

PRE-COMPLAINT DISPOSITION AGREEMENT STATE ETHICS COMMISSION

This Agreement, made this 13 day of March, 2012, by and between J. Darrell Carrington and William J. Colquhoun, Esq., Staff Counsel to the State Ethics Commission (hereinafter "Staff Counsel").

The State Ethics Commission ("the Commission") is an executive agency of the State of Maryland established by Chapter 513, Acts of 1979 for the purpose of enforcing the Maryland Public Ethics Law (State Government Article, Title 15, Annotated Code of Maryland, hereinafter the Ethics Law) including the provisions of Subtitle 7, the lobbying disclosure program.

AGREED STATEMENT OF FACTS

1. J. Darrell Carrington is an individual whose lobbying activities on behalf a business entity during the period of December 12, 2011 to February 2, 2012, required him to register as a lobbyist with the State Ethics Commission.

2. Section 15-713(5) of the Public Ethics Law prohibits a regulated lobbyist while engaging in lobbying activities from knowingly making a false material statement of fact to a State official or employee.

3. In January 2012, Mr. Carrington contacted an employee of Legislative Services with the consent of a member of the General Assembly and identified himself as "John", an intern for the General Assembly member. Mr. Carrington suggested to the Legislative Services employee that the member of the General Assembly was requesting the drafting of a bill. Mr. Carrington, on a second occasion and again with the consent of the General Assembly member, spoke to another Legislative Services employee and once again identified himself as "John", the legislative intern, to answer questions the employee had regarding the proposed legislation. The substance of the bill did not relate to the business entity that Mr. Carrington represented as a lobbyist. The possible beneficiaries of the bill were unaware of Mr. Carrington's actions and did not compensate him for his actions. The bill request has since been withdrawn. After speaking with Staff Counsel, Mr. Carrington personally advised the Legislative Services employees of his true identity and has apologized for his actions.

4. Section 15-713(5) of the Public Ethics Law was created upon a recommendation of the Study Commission on Lobbyist Ethics. In its October 2000 report to the General Assembly the Study Commission noted:

Government officials and employees must often depend on the expertise of regulated lobbyists. Purposefully abusing this reliance by making false statements is harmful to the trust and efficiency required for maintaining the effective operation of the governmental process.

Mr. Carrington, but for identifying himself as an intern for a member of the General Assembly, could not have directed a Legislative Services employee to draft a proposed bill.

5. Mr. Carrington fully cooperated with Staff Counsel's review in this matter.

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, J. Darrell Carrington and William J. Colquhoun, Staff Counsel, agree as follows:

A. That Mr. Carrington, a regulated lobbyist, while engaging in lobbying activities knowingly made false material statements of fact to employees of Legislative Services by identifying himself as "John", a legislative intern, in violation of § 15-713(5).

B. That Mr. Carrington understands that failure to comply with the cited provisions of the Public Ethics Law may subject him to civil fines pursuant to § 15-902 of the Public Ethics Law and that such fines may be in an amount up to \$5,000 for each violation of the law. That based on the facts stated in this agreement, in lieu of potential fines for the above admitted violations, Mr. Carrington agrees to pay as settlement \$500 by no later than July 1, 2012.

C. That the Commission will issue a reprimand to Mr. Carrington effective the date of the Commission's acceptance of the Agreement.

D. That Mr. Carrington accepts that the Commission, pursuant to § 15-407(c) of the Public Ethics Law will transmit this Agreement, including any documents or exhibits incorporated herein, to the Speaker of the House of Delegates and the President of the Senate.

E. That upon execution of this Agreement by Mr. Carrington, Staff Counsel will recommend that the Commission suspend any further proceedings against Mr. Carrington. Should Mr. Carrington fail to comply with the terms of the Agreement, and after written notice is issued to him, the Commission reserves the right to open an investigation and issue a Complaint for violation of §15-713 of the Public Ethics Law.

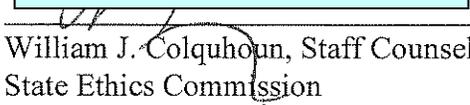
F. That Mr. Carrington waives a formal hearing on this matter and agrees that acceptance of this Agreement by the Commission constitutes a final action and finding of violation by the Commission, and further agrees that pursuant to §15-407(c) of the Public Ethics Law this Agreement and materials relating to this matter are not subject to the Confidentiality provisions of the Public Ethics Law, and will be public information unless otherwise protected.

G. That in the event the Commission declines to accept the Agreement, both Mr. Carrington and Staff Counsel are relieved of their respective obligations hereunder, and neither this Agreement, nor any admission it may contain, shall be admissible in any subsequent proceeding by the Commission.

H. That Mr. Carrington and the Staff Counsel have entered into this Agreement for the sole purpose of resolving the Commission's Preliminary Inquiry matter and for no other purpose.

IN WITNESS WHEREOF, J. Darrell Carrington and William J. Colquhoun, Staff Counsel, State Ethics Commission, have hereunto set their hands.

SIGNATURE APPEARS ON
ORIGINAL AGREEMENT


William J. Colquhoun, Staff Counsel
State Ethics Commission
45 Calvert Street, 3rd Floor
Annapolis, MD 21401

SIGNATURE APPEARS ON
ORIGINAL AGREEMENT


J. Darrell Carrington

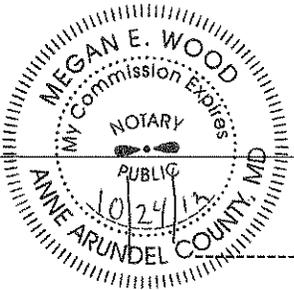
State of Maryland

County of: Anne Arundel, to wit:

Before me, the undersigned, a Notary Public in and for the State and County aforesaid, personally appeared J. Darrell Carrington, who made oath in due form of law on this 13 day of March, 2012 that the matters and facts hereinabove set forth in the Pre-Complaint Disposition Agreement are true to the best of his knowledge, information and belief, it is his voluntary act and that he executed this document for the purpose set forth herein.

SIGNATURE APPEARS ON ORIGINAL AGREEMENT

My Commission Expires:



(Notary Seal)

State of Maryland,

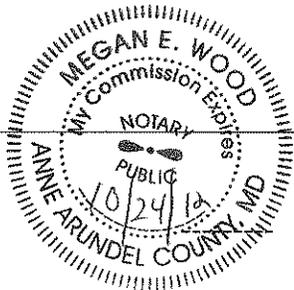
County of: Anne Arundel, to wit:

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 13 day of March, 2012 in due form of law that he executed this agreement for the purposes therein contained.

SIGNATURE APPEARS ON ORIGINAL AGREEMENT

Notary Public

My Commission Expires:



(Notary Seal)

Accepted by the Commission

SIGNATURE APPEARS ON ORIGINAL AGREEMENT

Robert F. Scholz, Chair
for the Commission

Date: 3/15, 2012