



County Executive John R. Leopold
P.O. Box 2700, Annapolis, MD 21404

June 8, 2009

Hon. Don Dwyer
Maryland House of Delegates
154 Lowe House Office Building
Annapolis, MD 21401

Dear Delegate Dwyer:

Your recent "Guest Column" entitled "It's time to put an end to anonymous zoning complaints" unfortunately made a large number of unproven accusations, repetitions of unfounded rumors, and incorrect legal statements that would lead the reader to question the real reason why a public official would go to such lengths to protect those who spoil our county lands and waters.

You wrote that "when researched it is revealed that this practice (reviewing complaints not accompanied by a name and address) is quite problematic not to mention unconstitutional." Unfortunately, your "research" as set out in your Column appears to amount to nothing more than your unsupported accusation, your assertion that "you have great reason to suspect" and your unsubstantiated statement that "it has been reported at several Town Hall meetings."

I strongly believe that a responsible public official, when confronted with the conduct that you alleged in your Column to have occurred, has an obligation to bring forth facts to support such allegations. I am particularly concerned that, without substantiation, you repeat that county employees "harass property owners to extort the payment of fines to support the county's financial shortfall."

Setting aside the mathematical insignificance of such fines in our \$1.2 billion budget, you have accused public employees of committing a crime. The Maryland Criminal Law Article, Section 3-702, makes it a felony punishable by up to 10 years in prison for a government employee to wrongfully obtain money from a person if obtained under color or pretence of office, under color of official right, or by wrongful use of actual or threatened force or violence. In light of the seriousness of your allegations of "reported" criminal conduct, I urge you to bring whatever evidence of this alleged wrongdoing is within your knowledge to the immediate attention of the State's Attorney for Anne Arundel County or the State Prosecutor. I am copying both of these officials so that they are aware that you may have information of such alleged criminal activity.

As I have in the past, I ask that you immediately present the appropriate law enforcement official with actual property locations, names of persons who believe that money was "extorted" from them or any other action that you "suspect" is a violation of the law. As you noted in your Column, "it seems only reasonable that if someone feels the need to file a [zoning] complaint they should be required to reveal who they are and their interest in the alleged violation." If citizens feel they are the victims of government "extortion" it seems only reasonable that they step forward with details of the alleged wrongdoing.

I hope you will assist in this effort in every way possible.

Sincerely,

A handwritten signature in black ink, appearing to read "John R. Leopold", with a long, sweeping flourish extending to the right.

JOHN R. LEOPOLD
County Executive

cc: Frank R. Weathersbee, State's Attorney
Robert A. Rohrbaugh, State Prosecutor