

## Missing the Point – Off Year Contributions to Mayor Scott’s Campaign Committee

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This op/ed is about the timing and sources of off year campaign contributions to “The People for Brandon M. Scott.” What do the optics of these contributions suggest? Are the contributions we’re going to talk about nothing more than people and companies interested in supporting good government? Or are they effectively payments by special interests in return for favorable treatment by the candidate they are funding?

For the record, I’m not going to make any claims as to the appropriateness or legality of the contributions we talk about. I don’t like money in politics, but contributions made according to the laws controlling campaign financing are, by definition, perfectly legal. I’m just going to give you information to stimulate discussion about campaign financing and let you draw your own conclusions. My objective is to encourage enforcement and changes to the law that reduce the influence money may have on who we elect and how our elected officials behave in office.

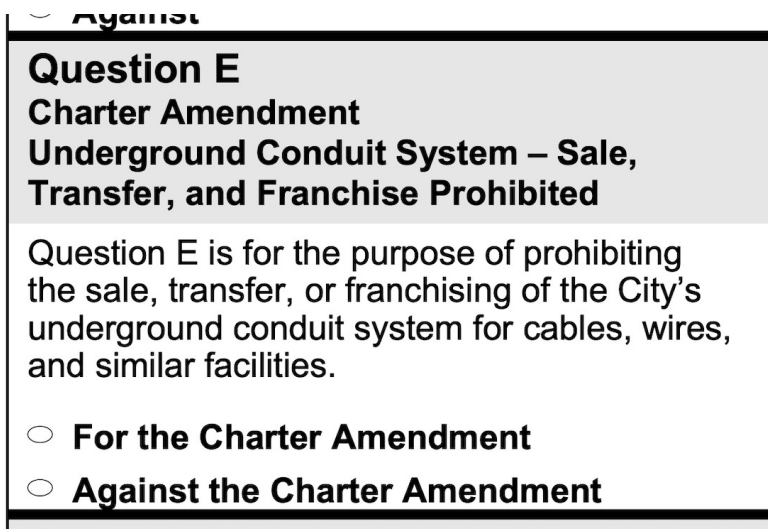
Note also that the contributions data I’m going to show you is publicly and readily available from the “[Campaign Finance](#)” section of the Maryland Board of Elections website. I may present these data differently than in tables published by the Board of Elections, but the data itself is in its original form as reported by the campaign committees to the Board.

So why talk about campaign contributions now, more than a year from the next primary election for the office of Mayor of Baltimore? What, if anything, has happened

involving the current Mayor that suggested that I check contributions to Mayor Scott's campaign committee?

As you have no doubt heard by now, Mayor Scott has recently negotiated the sale of the city's conduit system to BG&E. The economics of the sale are somewhat complex and I don't pretend to understand the various pros and cons of what he's doing except to say that it's important business for the city that clearly deserves careful consideration. In any case, this op/ed isn't about the implications of such a sale. It's about the coincidental optics of contributions to Mr. Scott's campaign committee.

What got my attention was the way Mayor Scott went about his negotiations with BG&E. As I understand the situation, when Mayor Scott was President of the City Council, he favored Council action that eventually resulted in Question E on the 2022 Baltimore City ballot. The Council was so concerned that the city's conduit system might be sold, it voted for a ballot question to amend the city charter to prevent such a sale. The screenshot below is from the ballot published by the Board of Elections and shows the question posed to voters in last year's general election...

A screenshot of a ballot question. At the top, the word "Against" is partially visible. The question is titled "Question E Charter Amendment Underground Conduit System – Sale, Transfer, and Franchise Prohibited". Below the title, the text reads: "Question E is for the purpose of prohibiting the sale, transfer, or franchising of the City's underground conduit system for cables, wires, and similar facilities." At the bottom, there are two radio button options: "For the Charter Amendment" and "Against the Charter Amendment".

**Question E**  
**Charter Amendment**  
**Underground Conduit System – Sale, Transfer, and Franchise Prohibited**

Question E is for the purpose of prohibiting the sale, transfer, or franchising of the City's underground conduit system for cables, wires, and similar facilities.

☐ **For the Charter Amendment**

☐ **Against the Charter Amendment**

The [results](#) were 94,708 voters in favor of the charter amendment, 28,826 against. More than three-quarters of the people voting opposed the sale of the city's conduit system. And that should have been that. But it wasn't and that's what bothered me.

Despite having been personally opposed to selling the conduit when he was President of the City Council... And despite knowing full well that selling the conduit is in conflict with the City Charter as amended by the results of voting for Question E last year, Mayor Scott has made no real effort to involve the City Council in his negotiations with BG&E. Why not? Certainly, he has every right to change his mind, but he has no right to ignore the will of the people of Baltimore as expressed in last year's general election.

And so, I was curious and checked campaign contributions his committee had been receiving lately.

*“That’s where you went? From reading a few articles to wondering about his campaign contributions?”*

Fair question. My problem is that I’ve been around for a while and have worked a fair amount in politics. It’s made me cynical. I’d try harder to get over it except that, more often than not, by skepticism has proven to be well-founded. As for this particular foray into campaign contributions, here’s what I discovered...

I have three tables to show you. This first table presents annual contributions for 2021, 2022 and the first two months of this year, 2023. I downloaded these contributions data a couple of weeks ago on February 28. What these three years have in common is that they are “off years” during which the Mayor is not running for office. The next primary and general election will not happen until 2024. As a rule, un-announced candidates do not get significant campaign contributions during years when they’re not running for anything.

		The "People for Brandon M. Scott" Campaign Committee					
		<b>Off Year Annual Contributions, 2021-2023 To Date</b>					
		Source... Maryland Board of Elections, as of February 28, 2023					
		<i>\$6000 is the legal limit for individuals and companies per election cycle.</i>					
		<i>"Slate Committees" can transfer up to \$24,000 to a campaign committee.</i>					
		Annual Contributions		\$1000 or More		\$6000 or More	
		Count	Dollars	Count	Dollars	Count	Dollars
2021		349	\$ 216,978	117	\$ 185,250	3	\$ 18,000
2022		312	\$ 228,820	104	\$ 183,750	5	\$ 34,000
2023		136	\$ 219,765	63	\$ 198,500	21	\$ 126,000
Totals...			\$ 665,563		\$ 567,500		\$ 178,000

Notice how similar the total annual contributions are for each of the three years – except that, if I were to show you the monthly data, 100% of 2023’s contributions occurred in January. Nothing in February. \$219,765 in just one month – the first month of the new election cycle.

As you can see from the screenshot below from Chapter 8 of the [“Summary Guide to Maryland Candidacy and Campaign Finance Laws,”](#) the previous election cycle ran from January 1, 2019 through December 31, 2022. January 1, 2023 is the start of the new, 2026 election cycle. (The boxes drawn around the text in the screenshot are in the original document.)

## 8.2 Contribution Limits

### 1. Generally

A person may contribute directly or indirectly no more than \$6,000 to one political committee/candidate during the election cycle.<sup>1</sup>

*-§ 13-226 of the Election Law Article*

#### **Election Cycle**

2022 Cycle – 1/1/2019 through 12/31/2022

2026 Cycle – 1/1/2023 through 12/31/2026

2030 Cycle – 1/1/2027 through 12/31/2030

**For example:** Sidney Giver contributes \$6,000 to the Committee to Elect Bob D. Candidate on April 3, 2022. Sidney Giver cannot make any more contributions to the Committee to Elect Bob D. Candidate until the next four-year cycle begins (in this case January 1, 2023).

The legal limit for campaign contributions by an individual (or company) is \$6000 for a given candidate. That's *not* an annual limit. The legal limit is \$6000 for a single candidate, in total, *over the entire four-year election cycle*.

*“So why would someone or a company contribute to a campaign committee, particularly for an unannounced candidate, during an off year?”*

Good question. The usual reason, particularly for larger contributions of, let's say, \$1000 or more, is access to the candidate. In Mayor's Scott's case, we're talking about access to the sitting Mayor of the City of Baltimore. The contribution is to make sure he picks up the phone when you call him and pays attention to what you may ask him to do for you. Because campaign contributions are, effectively, a form of “paying” an official for favors he might do for you. ...And now you know why I want to get money out of elections.

Note, in particular, the 21 contributions of the maximum \$6000 – all of them in January. Those 21 contributors can't contribute any more to the Scott campaign until January 1, 2027 when the next, 2030 election cycle gets underway. That's 21 maximum contributions compared to just three in all of 2021 and only five in all of 2022.

*“Hmm.”*

Yeah. So, I asked myself, what was happening in and about January of this year that might have encouraged these contributions? Well, lots of things, not the least of which were negotiations between Mayor Scott and BG&E for the sale of the city's conduit system.

More specifically, here is a list of the 21 people and companies who contributed the legal maximum \$6000 to Mayor Scott's campaign in January. If you have the time, you might Google these contributors to see who they are.

The "People for Brandon M. Scott" Campaign Committee			
<b>Off Year Contributions of \$6000 or More, 2023 To Date</b>			
Source... Maryland Board of Elections, as of February 28, 2023		Total...	\$ 126,000
	Sorted by Contributor	Address	Date Amount
1	Angelos, John	4317 Lindawood Dr, Nashville, TN 37215	1/10/23 \$ 6,000
2	Bythewood, Dan	3 E 54th St, New York, NY 10022	1/6/23 \$ 6,000
3	Comcast Corporation	1701 John F Kennedy Blvd, Fl 30, Philadelphia, PA 19103	1/10/23 \$ 6,000
4	Didriksen, Neil	208 Woodbrook Ln, Baltimore, MD 21212	1/5/23 \$ 6,000
5	Flanigan, Pierce J.	2444 LOCH RAVEN RD, BALTIMORE, MD 21218	1/10/23 \$ 6,000
6	Frankford Auto Recyclers	1915 Edison Hwy, Baltimore, MD 21213	1/10/23 \$ 6,000
7	Gallagher, Evelius & Jones, LLP	218 N Charles St, Ste 400, Baltimore, MD 21201	1/10/23 \$ 6,000
8	Goode, Willie	1701 Olive St, Capitol Heights, MD 20743	1/3/23 \$ 6,000
9	Hargrave, Jeffrey	1747 MACO DR, HANOVER, MD 21076	1/3/23 \$ 6,000
10	Inner Harbor East Garage, LLC	650 S Exeter St, Ste 200, Baltimore, MD 21202	1/11/23 \$ 6,000
11	Joseph, Mark K.	200 E Pratt St, Ste 4100, Baltimore, MD 21202	1/10/23 \$ 6,000
12	Lipscomb, Ronald	14800 4th St, Apt 14C, Laurel, MD 20707	1/9/23 \$ 6,000
13	Loading Dock Discount Liquors Inc.	2101 FLEET ST, BALTIMORE, MD 21231	1/10/23 \$ 6,000
14	MCB Real Estate	2701 N Charles St, Ste 404, Baltimore, MD 21218	1/11/23 \$ 6,000
15	Pennrose LLC	230 Wyoming Ave, Ste 6, Kingston, PA 18704	1/10/23 \$ 6,000
16	R. E. Harrington Plumbing & Heating Co I	300 W 23rd St, Baltimore, MD 21211	1/10/23 \$ 6,000
17	Residential Title & Escrow Co.	100 Painters Mill Rd, Ste 200, Owings Mills, MD 21117	1/10/23 \$ 6,000
18	Sapperstein, Mark	1500 Whetstone Way, Ste 101, Baltimore, MD 21230	1/10/23 \$ 6,000
19	Shea, Barbara	10909 Baronet Rd, Owings Mills, MD 21117	1/10/23 \$ 6,000
20	Shea, James L	10909 Baronet Rd, Owings Mills, MD 21117	1/10/23 \$ 6,000
21	Williams, Jayson	1 N Charles St, Baltimore, MD 21201	1/10/23 \$ 6,000

The two Shea contributions on lines 19 and 20 – from the same address – are related to James Shea, former Chairman of [Venable](#) law, former Democratic Candidate who ran for Governor with Brandon Scott as his running mate in 2018 and was later appointed City Solicitor by newly elected Mayor Scott. Mr. Shea has since been replaced as City Solicitor by Ms. Ebony Thompson, a lawyer and former Associate at Venable from 2013 until 2022 according to her LinkedIn page. Do you know what law firm has represented BG&E as one of its several outside counsels and is very much interested in developing its [energy sector business](#)? Venable.

*“First Shea and then Thompson, both from Venable. Were there no other attorneys Mayor Scott might have hired for City Solicitor to replace Mr. Shea, from legal practices with no potential conflicts of interest?”*

Apparently not.

*“So, let me get this straight... The City Solicitor who has been representing Baltimore in Mayor Scott’s negotiations with BG&E for the sale of the city’s conduit system – which the people of Baltimore have voted against doing – has long-standing and possibly continuing relationships with one of law firms that represents BG&E?”*

Yes. For example, Venable, which is the law firm we’re talking about, has [partner level experience representing BG&E’s parent company, Exelon](#), when it merged with Pepco



a few years ago. So, yes. Those are the optics. The question is, are these relationships and contributions nothing more than superficially coincidental or are they indicative of relationships that should be of concern to the people of Baltimore.

During the off years we've been talking about, Mayor Scott's campaign committee has raised \$567,500 from 284 contributions of \$1000 or more made by people and companies. You can use the link below to see who made these contributions which are sorted by address. Sorting contributions by address helps us identify related contributions that may have been made by different people and companies. Needless to say, some contributors are more influential than their individual contributions might otherwise suggest by virtue of how they are able "encourage" contributions from family, friends and companies which they manage, own or affect by virtue of the business they do with them.

<Insert link to PDF entitled "05 Off Year Contributions of \$1000 or More.">

Within groups of related contributions, I've sorted those contributions by date to see in which election cycles contributions were made. Remember, the limit is \$6000 per election cycle as defined by the Board of Elections. The dates may also help interested voters understand the timing of contributions relative to which the Mayor may be considering this or that related to a given contributor.

In the course of generating this table, I found two instances of contributions that appear to be in excess of the legal maximum...

120	Maryland Hotel & Lodging Association	20 Ridgely Ave, Ste 303, Annapolis, MD 21401	12/30/21	\$	1,000
121	Joseph, Mark	200 E Pratt St, Ste 4100, Baltimore, MD 21202	3/23/21	\$	3,000
122	Joseph, Mark	200 E Pratt St, Ste 4100, Baltimore, MD 21202	4/19/21	\$	3,000
123	Joseph, Mark	200 E Pratt St, Ste 4100, Baltimore, MD 21202	1/17/22	\$	2,500
124	Joseph, Mark K.	200 E Pratt St, Ste 4100, Baltimore, MD 21202	1/10/23	\$	6,000
125	Donna Frank	3803 Clifton Rd, Ste 408, Baltimore, MD 21214	4/13/23	\$	4,000
201	Awthorn, Gary L.	3712 Michelle Way, Baltimore, MD 21206	1/11/23	\$	1,000
202	Haden, Jackson	3775 Erin Jacob Dr, Taneytown, MD 21787	4/8/21	\$	1,000
203	Haden, Jackson	3775 Erin Jacob Dr, Taneytown, MD 21787	1/11/22	\$	1,000
204	Haden, Jackson	3775 Erin Jacob Dr, Taneytown, MD 21787	12/2/22	\$	6,000
205	Sarah Clair	3801 Canterbury Rd, Unit 1013, Baltimore, MD 21218	1/5/23	\$	2,500

In the first case, the contributor was reported by the campaign committee as having contributed a total of \$8500 during 2021 and 2022, both years of which are in the same election cycle. The fourth contribution by this same contributor occurred in 2023 at the start of a new election cycle. In the second case, the 2021 and 2022 total contributed was \$8000.

You would think that Board of Elections software could be coded to identify contributions that exceeded the legal limit and flag them for review by Board of Elections staff.

Any comments and suggestions you may have will be greatly appreciated.

-Les Cohen

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