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Lipscomb trial to open today

Corruption case could show much about development deals in city

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Jury selection and opening statements are set to start today in the public corruption case against developer Ronald H. Lipscomb, a trial that could reveal much about how development deals are fashioned in Baltimore.

Lipscomb, once one of the city's foremost minority developers, is charged with bribing City Councilwoman Helen L. Holton by paying for a \$12,500 political poll of her West Baltimore district, in exchange for favorable votes on tax credits for projects Lipscomb was building in Harbor East.

Holton was also charged with accepting a bribe. A judge dismissed that case, saying prosecutors used tainted evidence when building the case against her. Prosecutors are appealing that ruling.

The case is the first to be tried in a series of City Hall corruption cases prosecutors brought in January. Also indicted was Mayor Sheila Dixon, who faces charges of stealing gift cards from needy families. Charges of perjury have been dismissed.

The state prosecutors plan to bring some top City Hall officials to testify, including three who help developers obtain public financing via the Baltimore Development Corporation. Officials with Streuver Brothers, Eccles & Rouse and H&S Development are on the prosecutors' witness list.

Prosecutors noted in court filings that they may bring up issues relating to the Frankford Estates project, a group of houses in Northeast Baltimore developed by Streuver and Lipscomb. The project received city tax credits.

The trial is also likely to cover issues with the Uplands project, one of the largest new home developments in the city and one that also is benefiting from city financing.

That project is in Southwest Baltimore, where 100 acres of boarded-up buildings have been demolished. In their place, developers plan 1,100 apartments, condominiums and homes.

To begin, attorneys will need to agree on a jury. The process could take longer than normal,

because the case is so highly publicized. Prosecutors are permitted to strike five jurors; the defense can strike 10. But there is no limit to the number who could be excused because they've already formed an opinion on the case.

Warren Brown, a defense attorney who is not representing anyone in the case, said Lipscomb's lawyers will likely favor African-American jurors. They would be sympathetic to the argument that Lipscomb has used the same methods of courting politicians that many successful white developers employed, Brown said.

Lipscomb "tried to use his influence to bring about some financial benefit to himself," Brown said. "OK. Isn't that the way it is supposed to work?" The prosecutors' case "is just not going to resonate" with an African-American jury unless the state can show that the jurors' communities have lost out because of Lipscomb's gain, Brown said.

Jurors, he said, will think: "Good for Ron. He has figured how to play the game like white people have for years."

Steve Levin, a former federal prosecutor who now does criminal defense work, said the opening statement should serve as a "road map" to sort through the evidence.

"The importance of an opening statement cannot be overstated," Levin said. Jurors will try to keep an open mind during the trial, but most still form an opinion quickly about the issues, he said.

Prosecutors will likely be upfront about potential weaknesses in their case, he said. "It will come across a lot better to the jury if the state mentions them before the opposing side does," Levin said.

But there is always the possibility that the trial will be delayed at the last minute because of a backroom deal between the attorneys, said A. Dwight Pettit, another city defense attorney.

"On this case, probably everybody is working on Sunday," Pettit said. "Everybody should be. I would be."

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