

Currie not guilty of bribery, conspiracy in Shoppers case

Prince George's Democrat had been under investigation for years

By Tricia Bishop
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After a six-week trial and three days of deliberation, a Maryland jury acquitted Sen. Ulysses S. Currie and two grocery chain executives Tuesday of federal extortion and bribery charges, ending years of criminal suspicion surrounding the Prince George's County Democrat.

But the state senator still faces an ethical inquiry by the General Assembly, which could recommend penalties ranging from a reprimand to expulsion.

Currie was indicted last year, alongside two former Shoppers Food Warehouse employees, after a lengthy investigation into allegations that they used a community-relations consulting contract to conceal a bribery scheme in which Currie accepted payment in exchange for legislative favors.

"It's been a rough four years," Currie said outside the courthouse, thanking his legal team and constituents for standing by him. He characterized the acquittal — delivered on Election Day in Baltimore — as "the greatest moment" of his life.

Jurors said Tuesday that while the arrangement likely wasn't ethical, it didn't rise to the level of federal crime.

"There was clearly a conflict of interest, questionable stuff that needs to be looked at," said juror Steven Cason of Freeland, adding that the matter was something for lawmakers in Annapolis to handle, rather than prosecutors. He also said jurors didn't think the evidence presented at trial proves conspiracy "beyond a reasonable doubt."

Currie, 74, was paid a quarter of a million dollars over a five-year period to work for Shoppers, which he never disclosed on ethics forms, as required under Maryland law. He also failed to tell state officials he was working for the company, leading them to react to Shoppers' requests as if they were coming from a state legislator, according to trial testimony.

Senate President Thomas V. Mike Miller, who has called Currie a close friend, said he was pleased with the outcome but nevertheless vowed to ask the Joint Committee on Legislative Ethics to review the issues, now that the criminal case is closed.

Currie, who was first elected to the General Assembly in 1986, resigned his position as chairman of

the Senate's powerful budget and taxation committee to focus on his defense, and won't be able to resume it until the legislative committee reviews his case.

"Sen. Currie is a good and decent man," Miller, a Calvert County Democrat, said in a statement. "He may have made some mistakes, but he did not commit a crime."

The verdict closes a federal trial that lasted weeks and took a mental toll on defendants who could have faced decades in prison if convicted, on jurors who described the process as taxing, and on lawyers from both sides of the aisle who collectively devoted years to the case.

After the verdict was read, the defense team hugged one another, then Currie and his co-defendants, retired Shoppers president William J. White, 68, and former vice president R. Kevin Small, 56. Federal prosecutors quietly left without comment.

In a statement, Maryland U.S. Attorney Rod Rosenstein said the jury's verdict settles the question of federal criminal liability.

"The jury's sole duty is to decide whether the evidence proves a defendant guilty of the charged crime beyond any reasonable doubt, and a substantial proportion of corruption trials result in acquittals," Rosenstein said. "Prosecutors should never complain about the outcome of a fair trial."

Richard Finci, a criminal defense attorney based in Greenbelt who closely followed the case, called the acquittal a "big defeat" for prosecutors. He also said this case was less clear-cut than others, noting the recent conviction of Prince George's County Councilwoman, Leslie Johnson. She was caught by federal agents stuffing thousands of dollars in her underwear to hide kickbacks taken by her husband, former County Executive Jack B. Johnson, who pleaded guilty to extortion along with witness and evidence tampering.

There was no "bra full of cash" in the Currie case, Finci said. "While Rod Rosenstein has an excellent reputation as a fair guy who seriously wants to root out corruption, I feel like this case developed a life of its own," he said.

A 48-page indictment filed against Currie, White and Small, claims they conspired from late 2002 through May 2008.

Most of the acts alleged in the indictment were highlighted by Currie himself, who created a list in 2007 that was seized by authorities entitled "Accomplishments on Behalf of Shoppers." The document, which outlines a dozen supposed achievements, became a road map of sorts for investigators and prosecutors.

In it, Currie takes credit for:

- Securing \$850,000 in rental assistance for a Shoppers store at Mondawmin Mall in Baltimore.

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- Developing legislation that allowed one Shoppers store to transfer a liquor license to another despite prohibitions.

- Delaying the implementation of new energy efficiency requirements to Shoppers' benefit.

- Vowing to use his legislative appointment to the Washington Council of Government to work with "local governments on behalf of Shoppers."

The federal government spent years developing the case, which became public in early 2008, after FBI agents questioned Currie at his home. White and Small also were questioned, along with a string of politicians current and former, many of whom appeared during the trial to support Currie, who was repeatedly described as a mentor who lacked organizational skills.

At one point, Timothy F. Maloney, a lawyer and former Maryland delegate, testified that Currie was at the top of the nice scale, but "right at the bottom" in terms of smarts. Others offered similar assessments, calling Currie the friendliest of fellows, but not very put together.

The theme became known as a sort of idiot defense, suggesting that Currie's mistakes stemmed from incompetence rather than deceit. But assistant federal public defender Joseph Evans insisted Tuesday that he never mounted a "dummy defense." He called such claims in the media and in closing arguments by prosecutors "a complete and total mischaracterization."

He said he was "gratified" by the acquittals and was certain of the defendants "absolute innocence."

They are men of "extremely impeccable character," Evans said, adding that "jurors probably took a hard-nosed look at the evidence" and saw it "just isn't there."

Jurors said they sifted through hundreds of exhibits and dozens of instructions, each day reviewing the definitions of conspiracy and extortion, and ultimately concluding that the case wasn't made.

"It was torturous," one female juror, who declined to give her name, said of the lengthy process. She called it among the "hardest experiences" of her life. The stakes were high and the lines between ethical behavior were disturbingly "blurred."

"I cried when it was over," she said.

Currie left the courthouse soon after the verdict was read, saying he was headed to Maryland Shock Trauma to visit his sister, who is ill.

"Hopefully," he said, he would be able to "convey to her what happened here this afternoon."

Baltimore Sun reporters Jean Marbella and Michael Dresser contributed to this report.