



Philip Rank Jr.

Former Governor Marvin Mandel once again is a familiar site early in the morning at the "Governor's Booth" at the famous Chick and Ruth's Delly. Returning to Annapolis, Mandel is practicing law and, some say, whispering into the ears of more than a few legislators.

# Marvin Mandel Returns to Annapolis

## *Cleared of a Questionable Past, Mandel Begins Again*

By Page Boimest

Perhaps that which stands out most about Marvin Mandel is that in spite of all the convictions, the prison time, the disgrace and his triumphant recovery of all that he'd lost, save his office — history will probably end up being kinder to him than the myriad of deposed politicians who have gone before him in Maryland.

Thirteen years after being ushered unceremoniously out of the governor's office because of his convictions in an alleged kick-back scheme, Mandel, now cleared of the criminal counts that sent to federal prison for 19 months, has returned to Annapolis.

He's not as imposing as he once was, but he still enjoys a certain celebrity status — he still finds friends in high places. He is a study in contrasts; invoking a hint of fear, a suggestion of perceived influence, a chumminess in the vestiges of a good 'ole boy network. And he still enrages those who view him as the consummate deal maker who slipped off the prosecutorial hook.

### Coming full circle

At 70, Mandel has come nearly full circle. Returning to Annapolis wearing the hats of a lawyer, lobbyist and an elder statesman, he is once again hovering on the fringe of the political process. He is a presence, a remin-

der of another political era, and while he is no longer considered a primary player in the democratic drama played out in the State House, Mandel has settled into a comfortable niche in Maryland's political process.

Since Mandel's fall from grace, new leaders mindful of their images and constituencies have emerged in the Maryland Senate

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and House of Delegates. Mandel's past — the seamy divorce scandal and revelations at his trials that offered a rare public glimpse of his otherwise intensely private life — will dog him forever. But the publicity didn't force him into seclusion as it has any of the dozens of other politicians — members of the House, Senate and Congress — who also have been dismissed for their indiscretions.

Nearly two dozen interviews with legisla-

tors, lawyers, lobbyists, administration officials and State House observers paint a perhaps conflicting picture of a man who still has some close friends in the State House — among them key House and Senate leaders, as well as the governor — but who makes others skittish.

He is sought out by some and is avoided by others, though few — except the frustrated prosecutors who were unable to make his convictions stick — will speak out against him.

Friends say he's satisfied with his life now that 14 years of legal wrangling are behind him. He says he's never been happier.

Mandel, who ended his collision with the law nearly a year ago when the Supreme Court put to rest the 1977 mail fraud and racketeering convictions against him and five co-defendants, says he has taken on some legal cases and this past session he signed on for his first formal job lobbying the legislature.

### An ever present hand

Though he could run again for elected office, Mandel suggests himself that such a full-time commitment might be an intrusion. "I would have to get my wife's permission," See Mandel, page B15

Page Boimest is Baltimore bureau chief of United Press International.

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he said, referring to his second wife, Jeanne Dorsey. "We have a great family life, we're doing things we couldn't do before. Jeanne and I are as happy as we can be. To get back into it, well . . ."

Not given to disclosing details about himself, Mandel clearly values his personal life but makes no attempt to disguise the fact that the State House still provides a rush for him.

"I enjoyed every minute of it," he says of his time in office, his 16 years in the House of Delegates, including a stint as House speaker, and his stretch as governor. "I go over and talk to people — most of them are friends of mine. I keep a hand in it."

Some legislators describe Mandel as a source of knowledge who provides some valuable perspective from his days as chief executive; his "hand" is still visible from time to time.

Senate President Thomas Mike Miller said it was Mandel who this year suggested to Gov. William Donald Schaefer that the state needed to spend more money on higher education. The suggestion, Miller said, prompted the governor to press for bigger budgets for higher education in his proposed 1991 spending plan.

"Marvin Mandel is viewed as an elder statesman who still has many friends in Annapolis," Miller said. "He is still well-liked by many people, and is still thought of as one of Maryland's best governors."

Though Mandel served nearly a decade as governor, his now-overturned convictions prevented him from completing a full second term.

## Tracing the return

The return of Marvin Mandel, to the practice of law and to the halls of the State House where he once reigned, says much about the man and the system that rejected him, and later took him back.

It was a long trip upward for the son of a Baltimore cloth cutter to the state's highest office, but an even farther fall from his post as chief executive officer after being convicted — and 10 years later cleared — in an alleged scheme involving legislation authorizing racing days for a track secretly owned by friends.

Mandel was indicted after accepting cash and gifts from associates, in part to finance his divorce from his first wife, Barbara Mandel, but has denied ever influencing the legislation.

Supporters of Mandel argue that he has paid his dues. They say the convictions were tough. And his case often resulted in split courts — a tie vote, for instance in the 4th U.S. Circuit Court of Appeals, that reinstated his convictions in 1979 after a three-judge panel in the same appellate court had dismissed the counts.

They say he served more time for charges tied to his office than most other politicians. And when a U.S. District judge dismissed Mandel's convictions in 1987 for what would be the final time, they said that no court decision could buy back a decade of bad press.

"I like Marvin Mandel and I always have," said Sen. Laurence Levitan, a Montgomery County senator who heads the powerful Budget and Taxation Committee and who has been in the legislature since 1971.

"He had a style that if William Donald Schaefer could copy, it would probably make Schaefer one of the greatest governors we ever had," Levitan said.

"I think he's got a lot of knowledge of state government," he added, then reflected, "there are those, however, who are sort of nervous around him."

"Nervous" doesn't properly describe what his detractors feel about him. They say Mandel abused his office and had the convictions tossed out on what amounted to little more than a technicality. U.S. District Judge Frederic Smalkin said at the time, a Supreme Court precedent offered him little choice but to vacate the convictions, since

the jury had received improper instructions under a recent high court ruling.

Smalkin's decision, however, would leave these words on the court record — words that would nag at prosecutors — stating that evidence depicting race track ownership and Mandel's financial arrangements "certainly showed that something fishy, and perhaps dishonest, involving Maryland's governor and some of those personally and politically closest to him was going on."

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After the dismissal, Mandel's final quest was his law license. The Maryland Court of Appeals, acting just one week after the Supreme Court refused to disturb Smalkin's 1987 ruling which dismissed the convictions, restored his license last June.

His lawyer, Baltimore attorney Arnold Wiener, declared the restoration "the final curtain" that provided "the Mandel drama with a happy ending."

The Court of Appeals decision raised a few eyebrows among members of the Maryland state bar, who wondered if Mandel plans to take on a more active practice.

"There was some noise when he got his license back. Some people were surprised," said an official familiar with the process. "There was a flurry of calls at the time."

His lobbying work will continue to raise some interest. He signed on with top-earning Annapolis lobbyist Bruce Bereano to work on behalf of a Connecticut company interested in a lucrative computer contract for the Maryland lottery. Mandel says he could take on more work in the future if the right opportunity would arise. "I can't say I won't get into more of it," he said.

Bruce Bereano, who went so far in his friendship with the former governor to help secure President Ronald Reagan's decision to commute Mandel's sentence in 1981, said he has gone out of his way to make sure younger legislators get to know Mandel.

Bereano, who often uses sporting events to dole out favors to lawmakers and others, said he sometimes brings Mandel along to watch a game with a younger legislator who might not otherwise meet him.

Describing Mandel as an "expert at human nature" who was knowledgeable about fiscal matters, Bereano echoed what others confirmed — that Mandel's popularity with legislators somehow transcends his legal troubles. "You'd be amazed at the range of elected officials at the local level, county level and state level that seek him out," Bereano said.

Among those who have sought him out in the past are Schaefer, who has remained a loyal supporter of Mandel, even offering him a job in the city budget office when Schaefer was mayor. Mandel turned down the job then, saying he did not want publicity about his case to hurt Schaefer's mayoral administration.

Today Mandel says he wouldn't rule out an appointed job if one is offered. And Schaefer, who is expected to win a second term in the fall elections and who controls a range of appointed positions, could again be the one making the offer. Administration insiders suggest that given the prospect of a second term — and Schaefer's outward oblivious manner to wading into controversy, especially when it comes to old friends — anything could happen.