

STATE OF MARYLAND

ROBERT A. ROHRBAUGH
STATE PROSECUTOR



OFFICE OF
THE STATE PROSECUTOR

Hampton Plaza
Suite 410
300 East Joppa Road
Towson, MD 21286-3152

Telephone (410) 321-4067
1 (800) 695-4058
Fax (410) 321-3851

October 4, 2010
For Immediate Release

Pursuant to a plea agreement with the Office of the State Prosecutor, City Councilwoman Helen L. Holton entered a plea of *nolo contendere* to a charge of violating the campaign finance laws by failing to pass an in-kind contribution through her campaign finance committee. Under the agreement, she was sentenced to pay a fine of \$2,500.00 and received probation before judgment. A second count charging conspiracy to violate the campaign finance laws was dismissed.

In addition to the charge resolved here today, there is a related bribery case that is on appeal. The resolution of this matter with a plea of *nolo contendere* ensures that Councilwoman Holton is punished for her violation of the campaign finance law in the same manner as if she had entered a plea of guilty. It also ensures that the resolution of this campaign finance charge does not affect Ms Holton's 5th Amendment rights or, more significantly, the ability of the State to prosecute the bribery charge should the Court of Appeals return that case to the circuit court for trial.

A copy of the plea agreement and statement of facts is attached.

STATE OF MARYLAND

* IN THE

v.

* CIRCUIT COURT

HELEN HOLTON

* FOR BALTIMORE CITY

* Case No. 109209024

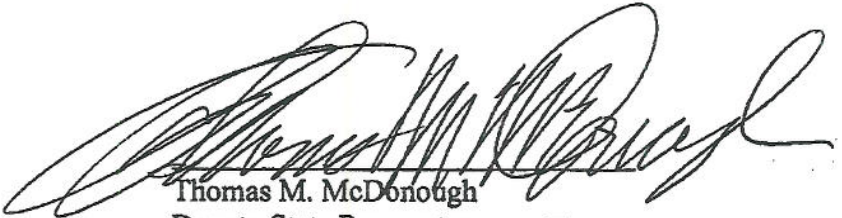
PLEA AGREEMENT

It is agreed between the State of Maryland, by Thomas M. McDonough, Deputy State Prosecutor, and Shelly S. Glenn, Senior Assistant State Prosecutor and the defendant, Helen Holton, and her counsel, Joshua R. Treem, Esquire and Nicholas J. Vitek, Esquire as follows:

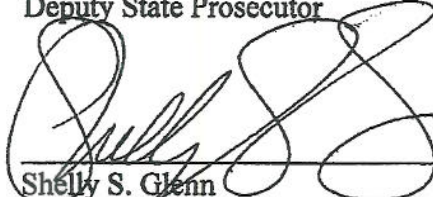
1. The defendant Helen Holton will enter a plea of *nolo contendere* to count two of indictment 109209024, which charges her with a violation of the campaign finance laws.
2. The facts upon which the plea is based are attached hereto, and the defendant does not contest the sufficiency of those facts.
3. Upon acceptance of the plea of *nolo contendere* by the Court, the defendant shall be sentenced to a fine of \$2,500.00 and receive probation before judgment with probation of one year. If the fine is paid on or before the disposition date, probation shall be unsupervised. If the fine is not paid by the time of disposition, probation shall be supervised only to the extent that payment of the fine shall be made through and monitored by the Division of Parole & Probation.
4. Upon imposition of sentence by the court, the State will enter a *nolle prosequi*, with prejudice, to count one of the two count indictment.

5. This plea agreement is made pursuant to the terms of Maryland Rule 4-243(c) and is effective only if accepted as binding by the court.
6. This Agreement is being executed freely and voluntarily without duress or coercion and after consultation and advice from competent counsel.
7. No provision of this agreement is binding unless and until executed by all of the parties hereto.

9/30/10
Date

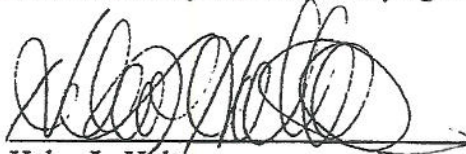

Thomas M. McDonough
Deputy State Prosecutor

9/30/10
Date

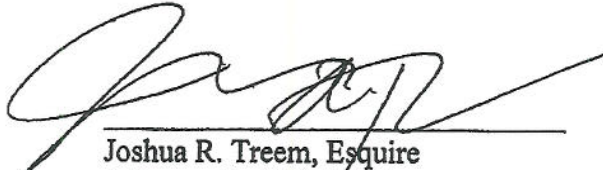

Shelly S. Glenn
Senior Assistant State Prosecutor

I, Helen L. Holton, have read the foregoing Plea Agreement and reviewed its terms with my attorneys, Joshua R. Treem Esquire, and Nicholas J. Vitek, Esquire. I thoroughly understand the terms of the agreement and freely and voluntarily agree to its terms.

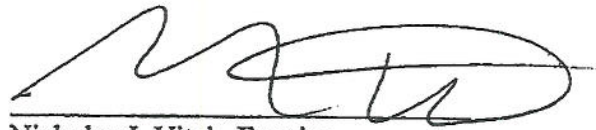
10/1/10
Date


Helen L. Holton
Defendant

9/30/10
Date


Joshua R. Treem, Esquire
Attorney for Helen Holton

9/30/10
Date


Nicholas J. Vitek, Esquire
Attorney for Helen Holton

The basis for the plea is as follows:

If this case went to trial, the State would present documentary evidence and testimony establishing that Helen Holton, the defendant before the court today, was first elected to the Baltimore City Council in 1995. In the summer of 2007, she was running for re-election once again to serve as councilperson for the 8th district. In late June and early July of 2007, Ronald Lester, owner of Lester & Associates, a political polling company, spoke with Travis Tazalaar, a consultant who was working for Ms. Holton in planning her campaign activities, about conducting a poll for her.

On or about July 3, 2007, Lester provided a proposal for such a poll, at a cost of \$12,500.00. Tazalaar and Ms. Holton then discussed the proposal and the merits of doing a poll. Mr. Tazalaar would testify that he had a ballpark understanding of the campaign's finances from Colleen Martin-Lauer, a fund raising consultant working for Ms. Holton. It was his opinion that the campaign finances would not permit such an expenditure. Mr. Tazalaar would testify that after a discussion with Helen Holton, she told him that she would obtain the money to do the poll. Travis Tazalaar would testify that neither Ms. Holton nor Mr. Lester talked about the proposed poll to him again. Mr. Tazalaar left the campaign in late July.

Subsequently, Ms. Holton spoke with Mr. Lester on several occasions and met with him on July 25 and July 27, 2007 to plan the poll. Mr. Lester would testify that she told him that she intended to get Ronald Lipscomb, John Paterakis and perhaps a 3rd party to pay for the poll. At a meeting with Ms. Holton, Lipscomb agreed to pay for the poll. On or about July 27, 2007 Ms. Holton was contacted by Mr. Lester regarding payment. Mr. Lester would testify that he had prepared an invoice directed to Ms. Holton's campaign committee, but she directed him to obtain payment from Ronald Lipscomb.

On or about July 30, 2007, Ronald Lester received payment for the poll from Ronald Lipscomb, in the amount of \$12,500.00. Payment was made in the form of a check drawn on the account of Doracon Contracting, Inc, a Lipscomb company.

Treasurer Audrey Parham-Stewart would testify that an in-kind contribution consists of services or goods contributed to the campaign which were not money. She would testify that the Holton campaign has received in-kind contributions in the past. When Helen Holton had arranged in-kind contributions in the past, Holton told her that an in-kind contribution had been made and provided her treasurer with the documentation of the contribution to record on the campaign finance report.

Although the poll was conducted at the request of and for Ms. Holton's benefit and the successful promotion of her re-election, the invoice was not presented to the campaign and payment did not pass through her campaign finance committee. The campaign treasurer, Audrey Parham-Stewart, would testify that she was not told about the poll until State investigators began inquiring. As a result, the payment by Mr. Lipscomb was not reported as an in-kind contribution on the original campaign fund report filed in

August 2007, and was not reported until an April 15, 2009 amended report was filed. As such, at no time in the relevant period for reporting campaign expenditures by her campaign finance committee was the invoice from Mr. Lester to Mr. Lipscomb, presented to the campaign finance committee for payment nor was payment made by the committee.