuit Court pursuant to granting a *Motion to Vacate Judgment* filed by the Baltimore City State's Attorney's Office, and that office subsequently entered a *Nolle Prosequi* in the matter. Before the Office of Administrative Hearings, Mr. Langhorne and the State jointly stipulated to his actual innocence.

Compensation. In its decision, the Administrative Law Judge found that: (1) Mr. Langhorne was confined for 9,870 days, (2) the current annual income figure to use is \$ 101,652.00, and (3) under the statutory formula he is entitled to \$ 2,748,795.00 in compensation.

Recommended Expedited Payment Schedule. Under SFP § 10-501(e), the Board has discretion to set the schedule of payments, within certain boundaries; however, under §10-501(d)(1)(iv) an Administrative Law Judge may recommend expedited payment if they find it is in the best interests of the individual. In exercising its discretion to set payment schedules, the Board obtains a recommendation from the Department of Budget and Management (DBM) in light of the Department's insight into what funds are available in current and future fiscal years.

In this matter, the Administrative Law Judge stated, "Although the parties agreed the benefits should be paid on an expedited basis, the parties did not offer or stipulate to any particular payment schedule, and I understood the Claimant's request to be that the Claimant's full amount of compensation should be immediately payable." The Administrative Law Judge recommended payment accordingly after determining that an expedited payment was in the interests of Mr. Langhorne. The Department of Budget & Management has reviewed the Administrative Law Judge's order, and has recommended the expedited 3-year schedule proposed above on this item as both consistent with other expedited payments to exonerees, and reserving budgeted funds to meet the anticipated requirements to pay additional exonerees over the coming fiscal year.

Attorney's Fees. Pursuant to SFP § 10-501(d)(1), the Administrative Law Judge ordered the State to pay to Flowers Keller LLP \$ 4,692.50 as reasonable attorney's fees and expenses associated with this petition.

BOARD OF PUBLIC WORKS

THIS ITEM WAS:

APPROVED

DISAPPROVED

DEFERRED

WITHDRAWN

WITH DISCUSSION

WITHOUT DISCUSSION