

Mandels said to approach judge on drug dealer's behalf

By Robert A. Erlandson

Former Gov. Marvin Mandel and his son, Gary, attempted to induce a Baltimore County judge to give a convicted drug dealer favorable treatment, according to the younger Mandel's former law partner.

The allegations appeared in a petition filed in the county Circuit Court requesting a resentencing for Joseph Francis Ciriago, 38, of Hollywood, Fla., who was once a client of

Gary Mandel. Ciriago, alias Rickie N. McNair, is serving an 11-year sentence imposed by Judge J. William Hinkel on April 26, 1983, for illegal possession of four pounds of cocaine and two handguns.

According to the petition, filed by Jeffrey Lee Greenspan, who with Mr. Mandel represented Ciriago at sentencing, the former governor met with Judge Hinkel and attempted to get him to set bond for Ciriago pending an appeal. Judge Hinkel rejected

the overture, the petition said.

The petition requests that Ciriago's sentence be set aside or "corrected" — because the alleged approach biased the judge's decisions. Mr. Greenspan called the alleged scheme a "bizarre and shocking" chain of events.

The alleged episode was referred to in a sentencing memorandum filed by the federal government in a case involving the younger Mandel, who had been convicted on charges

of using forged prescriptions to obtain the drug Dilaudid.

U.S. District Judge Joseph C. Howard sentenced Mr. Mandel yesterday to three years in prison with all but four months suspended. The four months are to be served in a

See **MANDEL**, 15A, Col. 1

Gary Mandel gets four-month sentence

Former partner says Mandels approached judge on behalf of drug dealer

MANDEL, from 1A

halfway house in Baltimore.

The sentencing memorandum stated that the younger Mandel participated "in a corrupt scheme to influence a judge in 1983." The memo said more than a dozen telephone conversations were also recorded, in some of which the younger Mandel allegedly "outlined" the plan.

Also on the tapes, according to the sentencing memorandum, "[Gary] Mandel identified a third party who would coordinate" the plan. Mr. Greenspan's petition identifies the former governor as the alleged third party.

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Also on the tapes, according to the sentencing memorandum, "[Gary] Mandel identified a third party who would coordinate" the plan. Mr. Greenspan's petition identifies the former governor as the alleged "third party."

The judge "rebuffed the attempt and duly reported the incident," the memorandum said.

Dana E. Caro, chief of the Baltimore FBI office, confirmed last night that "in the recent past Mr. Greenspan assisted in an investigation concerning his law partner," but Mr. Caro would not comment further on the probe. He said he had not read Mr. Greenspan's petition and could not speak to its accuracy.

In the post-conviction motion filed in Baltimore County Circuit Court Wednesday, Mr. Greenspan alleges that, in the summer of 1983, Gary Mandel said \$10,000 would be needed to get Ciriago out on bond, with half of the money going to the Mandel-Greenspan law firm and half for "expenses."

"When asked who these expenses would go to, Mr. Gary Mandel stated," according to the motion, "I don't know and I don't want to know." Mr. Greenspan said he and Ciriago had not been aware of Marvin Mandel's alleged contact with Judge Hinkel.

The petition alleges that Gary Mandel said he had "found out" that Judge Hinkel had refused to set an appeal bond for Ciriago despite a prior attempt at intervention by Marvin Mandel, "because there had not been any money made available for 'expenses.'"

The former governor said yesterday, "This is the first I've heard of it. It's ridiculous and I don't know anything about it so I can't comment on it." At the time of the alleged activity, Mr. Mandel said, "If I remember, this was when Gary was a very sick boy. He was addicted but we didn't know it then."

Marvin Mandel also speculated on the "coincidence" that Mr. Greenspan, a Bethesda attorney whose law partnership with Gary Mandel was dissolved in December 1983, should have filed the post-conviction document just when Gary Mandel was due for sentencing.

Mr. Greenspan said he was unaware the sentencing was set for yesterday when he filed the document Wednesday. The petition asserts that the motion for resentencing was delayed at the FBI's request until its investigation of the alleged approach to Judge Hinkel and the drug case against Gary Mandel was completed.

After his sentencing in federal court, Gary Mandel said, "It's been fully investigated by the FBI and found to have no substance at all. It's a couple of years old."

Paul R. Kramer, Gary Mandel's lawyer, said, "The FBI investigated that thoroughly and nothing came of it. The activity complained of was during a time he was heavily using drugs."

In his motion for a new sentence, Mr. Greenspan said that, after the younger Mandel suggested that "expenses" were required to obtain the bond, he arranged a meeting with Anthony R. Gallagher, the assistant state's attorney who prosecuted Ciriago. The next day, Mr. Greenspan wrote, he was contacted by the FBI. After meeting with federal and Baltimore County officials, Mr. Greenspan said, he agreed to wear a recorder to tape his conversations with the Mandels about the matter.

Mr. Gallagher, now an assistant federal public defender, declined to comment yesterday. He said he has not read the document and expects to be called as a witness in the post-

conviction proceedings.

Judge Hinkel was so angered by the alleged Mandel approach that he not only refused bail for Ciriago pending his appeal — later denied by the Court of Special Appeals — but was prejudiced against the man when he imposed sentence, according to the petition's allegations.

Judge Hinkel declined comment, saying he expects to be a witness at the hearing on Ciriago's appeal for a resentencing by another judge.

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MARVIN MANDEL

tion that the details of the recorded conversations may well be produced

during Ciriago's hearing on his resentencing request. Yesterday the

lawyer declined to comment, referring all questions to the court document.

John G. Douglass, an assistant U.S. attorney in the Gary Mandel case, refused to comment on the matter. Mr. Douglass did say, however, that the judge had acted properly.

The petition will go first to Judge Edward A. DeWaters Jr., the Baltimore County administrative judge, and then to Judge Frank E. Cicone, administrative judge for Maryland's

3rd Judicial Circuit, who will probably appoint a hearing judge because Mr. Greenspan asked for one from another circuit.

Former Governor Mandel and five co-defendants were convicted in 1977 of federal corruption charges, and Mr. Mandel served 19 months at a correctional camp at Eglin Air Force Base, in Florida.

Reporters Ann LoLordo, C. Fraser Smith and Karen E. Warmkessel contributed to this article.