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June 16, 2011

Paul E. Schurick, Senior Official With Ehrlich For Maryland Committee And Julius Henson, Owner Of Politics Today, Inc., Charged Criminally.

State Prosecutor, Emmet C. Davitt, announced today that criminal charges have been filed against senior Ehrlich gubernatorial campaign official, Paul E. Schurick and Baltimore based political consultant Julius Henson.

The Grand Jury for Baltimore City returned a six count indictment today against Schurick, 54, charging him with three counts of conspiracy to violate the Maryland Election Laws, one count of the election law offense of "attempting to influence a voter's decision whether to go to the polls to cast a vote through the use of fraud" and one count of failing to provide an authority line on distributed campaign material. Mr. Schurick was additionally charged with one count of obstruction of justice for allegedly withholding documentation sought through a Grand Jury Subpoena. The charges stem from an allegedly fraudulent automated call sent out to over 110,000 Democratic voters residing in Baltimore City and Prince George's County on Election Day, November 2, 2010. According to the indictment, Schurick and Henson conspired to send out the "robocall" recording which stated:

Hello I'm calling to let everybody know that Governor O'Malley and President Obama have been successful. Our goals have been met. The polls were correct, and we took it back. We're okay. Relax. Everything's fine. The only thing left is to watch it on TV tonight. Congratulations, and thank you.

Julius Henson, 62, was also charged with three counts of conspiracy to violate the Maryland Election Laws, one count of the election law offense of "attempting to influence a voter's decision whether to go to the polls to cast a vote through the use of fraud" and one count of failure to provide an authority line on distributed campaign material. The investigation is continuing.

If convicted, each Defendant could face a maximum penalty of imprisonment not exceeding five (5) years on each of the counts with the exception of the authority line violations where the maximum period of imprisonment is one (1) year.

"The State Prosecutor's Office is charged with safeguarding the integrity of the election process," Davitt stated. "We will aggressively investigate and prosecute any illegal tactics that attempt to threaten its integrity."

Although charged, each Defendant is presumed innocent unless and until there is a conviction.

IN THE CIRCUIT COURT FOR BALTIMORE CITY, MARYLAND

STATE OF MARYLAND

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V.

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CASE NO:

PAUL E. SCHURICK

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INDICTMENT

The Grand Jurors of the State of Maryland for the City of Baltimore do on their oath present:

General Allegations:

1. At all times pertinent to the indictment, Robert L. Ehrlich was a candidate for Governor of Maryland.
2. His official campaign organization was known as the Bob Ehrlich for Maryland Committee (hereinafter "the committee") the headquarters for which was located at 2024 West Street, Suite 100, Annapolis, Maryland 21401.
3. Throughout the 2010 Gubernatorial campaign, up to and including Election Day, November 2, 2010, **DEFENDANT PAUL E. SCHURICK** headed the campaign of candidate Robert L. Ehrlich for Governor of Maryland. He participated, with others, in developing the election strategies and activities of Mr. Ehrlich's campaign organization.
4. At all times pertinent to the indictment, **CO-CONSPIRATOR JULIUS HENSON** was the principle owner and controlled the operations of Politics Today, Inc., which he operated out of his home at 1500 North Decker Avenue,

Baltimore, Maryland, and Universal Elections, Inc., which he operated from 516 North Charles Street, Suite 311 and 1500 N. Decker Avenue in Baltimore, Maryland.

5. On or about June 1, 2010, the committee entered into a contract with Politics Today, Inc., to provide election consulting services at a cost of \$16,000.00 per month commencing on June 1, 2010 and ending on November 2, 2010. The contract was signed by Gregory Massoni, Senior Advisor to the committee, on behalf of the campaign committee and by **CO-CONSPIRATOR JULIUS HENSON** for Politics Today, Inc. In addition to the salary of \$16,000.00 per month, that contract also provided for a bonus of \$30,000.00 if Ehrlich was successful in winning election as governor.
6. During the period of time between June, 2010 and September, 2010, there were discussions among **DEFENDANT PAUL E. SCHURICK** and other representatives of the Ehrlich campaign with Politics Today, Inc., in the person of **CO-CONSPIRATOR JULIUS HENSON**, to develop an election strategy for the campaign in the African American community.
7. As a result of those discussions, **CO-CONSPIRATOR JULIUS HENSON** prepared a written election strategy for the Ehrlich campaign to use in African American communities in Maryland. The plan centered on what was termed "The Schurick Doctrine," which was "...designed to promote confusion, emotionalism, and frustration among African American Democrats, focused in precincts where high concentrations of AA vote." [sic] The plan stated that "[t]he first and most desired outcome [of the Schurick Doctrine strategy] is

voter suppression.” The plan focused on 536 precincts, and provided that “[v]oter suppression operations will take place in 472 precincts and we found that 64 precincts warrant persuasion operations....”

8. During the summer of 2010, **CO-CONSPIRATOR JULIUS HENSON** presented this recommended strategy and a proposed budget to implement the strategy to leaders of the Ehrlich campaign, specifically, **DEFENDANT PAUL E. SCHURICK**, de-facto campaign manager; Bernard Marczyk, the campaign political director; Henry Fawell, communications director for the campaign; and Gregory Massoni, Senior Advisor for the campaign.
9. **CO-CONSPIRATOR JULIUS HENSON** provided the participants in that meeting with copies of the written strategy that he recommended and the budget to implement that strategy. At the end of the meeting, **CO-CONSPIRATOR JULIUS HENSON** was informed that the plan was too expensive for the campaign to afford.
10. **CO-CONSPIRATOR JULIUS HENSON**, through his company, Politics Today, Inc., was paid \$16,000.00 per month for the months of June, July, August, September, October and November as a consultant to the campaign in accordance with the original contract entered into on or about June 1, 2010.
11. **CO-CONSPIRATOR JULIUS HENSON**, through his company, Universal Elections, Inc., was paid \$29,000.00 by the committee between October 12, 2010 and October 29, 2010.
12. During the period August through September, 2010, **CO-CONSPIRATOR JULIUS HENSON** and his employee, Rhonda Cecila Russell, provided

automated calling services (hereinafter referred to as “robo-calls”) through Robodial.org for the Democratic Primary campaign of Deborah Claridy, a candidate in the 2010 Democratic Primary election for Sheriff of Baltimore City, and for the 2010 Democratic Primary campaign of Marilyn Bland, a Democratic candidate for Clerk of the Circuit Court for Prince George’s County. Said “robo-calls” were sent to Democrats, as they were intended to promote candidates for the Democratic Primary Election. The call lists of phone numbers for these robo-calls were created by and uploaded to the Robodial.org system by Rhonda Cecila Russell for Universal Elections.

13. On Election Day, November 2, 2010, the committee maintained a “war room” at the Westin Hotel manned by Bernard Marczyk; Douglass Mayer, an assistant to the communications director; and Christian Cavey, the director of field operations. Prior to the closing of the polls, those three persons monitored activity at the polls as reported by poll watchers stationed at key precincts to determine whether the voter turnout was favorable or unfavorable.
14. Part of the campaign’s three-pronged strategy in the African American communities was “Don’t Vote,” because the campaign expected that 80% to 90% of African American voters would vote for candidate Ehrlich’s Democratic opponent.
15. On November 2, 2010 at approximately 2:18 p.m., Julius Henson received a telephone call from telephone number (410) 224-0256 that lasted about 4 minutes, 42 seconds.

16. Simultaneously, on November 2, 2010 at approximately 2:18 p.m., Bernard Marczyk sent an e-mail inquiry to Gregory Massoni and **DEFENDANT PAUL E. SCHURICK** asking "Anything from Julius?", to which **DEFENDANT PAUL E. SCHURICK** responded at 2:20 p.m., saying, "Talking to him now. Stand by."
17. On November 2, 2010 at 2:42 p.m., an email was sent from the address of **DEFENDANT PAUL E. SCHURICK** to Bernard Marczyk and Gregory Massoni relaying **CO-CONSPIRATOR JULIUS HENSON'S** report regarding activity at the polls.
18. On November 2, 2010, also at 2:42 p.m., Gregory Massoni telephoned **DEFENDANT PAUL E. SCHURICK** for approximately 4 minutes, 47 seconds.
19. At about 4:42 p.m. on November 2, 2010, **DEFENDANT PAUL E. SCHURICK** telephoned **CO-CONSPIRATOR JULIUS HENSON** for about 2 ½ minutes.
20. Immediately thereafter, at about 4:45 p.m., **CO-CONSPIRATOR JULIUS HENSON** telephoned Rhonda Cecila Russell for 1 minute 46 seconds.
21. At about 4:48 p.m., on November 2, 2010, **CO-CONSPIRATOR JULIUS HENSON** called **DEFENDANT PAUL E. SCHURICK** back for 36 seconds.
22. At about 4:51 p.m., Rhonda Cecila Russell telephoned **CO-CONSPIRATOR JULIUS HENSON** and got his voicemail.
23. At about 4:53 p.m. on November 2, 2010, **CO-CONSPIRATOR JULIUS HENSON** called Rhonda Cecila Russell for 3 minutes and 25 seconds.

24. At about 5:03 p.m. on November 2, 2010, **CO-CONSPIRATOR JULIUS HENSON** called **DEFENDANT PAUL E. SCHURICK** for approximately 3 minutes, 12 seconds.
25. **CO-CONSPIRATOR JULIUS HENSON** called Rhonda Cecila Russell again on November 2, 2010 at 5:07 p.m. for 1 minute, 39 seconds.
26. At approximately 5:08 p.m. on November 2, 2010, **DEFENDANT PAUL E. SCHURICK** called **CO-CONSPIRATOR JULIUS HENSON** for 1 minute, 49 seconds.
27. At about 5:09 p.m. on November 2, 2010, Rhonda Cecila Russell called **CO-CONSPIRATOR JULIUS HENSON** for about 12 seconds.
28. At approximately 5:12 p.m. on November 2, 2010, Rhonda Cecila Russell called **DEFENDANT JULIUS HENSON** for more than 8 minutes.
29. **CO-CONSPIRATOR JULIUS HENSON** told Rhonda Cecila Russell not to include an "authority line" identifying the source of the message as the Bob Ehrlich for Maryland Committee because **DEFENDANT PAUL E. SCHURICK** directed **CO-CONSPIRATOR JULIUS HENSON** not to include an authority line on the message.
30. At about 5:25 p.m., acting at the direction of and with the approval of **CO-CONSPIRATOR JULIUS HENSON**, Rhonda Cecila Russell contacted Robodial.org and made a recording to be sent to Democratic voters in Baltimore City and in Prince George's County. The length of the message was approximately 25 seconds. The recording said:

Hello. I'm calling to let everybody know that Governor O'Malley and President Obama have been successful. Our goals have been met. The polls were correct, and we took it back. We're okay. Relax. Everything's fine. The only thing left is to watch it on TV tonight. Congratulations, and thank you.

31. Through an account with Robodial.org in the name of Universal Elections, Rhonda Cecila Russell, acting at the direction of **CO-CONSPIRATOR JULIUS HENSON**, used a remote computer connection from her home in Washington, D. C. to arrange for the message quoted above in paragraph (30) to be sent by robo-calls. The robo-calls were placed to Democratic voters on the primary election call lists previously created by Rhonda Cecila Russell for Deborah Claridy in Baltimore City and Marilyn Bland in Prince George's County (as previously described in paragraph 12 above), a total of **112,544** Democrats in those jurisdictions.
32. At approximately 5:37 p.m., on November 2, 2010, **CO-CONSPIRATOR JULIUS HENSON** called Rhonda Cecila Russell for about 17 seconds.
33. Prior to finalizing the robo-calls, Rhonda Cecila Russell had a "test call" sent to **CO-CONSPIRATOR JULIUS HENSON** at about 5:41 p.m. on November 2, 2010. The "test call" showed a source telephone number on the Caller ID of the recipient as "13017824398," the telephone number for the manager of Marilyn Bland's campaign for Clerk of the Circuit Court for Prince George's County.
34. Immediately after receiving that test call, at about 5:42 p.m. on November 2, 2010, **CO-CONSPIRATOR JULIUS HENSON** telephoned Rhonda Cecila Russell for nearly 4 minutes.

35. Immediately thereafter, Rhonda Cecila Russell changed the calls scheduled for Prince George's County so that no information on the source telephone number of the robo-call was included on the Caller ID of the recipients.
36. At about 5:48 p.m. on November 2, 2010, Rhonda Cecila Russell arranged for test calls to be sent to **DEFENDANT PAUL E. SCHURICK** at telephone number (443) 223-1026 and to Gregory Massoni at telephone number (443) 223-1025.
37. At about 5:49 p.m. on November 2, 2010, the test call was received on **DEFENDANT PAUL E. SCHURICK's** voicemail and a text notice was generated to **DEFENDANT PAUL E. SCHURICK** notifying him that a voicemail had been received.
38. At 5:52 p.m. on November 2, 2010, **DEFENDANT PAUL E. SCHURICK** accessed his voicemail for 1 minute, 10 seconds.
39. Rhonda Cecila Russell first set up the Baltimore City robo-calls. Those calls began at about 5:54 p.m. and were completed at about 7:42 p.m. on November 2, 2010, while the polls were open. 47,984 calls were attempted. 14,556 calls were answered and the full message was played. 5,106 calls were answered and a portion of the message was played. 15,728 calls were picked up by an answering machine and the message was left on the recorder.
40. Then Rhonda Cecila Russell set up the robo-calls for Prince George's County. Those calls began at approximately 6:00 p.m. and were completed at approximately 8:00 p.m. on November 2, 2010. 64,560 calls were attempted. 15,766 calls were answered and the full message was played. 11,869 calls were

answered and a portion of the message was played. 23,447 calls were picked up by an answering machine and the message was left on the recorder.

41. At approximately 6:15 p.m. on Election Day, November 2, 2010, **CO-CONSPIRATOR JULIUS HENSON** sent a text message to **DEFENDANT PAUL E. SCHURICK** stating:

I send u the call. The call is gone. 1000,000 [sic] in
both Baltimore & P.G. county will send an invoice
that must be paid 2morrow. The amount is \$3500 +
\$3500 = \$7000

42. On or about November 9, 2010, the Baltimore City grand jury issued a subpoena to the committee for records relating to its relationship with **Co-CONSPIRATOR JULIUS HENSON** and his companies, Politics Today, Inc. and Universal Elections, Inc. and any robo-calls made or to be made on Election Day, November 2, 2010.

43. Between November 9, 2010 and November 16, 2010, Gregory Massoni was informed by **DEFENDANT PAUL E. SCHURICK** that the committee had received a subpoena. **DEFENDANT PAUL E. SCHURICK** requested that Gregory Massoni give any records he had relating to **CO-CONSPIRATOR JULIUS HENSON** or the election day robo-calls to **DEFENDANT PAUL E. SCHURICK**.

44. Gregory Massoni provided records to **DEFENDANT PAUL E. SCHURICK** in response to his request. The documents Gregory Massoni gave to **DEFENDANT PAUL E. SCHURICK** included: a page captioned "Counts

by County of African American Voters”; a second page captioned “Proposed African American Messaging” and numbered at the bottom center page “1”; a third page captioned “Proposed AA Messaging Cont...” and numbered at the bottom center as page “2”.

45. On or about November 15, 2010, **DEFENDANT PAUL E. SCHURICK** and Gregory Massoni met with the attorney representing the committee, to provide him with the records **DEFENDANT PAUL E. SCHURICK** had gathered in response to the subpoena.
46. On or about November 16, 2010, the committee, by its attorney, produced various documents in response to that subpoena. Among the papers produced were: first, a page captioned “Counts by County of African American Voters” and a second page captioned “Proposed AA Messaging Cont...” and numbered at the bottom center as page “2”.
47. On or about December 17, 2010, a copy of the written election strategy document prepared by **CO-CONSPIRATOR JULIUS HENSON** and presented to the committee during the summer of 2010, was seized from the residence of **CO-CONSPIRATOR JULIUS HENSON**. The first page of the seized document was identical to the page captioned “Counts by County of African American Voters” described in paragraph 44 above.
48. Pages 2 and 3 of the document seized from the home of **CO-CONSPIRATOR JULIUS HENSON** on December 17, 2010 set forth the plan termed the “Schurick Doctrine” described in paragraph 7 above.

49. The next page of the document seized from the home of **CO-CONSPIRATOR JULIUS HENSON** on December 17, 2010 was identical to the page captioned "Proposed African American Messaging" and numbered at the bottom center page "1" described in paragraph 44 above.
50. The next page of the document seized from the home of **CO-CONSPIRATOR JULIUS HENSON** on December 17, 2010 was identical to the page captioned "Proposed AA Messaging Cont..." and numbered at the bottom center as page "2", described in paragraph 44 above.
51. The document seized from the home of **CO-CONSPIRATOR JULIUS HENSON** on December 17, 2010 continued with pages setting forth a "Targeting Methodology" which outlined a statewide effort regarding the African American vote concentrated in 536 precincts. 472 precincts were targeted for voter suppression efforts and 64 precincts were targeted for voter persuasion efforts.
52. The document seized from the home of **CO-CONSPIRATOR JULIUS HENSON** and described in paragraphs 47 to 51 above, is the same document presented to the campaign by **CO-CONSPIRATOR JULIUS HENSON** as described in paragraphs 6-9 above.
53. On or about December 17, 2010, a document was seized from 516 North Charles Street in Baltimore City, an office of **CO-CONSPIRATOR JULIUS HENSON**, captioned "Ehrlich for Maryland African American Outreach Budget" that was essentially identical to a document provided by the committee in response to the Grand Jury subpoena.

54. On or about May 17, 2011, and June 13, 2011 the committee, by its attorney, delivered to the Office of the State Prosecutor, supplemental documents deemed responsive to the subpoena previously issued by the Grand Jury.
55. No additional pages of the written strategy document prepared by **CO-CONSPIRATOR JULIUS HENSON** and described in paragraphs 6-9 and 47-51 above were provided in response to the subpoena.

COUNT ONE

And the Jurors aforesaid, upon their oath aforesaid, do incorporate paragraph 1 through and including paragraph 41 of the foregoing General Allegations herein and do further present that the said

PAUL E. SCHURICK

on or about November 2, 2010, at Baltimore City, Maryland, did willfully and knowingly conspire with **JULIUS HENSON** to violate §§ 16-201(a)(7), 13-401 and 13-602(a)(9) of the *Election Law Article* of the Annotated Code of Maryland to wit: did knowingly and willfully conspire to use fraud to attempt to influence the decisions of voters whether to go to the polls to cast a vote in the 2010 Maryland General Election by willfully and knowing publishing and distributing fraudulent campaign material and omitting the name of the campaign finance entity and the treasurer responsible for said publication and distribution, against the peace, government and dignity of the State.

Conspiracy to Violate the Election Laws

Common Law

5 yrs. and/or \$2,500.00 fine

COUNT TWO

And the Jurors aforesaid, upon their oath aforesaid, do incorporate paragraph 1 through and including paragraph 41 of the foregoing General Allegations herein and do further present that the said

PAUL E. SCHURICK

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Conspiracy to Violate EL § 16-201(a)(7)
Common Law
5 yrs. and/or \$2,500.00 fine

COUNT THREE

And the Jurors aforesaid, upon their oath aforesaid, do incorporate paragraph 1 through and including paragraph 41 of the foregoing General Allegations herein and do further present that the said

PAUL E. SCHURICK

on or about November 2, 2010, at Baltimore City, Maryland, did willfully and knowingly conspire with Julius Henson to violate §§ 13-401, and 13-602(a)(9) of the Election Law Article of the Annotated Code of Maryland to wit: did knowingly and willfully conspire to publish and distribute campaign material that did not include the name of the campaign finance entity and the treasurer responsible for said publication and distribution against the peace, government and dignity of the State.

Conspiracy to Violate EL §§ 13-401, and 13-602(a)(9)
Common Law
1 yr. and/or \$1,000.00 fine

COUNT FOUR

And the Jurors aforesaid, upon their oath aforesaid, do incorporate paragraph 1 through and including paragraph 41 of the foregoing General Allegations herein and do further present that the said

PAUL E. SCHURICK

on or about November 2, 2010, at Baltimore City, Maryland, did knowingly and willfully use fraud to attempt to influence the decisions of voters whether to go to the polls to cast a vote by willfully and knowing publishing and distributing a fraudulent robo-call message in violation of § 16-201(1)(7) of the *Election Law Article* of the Annotated Code of Maryland against the peace, government and dignity of the State.

Fraudulent Attempt to Influence Decision of Voter to Go to Polls and Vote
EL § 16-201(a)(7)
5 yrs. and/or \$2,500.00 fine

COUNT FIVE

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PAUL E. SCHURICK

on or about November 2, 2010, at Baltimore City, Maryland, did knowingly and willfully cause to be published and distributed campaign material that did not include the name of the campaign finance entity and the treasurer responsible for said publication and distribution, in violation of §§ 13-401 and 13-602(a)(9) of the *Election Law Article* of the Annotated Code of Maryland against the peace, government and dignity of the State.

Authority Line Violation
EL §§ 13-401, and 13-602(a)(9)
1 yr. and/or \$1,000.00 fine

COUNT SIX

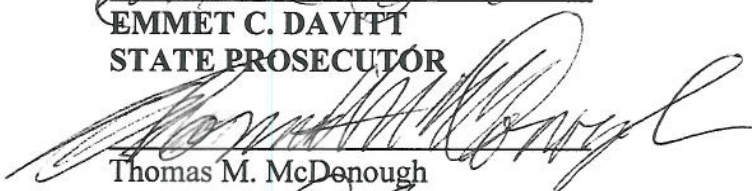
And the Jurors aforesaid, upon their oath aforesaid, do incorporate paragraphs 1-9, and 42 through 55 of the foregoing General Allegations herein and do further present that the said

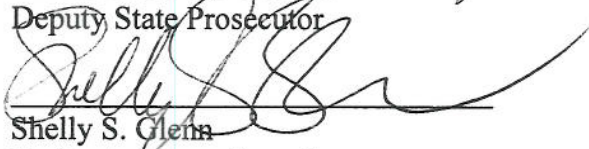
PAUL E. SCHURICK

between on or about November 9, 2010 and on or about November 16, 2010, at Baltimore City, Maryland, did unlawfully obstruct and impede, and try to obstruct and impede the administration of justice in the Circuit Court for Baltimore City: to wit, did knowingly, deliberately and intentionally withhold and conceal documentary evidence responsive to a grand jury subpoena with the intent to obstruct and impede a grand jury investigation, in violation of § 9-306 of the Criminal Law Article of the Annotated Code of Maryland, and against the peace, government and dignity of the State.

Obstruction of Justice
CrL § 9-306
CJIS Code 2-5006
5 yrs. and/or \$10,000.00


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(410) 321-4067

IN THE CIRCUIT COURT FOR BALTIMORE CITY, MARYLAND

STATE OF MARYLAND

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V.

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CASE NO:

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3. Throughout the 2010 Gubernatorial campaign, up to and including Election Day, November 2, 2010, **CO-CONSPIRATOR PAUL E. SCHURICK** headed the campaign of candidate Robert L. Ehrlich for Governor of Maryland. He participated, with others, in developing the election strategies and activities of Mr. Ehrlich's campaign organization.
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19. At about 4:42 p.m. on November 2, 2010, **CO-CONSPIRATOR PAUL E. SCHURICK** telephoned **DEFENDANT JULIUS HENSON** for about 2 ½ minutes.
20. Immediately thereafter, at about 4:45 p.m., **DEFENDANT JULIUS HENSON** telephoned Rhonda Cecila Russell for 1 minute, 46 seconds.
21. At about 4:48 p.m., on November 2, 2010, **DEFENDANT JULIUS HENSON** called **CO-CONSPIRATOR PAUL E. SCHURICK** back for 36 seconds.
22. At about 4:51 p.m., Rhonda Cecila Russell telephoned **DEFENDANT JULIUS HENSON** and got his voicemail.
23. At about 4:53 p.m. on November 2, 2010, **DEFENDANT JULIUS HENSON** called Rhonda Cecila Russell for 3 minutes and 25 seconds.

24. At about 5:03 p.m. on November 2, 2010, **DEFENDANT JULIUS HENSON** called **CO-CONSPIRATOR PAUL E. SCHURICK** for approximately 3 minutes, 12 seconds.
25. **DEFENDANT JULIUS HENSON** called Rhonda Cecila Russell again on November 2, 2010 at 5:07 p.m. for 1 minute, 39 seconds.
26. At approximately 5:08 p.m. on November 2, 2010, **CO-CONSPIRATOR PAUL E. SCHURICK** called **DEFENDANT JULIUS HENSON** for 1 minute, 49 seconds.
27. At about 5:09 p.m. on November 2, 2010, Rhonda Cecila Russell called **DEFENDANT JULIUS HENSON** for about 12 seconds.
28. At approximately 5:12 p.m. on November 2, 2010, Rhonda Cecila Russell called **DEFENDANT JULIUS HENSON** for more than 8 minutes.
29. **DEFENDANT JULIUS HENSON** told Rhonda Cecila Russell not to include an "authority line" identifying the source of the message as the Bob Ehrlich for Maryland Committee because **CO-CONSPIRATOR PAUL E. SCHURICK** directed **DEFENDANT JULIUS HENSON** not to include an authority line on the message.
30. At about 5:25 p.m., acting at the direction of and with the approval of **DEFENDANT JULIUS HENSON**, Rhonda Cecila Russell contacted Robodial.org and made a recording to be sent to Democratic voters in Baltimore City and in Prince George's County. The length of the message was approximately 25 seconds. The recording said:

Hello. I'm calling to let everybody know that Governor O'Malley and President Obama have been successful. Our goals have been met. The polls were correct, and we took it back. We're okay. Relax. Everything's fine. The only thing left is to watch it on TV tonight. Congratulations, and thank you.

31. Through an account with Robodial.org in the name of Universal Elections, Rhonda Cecila Russell, acting at the direction of **DEFENDANT JULIUS HENSON**, used a remote computer connection from her home in Washington, D. C. to arrange for the message quoted above in paragraph (30) to be sent by robo-calls. The robo-calls were placed to Democratic voters on the primary election call lists previously created by Rhonda Cecila Russell for Deborah Claridy in Baltimore City and Marilyn Bland in Prince George's County, a total of **112,544** Democrats in those jurisdictions.
32. At approximately 5:37 p.m. on November 2, 2010, **DEFENDANT JULIUS HENSON** called Rhonda Cecila Russell for 17 seconds.
33. Prior to finalizing the robo-calls, Rhonda Cecila Russell had a "test call" sent to **DEFENDANT JULIUS HENSON** at about 5:41 p.m. on November 2, 2010. The "test call" showed a source telephone number on the Caller ID of the recipient as "13017824398," the telephone number for the manager of Marilyn Bland's campaign for Clerk of the Circuit Court for Prince George's County.
34. Immediately after receiving that test call, at about 5:42 p.m. on November 2, 2010, **DEFENDANT JULIUS HENSON** telephoned Rhonda Cecila Russell for nearly 4 minutes.

35. Immediately thereafter, Rhonda Cecila Russell changed the calls scheduled for Prince George's County so that no information on the source telephone number of the robo-call was included on the Caller ID of the recipients.
36. At about 5:48 p.m. on November 2, 2010, Rhonda Cecila Russell arranged for test calls to be sent to **CO-CONSPIRATOR PAUL E. SCHURICK** at telephone number (443) 223-1026 and to Gregory Massoni at telephone number (443) 223-1025.
37. At about 5:49 p.m. on November 2, 2010, the test call was received on **CO-CONSPIRATOR PAUL E. SCHURICK**'s voicemail and a text notice was generated to **CO-CONSPIRATOR PAUL E. SCHURICK** notifying him that a voicemail had been received.
38. At 5:52 p.m. on November 2, 2010, **CO-CONSPIRATOR PAUL E. SCHURICK** accessed his voicemail for 1 minute, 10 seconds.
39. Rhonda Cecila Russell first set up the Baltimore City robo-calls. Those calls began at about 5:54 p.m. and were completed at about 7:42 p.m. on November 2, 2010, while the polls were open. 47,984 calls were attempted. 14,556 calls were answered and the full message was played. 5,106 calls were answered and a portion of the message was played. 15,728 calls were picked up by an answering machine and the message was left on the recorder.
40. Then Rhonda Cecila Russell set up the robo-calls for Prince George's County. Those calls began at approximately 6:00 p.m. and were completed at approximately 8:00 p.m. on November 2, 2010. 64,560 calls were attempted. 15,766 calls were answered and the full message was played. 11,869 calls were

answered and a portion of the message was played. 23,447 calls were picked up by an answering machine and the message was left on the recorder. The Prince George's County robo-calls were completed at about 8:00 p.m. on November 2, 2010.

41. At approximately 6:15 p.m. on Election Day, November 2, 2010, **DEFENDANT JULIUS HENSON** sent a text message to **CO-CONSPIRATOR PAUL E. SCHURICK** stating:

I send u the call. The call is gone. 1000,000 [sic] in
both Baltimore & P.G. county will send an invoice
that must be paid 2morrow. The amount is \$3500 +
\$3500 = \$7000

COUNT ONE

And the Jurors aforesaid, upon their oath aforesaid, do incorporate paragraph 1 through and including paragraph 41 of the foregoing General Allegations herein and do further present that the said

JULIUS HENSON

on or about November 2, 2010, at Baltimore City, Maryland, did willfully and knowingly conspire with **PAUL E. SCHURICK** to violate §§ 16-201(1)(7), 13-401, and 13-602(a)(9) of the *Election Law Article* of the Annotated Code of Maryland to wit: did knowingly and willfully conspire to use fraud to attempt to influence the decisions of voters whether to go to the polls to cast a vote in the 2010 Maryland General Election by willfully and knowing publishing and distributing fraudulent campaign material and omitting the name of the campaign finance entity and the treasurer responsible for said publication and distribution, against the peace, government and dignity of the State.

Conspiracy to Violate the Election Laws

Common Law

5 yrs.and/or \$2,500.00 fine

COUNT TWO

And the Jurors aforesaid, upon their oath aforesaid, do incorporate paragraph 1 through and including paragraph 41 of the foregoing General Allegations herein and do further present that the said

JULIUS HENSON

on or about November 2, 2010, at Baltimore City, Maryland, did willfully and knowingly conspire with **PAUL E. SCHURICK** to violate § 16-201(1)(7) of the *Election Law Article* of the Annotated Code of Maryland to wit: did knowingly and willfully conspire to use fraud to attempt to influence the decisions of voters whether to go to the polls to cast a vote by willfully and knowing publishing and distributing a fraudulent robo-call message against the peace, government and dignity of the State.

Conspiracy to Violate EL § 16-201(1)(7)
Common Law
5 yrs.and/or \$2,500.00 fine

COUNT THREE

And the Jurors aforesaid, upon their oath aforesaid, do incorporate paragraph 1 through and including paragraph 41 of the foregoing General Allegations herein and do further present that the said

JULIUS HENSON

on or about November 2, 2010, at Baltimore City, Maryland, did willfully and knowingly conspire with **PAUL E. SCHURICK** to violate §§ 13-401 and 13-602(a)(9) of the *Election Law Article* of the Annotated Code of Maryland to wit: did knowingly and willfully conspire to cause to be published and distributed campaign material that did not include the name of the campaign finance entity and the treasurer responsible for said publication and distribution against the peace, government and dignity of the State.

Conspiracy to Violate EL §§ 13-401, and 13-602(a)(9)
Common Law
1 yr. and/or \$1,000.00 fine

COUNT FOUR

And the Jurors aforesaid, upon their oath aforesaid, do incorporate paragraph 1 through and including paragraph 41 of the foregoing General Allegations herein and do further present that the said

JULIUS HENSON

on or about November 2, 2010, at Baltimore City, Maryland, did knowingly and willfully use fraud to attempt to influence the decisions of voters whether to go to the polls to cast a vote by willfully and knowing publishing and distributing a fraudulent robo-call message in violation of § 16-201(1)(7) of the *Election Law Article* of the Annotated Code of Maryland against the peace, government and dignity of the State.

Fraudulent Attempt to Influence Decision of Voter to Go to Polls and Vote
EL § 16-201(a)(7)
Common Law
5 yrs.and/or \$2,500.00 fine

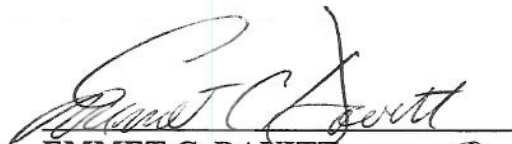
COUNT FIVE

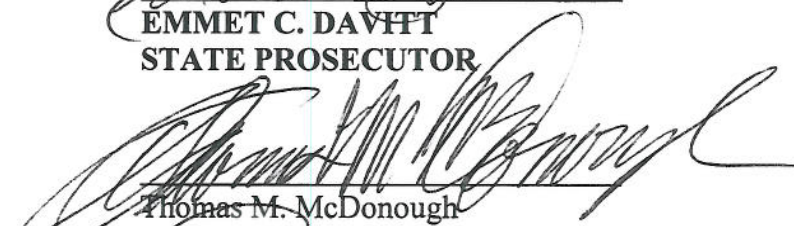
And the Jurors aforesaid, upon their oath aforesaid, do incorporate paragraph 1 through and including paragraph 41 of the foregoing General Allegations herein and do further present that the said

JULIUS HENSON

on or about November 2, 2010, at Baltimore City, Maryland, did knowingly and willfully cause to be published and distributed campaign material that did not include the name of the campaign finance entity and the treasurer responsible for said publication and distribution, in violation of §§ 13-401 and 13-602(a)(9) of the *Election Law Article* of the Annotated Code of Maryland against the peace, government and dignity of the State.

Authority Line Violation
EL §§ 13-401, and 13-602(a)(9)
1 yr. and/or \$1,000.00 fine


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