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HEADLINE: Pair gets probation in liquor board case; Ex-state lawmaker, Baltimore inspector also fined \$1,000 each; Breaches of ... public trust

BYLINE: SUN STAFF

BODY:

A former state delegate and a one-time chief city liquor inspector were sentenced yesterday to probation and community work for their role in conspiring to thwart the enforcement of liquor laws in Baltimore.

The penalties stem from a two-year criminal investigation of Baltimore's liquor board, in which prosecutors at one time accused officials of routinely accepting bribes from local tavern owners.

Those more serious charges were thrown out last month by Circuit Judge Mabel Houze Hubbard, who sentenced the pair yesterday to two years' probation and 300 hours of community work.

The identical sentences for former Del. William J. Madonna Jr. and Anthony J. Cianferano, the former inspector, were announced after personal pleas from the defendants in a 90-minute morning court session.

Prosecutors had sought a one-year jail term. Assistant State's Attorney Thomas M. McDonough said Cianferano "deliberately chose to breach the trust placed in him" and "perverted virtually every duty" entrusted to him. Madonna, he said, appointed liquor inspectors who did the same, including Cianferano.

Each also was fined \$1,000 and ordered to pay court costs.

The maximum penalty is a two-year jail term, but under sentencing guidelines the pair faced likely maximum sentences of two months in jail.

Cianferano and Madonna pleaded guilty late last month to charges that they engaged in a 10-year conspiracy to thwart state liquor laws.

At the end of the 11-day trial, Hubbard threw out the bribery charges, which would have carried a potential sentence of 10 or more years.

McDonough argued that the crimes admitted to by Cianferano and Madonna involved "a series of breaches of the public trust." Those deliberate breaches, McDonough said, demanded a jail sentence.

Not a nice person'

While acknowledging that a major prosecution witness, former liquor inspector Donald J. Harlow, "was not a very nice person," McDonough said much of Harlow's testimony was supported by other evidence, ranging from wiretaps to statements of the former owner of a West Franklin Street bar who rented a video poker machine from Madonna.

Later in the hearing, the judge noted that her comments about Harlow during the trial -- she called him "a shakedown artist who makes things up as he goes along" -- didn't mean she discounted all his testimony.

"There were some things he said that I'd put money on," Hubbard said.

Harlow testified that he got his job through Madonna and that he routinely shook down bar owners for protection payments.

In urging a jail sentence, McDonough pointed to a wiretapped conversation that showed Cianferano had passed on a warning, through inspector Michael J. Hyde, to operators of a Fells Point bar that police were trying to catch underage drinkers in that establishment.

Madonna told Hubbard that he had been embarrassed and humiliated by his indictment, and he apologized to his family and friends. He said he had been shunned by some of the politicians he once helped.

But Madonna insisted that he has spent his life "trying to help people," particularly those in Hampden and Remington.

"I've learned my lesson," Madonna said.

Cianferano, in a brief statement, said he did not intend to thwart state liquor laws but was trying to get bar owners to comply with the rules. He said his warnings were general and he never disclosed when an inspector would visit a bar unannounced.

Speaking on behalf of Cianferano were retired Circuit Judge Thomas Ward and Auxiliary Bishop William C. Newman. Both noted Cianferano's civic efforts in his Hampden neighborhood.

End of investigation

The sentencing brings an apparent end to the lengthy probe of the city liquor board initiated by state Prosecutor Stephen Montanarelli more than two years ago.

Last month, prosecutors dropped charges against two co-defendants -- Hyde, the liquor inspector, and former inspector and bar owner Donald R. Cassell.

Hyde, who had been confined to desk duty at the liquor board while his case was pending, has returned to his inspection duties, according to his attorney.

Two other defendants, Michael J. Swidowich and Joy J. Nickey, owners of a Frederick Avenue after-hours club, entered guilty pleas last year to a related charge.

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