

**Prince George's Taxicab Drivers
Allege Ethics Violations
and Demand an Investigation**

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Several taxicab drivers are filing complaints with the Prince George's County Board of Ethics for apparent violations of the County lobbying registration and reporting laws.

Taxicab drivers are also demanding that action on proposed CB-3-2011 be tabled pending completion of the investigation.

The taxicab industry, in Prince George's County and in many jurisdictions, is known for allegations of corruption. CB-3-2011 and the characters surrounding it and their actions speak to "pay to play" and "good ol' boy" politics that are well known in Prince George's County

Complaints to be filed with the Prince George's County Board of Ethics

County Ethics Laws require lobbyists both to register their activities and to file annual lobbying reports. Failure to knowingly comply is a misdemeanor.

Mr. John Lally has been serving as a lobbyist for members of the taxi industry for a number of years. He has lobbied the County Council and the Office of the County Executive, and employees in the Department of Environmental Resources, regarding taxi-related bills CB-48-2009, CB-36-2010 and CB-3-2011. Mr. Lally has publicly testified on many occasions and it is common knowledge that Mr. Lally has had meetings with Council members regarding some or all of these bills, and he has been seen speaking with County Council members and County employees before and after County Council meetings and committee meetings regarding these bills.

The 2010 and 2011 lobbyist registration lists that are maintained by the Board of Ethics and the Office of Law do not list Mr. Lally for 2010 lobbying on CB-36-2010 or for filing a lobby report. Also, Mr. Lally is not listed for 2011 lobbying on CB-3-2011.

Mr. Wayne Curry, the former County Executive, has been assisting Mr. John Lally as a lobbyist for members of the taxi industry for about the past four to six months. He has lobbied the County Council and the Office of the County Executive and employees in the Department of Environmental Resources, regarding CB-3-2011. Taxi drivers have heard for months that Mr. Curry has had meetings with Council

members and with the Executive branch regarding this bill. Mr. Curry testified publicly regarding CB-3-2011 and he was seen speaking with County Council members and County employees before and after County Council committee meetings regarding CB-3-2011.

The 2011 lobbyist registration list that is maintained by the Board of Ethics and the Office of Law does not list Mr. Curry for 2011 lobbying on CB-3-2011.

The actions of both Mr. Lally and Mr. Curry constitute lobbying. If Mr. Lally and/or Mr. Curry have met the minimum compensation or expenditure threshold for 2009, 2010 or 2011, and not registered as a lobbyist and filed an annual report, then they would be in violation of County ethics laws in County Code Sections 2-295(a), (b), (c) and (g).

"Pay To Play" And "Good Ol' Boy" Politics

The taxi industry is full of corruption and former County Executive Jack Johnson was in the pockets of the taxi industry, fighting against economic freedom for the drivers. The taxi industry supported several candidates in the 2010 election that were known be Jack Johnson's candidates: Leslie Johnson, Michael Jackson and Angela Alsobrooks. Now that Rushern Baker defeated Michael Jackson, the taxi drivers are disturbed to see that he is following Jack Johnson's lead and supporting a corrupt industry. We can see no difference between the position of Jack Johnson and Rushern Baker in fighting against the economic freedom and independence of County residents of very modest means in order to benefit a monopoly.

CB-36-2010

Last year, the County Council unanimously passed a Bill (CB-36-2010) to give economic freedom and independence to taxi drivers by creating 400 new certificates and allowing 75 new certificates each year for 5 years, and all of these new certificates had to be owned by individuals, not taxicab companies. The companies fought hard CB-36-2010, using long-time County political player, John Lally, as their attorney-lobbyist. In addition, they made substantial campaign contributions, most notably to various slates including Council Member Will Campos, Council Member Leslie Johnson, Council Member Andrea Harrison, former Council Member Marilyn Bland, State's Attorney Angela Alsobrooks and former County Executive candidate Michael Jackson.

Former County Executive Jack Johnson was a strong supporter of the industry, and during his tenure, numerous complaints about corruption and unfair treatment of drivers by the Department of Environmental Resources were ignored. Jack Johnson opposed CB-36-

2011 and vetoed the bill, which the County Council overrode 7-0 on August 10, 2010. * Council Member Will Campos was absent for the vote.

The taxi industry filed an injunction against CB-36-2011, initially obtaining a temporary restraining order. The industry hired John Davey[†], a long-time County political player with ties to Wayne Curry, and Leonard Lucchi, another long-time County political player who served as County Attorney under Wayne Curry and as County lobbyist for Jack Johnson. At the follow-up hearing shortly thereafter, the County Attorney, Stephanie Anderson, refused to defend the law, claiming that there was a conflict of interest since the County Executive and County Council disagreed. The Judge ruled that there was no conflict of interest and held a hearing on the injunction suit – even though the County had no lawyer to defend the approved law. In spite of the reckless action of the County Attorney, the injunction case had so little merit, that the Judge upheld CB-36-2010 even though no one was present to argue in defense of it. Rushern Baker has retained Stephanie Anderson (who was originally appointed by Jack Johnson), even though he dismissed many Department Directors to remove any concerns about improper activities in the Johnson administration.

CB-36-2010 provided for a lottery to issue the 400 newly authorized certificates to eligible drivers. Samuel Wynkoop, the newly Acting Director of DER, slowed down the process and held up any action until the drivers started protesting. Mr. Wynkoop was formerly the Director of the Department of Environmental Resources under Wayne Curry. Even after the new certificates were approved for some drivers, the Department of Environmental Resources staff moved very slowly to physically issue the certificates. Many invalid excuses were told to drivers that inquired. In addition, three dozen drivers were incorrectly ruled ineligible and filed appeals. Their appeals dragged on for months. Again, after public protests, Mr. Wynkoop announced that the three dozen certificates would be issued, but not as part of the 400 new certificates. Instead, these drivers would have to wait until the next 75 certificates are issued in the next annual round. This position has no logic, but plays to the effort of the industry to effectively repeal CB-36-2010.

Drivers are still being denied the certificates to which they are entitled.

* Of concern is that on the day before the veto override vote, the taxi industry gave \$4,000 to "Progress for the People Slate" which consists of

[†] John Davey was appointed by Wayne Curry to represent the County at WMATA, with a sweetheart contract similar to the ones that the Washington Post reported concerning Marcell Solomon and Artis Hampshire-Cowan. *Pr. George's paid more than \$600,000 to Metro board alternate over 8 years*, May 22, 2011.

CB-3-2011

On behalf of the taxi industry, John Lally and Wayne Curry have gotten Council Member Will Campos to present a bill (CB-3-2011) that will take away the newly won gains for drivers. Almost all of the newly authorized certificates will be rescinded. Just as bad, the newly issued certificates – which presently may only be owned by individuals – would become eligible for acquisition by the taxicab companies, and the ratio of certificates that taxicab companies may own will increase to 75%. This provision directly undermines the 2010 decision to try to lessen the taxicab monopoly that exists. Doing so is anti-free market and will hurt consumers.

Rushern Baker originally claimed to have no position on CB-3-2011, but at the Committee worksession on the bill, Samuel Wynkoop (Acting Director of the Department of Environmental Resources, and the former Director under Wayne Curry) came out in support of the bill, with some amendments that make the bill even worse. Wayne Curry was the most visible political of Rushern Baker's candidacies in the 2006 and 2010 County Executive elections. Mr. Curry's level of connection is clear from his appointment in November to serve as the Chairman of the Baker Transition Team.

Rushern Baker's point person on the CB-3-2011, who expressed Baker's support, is Brad Frome, Deputy Chief of Staff. For the past six years, Brad Frome was Chief of Staff for Councilman Will Campos. In addition, Brad Frome serves as Campaign Treasurer of the "Progressive Prince George's Slate", a slate that consists of Will Campos and Senator Victor Ramirez. During the 2010 election cycle (2007-2011), the taxi industry gave \$6,500 to the "Progressive Prince George's Slate". These donations raise serious questions about the motives of Council Member Campos. Further, considering the ties that Brad Frome has to Will Campos (the proposer of CB-3-2011), and considering his role as Treasurer of the Slate taking in these influence-buying contributions, it is completely inappropriate for Rushern Baker to allow Mr. Frome any role in the public policy debate of the taxi industry, let alone being the primary point person on the legislation.

Thus, Mr. Baker is getting his analysis from an Acting Director who used to work for the lead lobbyist and from his Deputy Chief of Staff who is closely tied to Will Campos and very closely tied to accepting the \$6,500 of campaign contributions given to Campos' slate.*

Finally, Council Member Campos is pushing the County Council to take an extraordinary procedural action to jam CB-3-2011 through the process. CB-3-2011 was presented and went to Committee, where there

* The new "ethics law" that Baker has touted would not outlaw this type of donation to the Slate in the future.

was a lengthy worksession. Normally, it would be back in Committee for further consideration. Since the Council is in the midst of the budget process, normally, this would occur in early June.

However, last Tuesday, shortly before Council session started, Will Campos (with the complicity of Council Chair Ingrid Turner) sought to use a rare procedural rule to force CB-3-2011 out of Committee and immediately introduce it before the Council. Council Vice Chair Eric Olson, also Chair of the Transportation, Housing and Environment Committee that has CB-3-2011, had no idea of this attempted procedural effort. The taxi drivers had no idea that the Council might take an action to move the bill out of Committee. Also, we understand that Council Member Campos and Brad Frome had worked up revisions to CB-3-2011 that had not been shared with the other Council Members or the public.

As we understand it, after objections from Mr. Olson, the Council agreed to hold an extraordinary Committee worksession and a County Council session on Tuesday, May 24, 2011. These meetings had not been previously scheduled, and during the week that the County Council adopts the budget (Thursday, May 26, 2011), the County Council does not meet in regular session or in Committee.

This means that, in the midst of the very busy budget season, on a day that the County Council would not meet, Council Member Campos has made repealing the 2010 freedom for taxi drivers the number one priority of County business – all to reinstall a monopoly system that has long been known for allegations of corruption and unfairness. And, this is being done before CB-36-2010 has been fully implemented, so there is no way to know whether CB-36-2010 has had such a negative impact that it should be revised. CB-36-2010 contains an annual review provision to assess its impact, but CB-3-2010 is being pushed to repeal the law before the annual review can occur. This sudden action, with no rationale, speaks volumes that CB-3-2010 is a special interest bill, not a bill concerning the public health, safety and welfare.

Summary

Council Member Campos, who has received thousands of dollars in campaign donations, in conjunction with his former Chief of Staff, Brad Frome, who handled the money, is adamantly pushing repeal of a bill that gave drivers of modest means economic freedom and independence at the behest of unregistered lobbyists who are long-time politicians in Prince George's County. Players involved include former associates of the lobbyists and a former County Attorney.

Normal County Council bill process is being turned upside down to allow for extraordinary actions to speed up passage of the bill before more of the newly authorized certificates can be issued.

Authorized certificates are being held arbitrarily by an Acting Director who used to be employed by one of the lobbyists.

Is THIS the type of ethics and transparency that Rushern Baker had promised? Is this what it means to root out "pay to play" politics? Is the "good ol' boy" network alive and well in Prince George's County? Rushern Baker has much to answer for.

Actions

The taxi drivers demand that there be an investigation of the handling of CB-3-2011. This investigation cannot be conducted by County Attorney Stephanie Anderson, who already has acted with questionable motives. This investigation cannot be conducted by State's Attorney Angela Alsobrooks, who received substantial campaign contributions from the taxicab companies last year. The investigation should be handled by the County Board of Ethics (if it has the capability to do so), by the State Board of Ethics (if it is authorized), or by the Office of the State Prosecutor.

The taxi drivers demand that CB-3-2011 be tabled until an investigation is completed.

The taxi drivers demand that Rushern Baker remove his support from CB-3-2011.

The taxi drivers demand that Rushern Baker remove Brad Frome and Samuel Wynkoop from having any role in policy matters concerning the taxi industry, including with respect to CB-3-2011.

The taxi drivers demand that Rushern Baker order the Department of Environmental Resources to issue immediately all certificates for which drivers are eligible.