

In the Matter of:

EDWARD D.E. ROLLINS III

Respondent

Before the State Ethics Commission

Complaint No.: C-11-15

STATE ETHICS COMMISSION

STIPULATION OF SETTLEMENT AGREEMENT

This Stipulation of Settlement Agreement (hereinafter the "Agreement") made on this 16 day of November, 2016, by and between Edward D.E. Rollins III, Respondent, and William J. Colquhoun, Staff Counsel to the State Ethics Commission ("Staff Counsel").

STIPULATIONS

1. The State Ethics Commission ("the Commission") is the executive agency of the State of Maryland established by Chapter 513, Acts 1979 for the purpose of enforcing the Maryland Public Ethics Law (General Provisions Article, Title 5, Annotated Code of Maryland, hereinafter "the Public Ethics Law") including the provisions of Subtitle 5, Conflicts of Interest.
2. Edward D.E. Rollins III ("the Respondent") was, at all times relevant to this matter, the elected State's Attorney for Cecil County. The elected State's Attorney for Cecil County is defined as a State official and is subject to the conflict of interest provisions of the Public Ethics Law.
3. Pursuant to §15-408(d) Md. Code Ann., Crim. Proc. (Supp. 2015) "The State's Attorney may appoint clerical, secretarial, administrative, investigative, and other support staff that the State's Attorney considers necessary for the proper conduct of the office." Section 15-408(d)(ii) of this title further provides that "The State's Attorney's executive secretary and criminal investigators serve at the pleasure of the State's Attorney."
4. In December 2010, the Respondent hired his son, as a District Court Investigator for the Office of the State's Attorney for Cecil County. Since that date Respondent has participated in personnel matters such regarding his son's employment as a District Court Investigator for the Office of the State's Attorney for Cecil County. By way of example, in December, 2012, a change in his son's duties resulted in a pay raise that was approved by the Respondent.
5. Section 5-501(a)(1) of the Public Ethics Law prohibits a State official from participating in a matter in which the official or a qualifying relative has an interest.

Section 5-101(gg) of the Public Ethics Law defines "qualifying relative" as a spouse, parent, child, brother or sister. The Commission, through its published opinions, has defined "participate" as "participating as a State officer or employee in any proceeding, disapproval, decision, recommendation, the rendering of advice, investigation or otherwise" and "matter" as "any proceeding, application, submission, request for ruling or other determination, contract, claim, case or other such particular matter" (Opinion No. 80-17).

6. The Respondent has fully cooperated in Staff Counsel's review of this matter.
7. The Respondent is voluntarily entering into this Agreement to admit certain violations of the Public Ethics Law, to accept certain sanctions and to resolve the matter now pending against him without a hearing before the Commission.

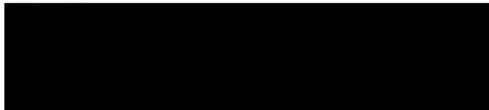
NOW, THEREFORE, in consideration of the agreed facts contained herein, and effective on the date of the Commission's acceptance of the terms of this Agreement, Edward D.E. Rollins III, Respondent, and William J. Colquhoun, Staff Counsel, agree as follows:

- A. That the Respondent stipulates that his participation in hiring and personnel matters regarding his son, as a District Court Investigator for the Office of the State's Attorney for Cecil County violated § 5-501(a)(1) of the Public Ethics Law.
- B. That the Respondent understands that violations of the conflict of interest provisions of the Public Ethics Law may result in civil fines pursuant to Section 5-902 of the Public Ethics Law. The Respondent further agrees to pay, in lieu of potential fines, the sum of \$1,500 for the above admitted violations of the law and that said sum will be paid by check or money order made payable to the State of Maryland in care of the State Ethics Commission on or before February 1, 2017. The fee shall be distributed to the Fair Campaign Finance Fund established under § 15-103 of the Fair Campaign Finance Article.
- C. That the Commission will issue an official reprimand to the Respondent for the above admitted violations of the Public Ethics Law effective the date of the date of the Commission's acceptance of this Agreement.
- D. That the Commission will transmit a copy of this Agreement to the Governor.
- E. That the Respondent has agreed that he will not participate in any future matters in which a qualifying relative has an interest.
- F. That the Respondent waives any formal proceedings and hearing in this

matter, if the Commission accepts this Agreement and agrees that acceptance of this Agreement by the Commission constitutes a final action and finding of violation by the Commission.

- G. That the Respondent further agrees that this Agreement and materials related to this matter are not subject to the confidentiality provisions of the Public Ethics Law and will be public information unless otherwise protected.
- H. That upon execution of this Agreement by the Respondent, Staff Counsel will recommend that the Commission suspend any further proceedings against the Respondent and recommend further that the Commission issue a Final Order consistent with the terms of this Agreement. Should the Respondent fail to comply with the terms of this Agreement, and after written notice is issued to him, the Commission reserves the right to issue a further order regarding this matter or to schedule a hearing in this matter.
- I. That in the event the Commission declines to accept this Agreement, both the Respondent and Staff Counsel are relieved of their respective obligations, and neither this Agreement, nor any admission it may contain, shall be admissible in any subsequent proceeding by the Commission.
- J. That the Respondent and Staff Counsel are entering into this Agreement for the sole purpose of resolving this matter and for no other purpose.

IN WITNESS WHEREOF, Edward D.E. Rollins III, Respondent, and William J. Colquhoun, Staff Counsel, State Ethics Commission, have hereunto set their hands and seals.



William J. Colquhoun, Staff Counsel
45 Calvert Street, 3rd Floor
Annapolis, Maryland 21401
(410)260-7770



Edward D.E. Rollins III

State of Maryland
County of: Cecil, to wit:

Before me, the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared Edward D.E. Rollins III, who made oath in due form of law on this 14 day of Nov., 2016 that the matters and facts hereinabove set forth in the Stipulation of Settlement Agreement are true to the best of his knowledge, information and belief and it is his voluntary act and that he executed this document for the purpose set forth herein.


Notary Public

My Commission Expires: 3/16/2018

(Notary Seal)


State of Maryland,
County of: Baltimore, to wit:

Before me, the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared William J. Colquhoun, Staff Counsel to the State Ethics Commission, who made oath on this 16th day of November, 2016 in due form of law that he executed this agreement for the purposes therein contained.


Notary Public

My Commission Expires: 12-22-18



Accepted by the  Commission

Janet E. McHugh, Chair
for the Commission

Date: December 15, 2016

In the Matter of

Edward D.E. Rollins III

Respondent

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Before the

State Ethics Commission

Complaint No. C-11-15

ORDER

Having considered the Stipulation of Settlement Agreement entered into on November 16, 2016 between Respondent, Edward D.E. Rollins III, and William J. Colquhoun, Staff Counsel to the State Ethics Commission, the State Ethics Commission hereby determines that the matter complained of herein has been settled by the Respondent's execution of the Stipulation of Settlement Agreement, attached hereto and made part hereof, it is hereby

ORDERED, that the Respondent is reprimanded, and that this Order and Stipulation of Settlement Agreement are public documents and shall be transmitted to the Governor.


STATE ETHICS COMMISSION

Date: December 15, 2016


Janet E. McHugh, Chair

CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of December, 2016, a copy of the foregoing Order in State Ethics Commission proceeding C-11-15, was forwarded via regular mail, postage prepaid, to the Respondent, Edward D.E. Rollins III, 814 Hances Point Road, North East, MD 21901 and was hand delivered to William J. Colquhoun, Staff Counsel for the State Ethics Commission, 45 Calvert Street, 3rd Floor, Annapolis, Maryland 21401.


Jennifer K. Allgair, General Counsel