

Mayor not talking about legal-fee reimbursement - City Council members troubled by timing of policy

By Annie Linskey, Baltimore Sun, January 22, 2009

Mayor Sheila Dixon shoved a television reporter's microphone today while declining questions about whether taxpayers should foot her legal bills, and several City Council members expressed surprise that her administration would draft a new reimbursement policy while the mayor is under indictment.

"I think this is the wrong issue at the wrong time for Baltimore City," said Councilwoman Mary Pat Clarke, who represents North Baltimore. "We have been 200 years without a policy. We are in the middle of indictments. This is not the time to decide on a policy."

The Baltimore Sun reported today that City Solicitor George A. Nilson is writing a policy similar to a state provision that allows officials to be reimbursed for legal fees. Those officials are paid only if cleared of charges.

If enacted, the new policy could benefit Dixon, whose legal fees are mounting as a result of a three-year investigation by the state prosecutor into City Hall corruption. Dixon was indicted this month, accused of taking gift cards meant for needy children, lying on her financial disclosure forms and misuse of office. She has said she is innocent of the criminal charges levied in a 12-count indictment.

Dixon brushed aside questions about the proposed policy after a news conference on another matter today outside City Hall. "I don't have any answers about my legal defense," she told a group of reporters.

Pushing away a microphone held by a Channel 2 reporter, Dixon added that she is "not engaged" in the drafting of the policy and directed questions to the city solicitor's office.

The proposal was fodder for talk radio and Internet message boards today, and Clarke said she had fielded a number of angry calls from constituents.

Councilman William H. Cole IV said he would like to see a draft of the policy and hopes that the City Council can weigh in on it. He also suggested that it would be appropriate for the Maryland attorney general to comment since it is supposed to mimic the state's measure.

Councilwoman Agnes B. Welch, who attended the City Hall news conference with the mayor today, said afterward that she has "a whole lot of questions" about the policy.

She noted that it took three years to secure about \$120,000 for a bus for seniors that was unveiled at City Hall moments earlier. "We worked so hard to get the bus [money] in the budget," she said. Comparing that with the prospect of funding the mayor's legal bills, she

shook her head and said: "It really hit me."

Others thought that after an indictment an official should pay for his or her own legal fees. Baltimore police union chief Robert Cherry said: "I don't see why the taxpayers should be beholden to pay for anyone's defense."

Such a policy, he said, is not appropriate at any level of government. "I don't think the taxpayers of the city, the state or the nation should pick that up."

Dixon's legal team includes two high-profile defense attorneys, Arnold M. Weiner and Dale P. Kelberman. Neither will comment on his fees, though other defense attorneys estimated that Dixon's bill would be in the hundreds of thousands of dollars.

A reimbursement policy could also apply to Councilwoman Helen L. Holton, who was indicted on bribery charges as part of the state prosecutor's investigation. And the city could pay for private attorneys retained by other city employees who hired their own lawyers during the investigation.

The city's Board of Estimates -- a powerful city spending panel controlled by the mayor -
- would have to approve the policy and any payments for legal bills over \$5,000.