

Ethics counsel says panel's case against Curran was strong

Letters were sent to delegate's lawyer

By WILLIAM F. ZORZI JR.
SUN STAFF 3.5.98

In the week before Del. Gerald J. Curran resigned last Friday, the independent counsel to the legislature's ethics committee sent his lawyer three letters indicating the panel's case against the Baltimore Democrat was strong and clear-cut.

Jervis S. Finney, the committee counsel, tersely brushed aside a variety of defenses offered by Nevett Steele Jr., the Towson attorney who represented Curran against six allegations of violating state ethics laws in his business dealings.

Finney, a former federal prosecutor, even went so far as to suggest Curran's failure last year to immediately disclose that he was a broker on an insurance deal with the University of Maryland system could be viewed as a deliberate attempt to conceal the arrangement.

"In short, the longer this inquiry goes, the worse it gets," Finney wrote in a confidential letter dated Feb. 26, the day Curran's resignation was announced. The letter and two others from Finney to Steele were obtained this week by *The Washington Post* and *The Sun*.

The committee's investigation was launched last month after *The Sun* reported that Curran aggressively lobbied state officials to approve the University of Maryland insurance program for which he ultimately served as the broker, an arrangement that could net him tens of thousands of dollars in commissions.

Curran also entered potentially lucrative arrangements with private enterprises with business before the legislature and did not report that to the ethics committee. In one of those deals, he became an officer of a subsidiary of the state's largest credit union while serving as chairman of a General Assembly committee that considered legislation vital to credit unions.

Curran has repeatedly said he did nothing wrong.

Steele said in an interview this week that he did not feel pressured by Finney's letters, but refused further comment, citing his client's orders not to talk to the press about the matter.

But it was clear from interviews with people close to Curran and the investigation that it was Finney's letters that finally persuaded Curran to resign.

In the letters, Finney denied Steele's request to see documents pertaining to the allegations, citing the confidentiality of the committee's proceeding, but he was direct in describing how those documents bolstered the panel's case against Curran.

"I have informed you why we conclude Allegations 1, 2, 3 are simply and clearly established," Finney wrote. "With respect to the other allegations, I am authorized to state that the documents reflect the accuracy of the factual assertions there set forth."

The ethics committee has never made public the six specific violations of the ethics law with which Curran was charged, but it has said all of them stemmed from the *Sun* accounts of his dealings.

Violations of the ethics laws by a legislator are considered civil infractions with punishment rang-

ing to expulsion from the General Assembly. Curran's resignation ended the committee's probe.

In the letters, Finney offered Steele a grim assessment of the defense lawyer's chances of success in having Curran's colleagues and friends testify before the committee about his character and 32-year career in the House of Delegates.

"Permit me to reiterate to you ... that the current notion being circulated in Annapolis to the effect that self-serving testimony and your clients' 2½ decades of legislative service will somehow make these charges drift away would seem an unworthy tactic and a pipe dream," Finney wrote on Feb. 23.