

STATE OF MARYLAND	*	IN THE
V.	*	CIRCUIT COURT FOR
WILLIAM C. MCCOLLUM	*	BALTIMORE COUNTY
<i>Defendant</i>	*	CASE NO.: C-03-CR-23-000803

* * * * *

SENTENCING MEMORANDUM

The State of Maryland, by undersigned counsel, submits the following Sentencing Memorandum. The defendant in this case, William Christopher McCollum (“McCollum”), pleaded guilty on May 25, 2023, to one count of perjury and one count of theft scheme of \$25,000 to \$100,000 related to his service as Treasurer to two campaign finance entities, “Baltimore County Victory Slate” and “Friends of Cathy Bevins.” Pursuant to the signed plea agreement (Exhibit A), the State is recommending a sentence of 5 years’ incarceration, suspending all but one year, with 3 years’ supervised probation, in addition to the \$125,000 of restitution paid to the respective campaigns by McCollum on May 25, 2023. The State believes that a year of incarceration is appropriate given the long-term, systematic pattern of fraudulent acts and abuse of trust that McCollum engaged in while committing these crimes.

A defendant's sentence should be individualized to fit the offender and not merely the crime. *Douglas v. State*, 130 Md. App. 666 (2000). In considering the proper sentence for a convicted individual standing before them, a judge can consider a wide range of factors. *Ellis v. State*, 185 Md. App. 522 (2009). “It is well settled that a judge is vested with very broad discretion in sentencing criminal defendants...a judge should fashion a sentence based upon the facts and circumstances of the crime committed and

the background of the defendant, including his or her reputation, prior offenses, health, habits, mental and moral propensities, and social background. The judge is accorded this broad latitude to best accomplish the objectives of sentencing....” *Jackson v. State*, 364 Md. 192, 199 -200 (2001) (citations omitted.) The primary purposes of sentencing include vindication of the ideal of equal justice under the law, punishment of the offender, and deterrence of the defendant and others. *State v. Dopkowski*, 325 Md. 671, 679 (1992). An appropriate sentence in this case should address each of these objectives.

Equal Justice Under the Law

The sentence recommended by the State is within the guidelines for the crimes committed by McCollum (Exhibit B). The State has weighed, in its recommendation, McCollum’s willingness to take responsibility for his actions, and his subsequent payment of restitution, in not requesting a sentence over the guidelines range. The gravamen of McCollum’s crime, however, is an ongoing pattern of fraudulent exploitation of a position of trust, which is specifically delineated by the Maryland Sentencing Guidelines as a reason to exceed the Guideline range. Md. Sent’g Guidelines Manual Ch. 14.3 (Md. St. Comm’n on Crim. Sent’g Pol’y 2023). McCollum’s abuse of his position of trust and the long-term nature of his offenses certainly justify a sentence which includes a term of incarceration.

Punishment of the Offender

McCollum’s crimes involved a long-term, systematic betrayal of close friends, donors, and Maryland voters. McCollum began working as Treasurer for the campaign finance entity “Friends of Cathy Bevins” on June 14, 2014. After sharing the role with his partner for a short time, he became the exclusive Treasurer of the campaign’s account on

June 24, 2014. On or about April 23, 2015, less than one year from the time he agreed to assume the fiduciary and legal responsibility to manage campaign funds for his close friend and political candidate Councilwoman Cathy Bevins, McCollum started stealing from her campaign. As early as 2015, McCollum stole checks made payable to the “Friends of Cathy Bevins” as campaign contributions by depositing them directly in his personal account. Around the same time, McCollum wrote checks from the “Friends of Cathy Bevins” campaign account to purported campaign vendors, and, instead of delivering the checks to those vendors, he deposited the funds into his own account. McCollum continued this pattern of illegal behavior until he was confronted by the Office of the State Prosecutor in 2022.

Maryland law essentially isolates candidates from the financial transactions of campaign finance entities. Unlike a regular business which raises funds, campaign finance law entrusts the Treasurer of a campaign to handle all financial dealings without any required input or observation from the candidate. Accordingly, in Maryland, a candidate is not personally responsible for processing checks or recording funds for the campaign. The role of ensuring that the funds are deposited, disbursed, and documented appropriately falls on the designated Treasurer of the campaign. It is a role that has significant responsibility and requires extensive trust—not just trust from the candidate, but trust from the state electoral system and the public at large that funds raised by candidates for elected office comply with all laws and regulations. The candidate, like the members of the public, may review the campaign finance reports prepared by the Treasurer to see what money the campaign has raised, allocated, and spent in support of the campaign. Of course, we now know that Councilwoman Bevins was raising

significantly more money than her reports depicted, because McCollum, her friend and Treasurer, was embezzling campaign funds and lying about it on campaign finance reports.

In addition to his role in the “Friends of Cathy Bevins” campaign, McCollum was also the Treasurer for a slate, another form of campaign finance entity, called the “Baltimore County Victory Slate.” Unlike other campaign finance entities, which are required to abide by the same contribution limits as individuals, candidates who are members of a slate can transfer unlimited funds between their individual campaign finance entities. As was the case with “Friends of Cathy Bevins,” McCollum started stealing from the “Baltimore County Victory Slate” campaign account almost immediately. He began his service as Treasurer to the “Baltimore County Victory Slate” beginning on April 21, 2014, and served through June 24, 2014. McCollum was re-appointed as the Treasurer for the period beginning on July 20, 2015. Even though McCollum was not officially serving as Treasurer in May and June of 2015, McCollum accessed and signed checks issued from the “Baltimore County Victory Slate” checking account and deposited those checks into his personal checking account. Continuously, throughout his next seven years as Treasurer of “Baltimore County Victory Slate” McCollum engaged in similar theft schemes to those that he employed as Treasurer for the “Friends of Cathy Bevins” entity— stealing checks, transferring funds into his personal accounts, and paying his personal expenses with campaign funds.

To engage in this type of theft without the candidate, slate members, or public’s knowledge is difficult and requires careful calculation and attention to detail. Treasurers for campaign finance entities are responsible for receiving and depositing all

contributions into the bank account for the campaign finance entity they serve, as well as dispersing all funds from the campaign finance entity's bank account while accounting for all receipts and expenditures made by the campaign. Accordingly, the campaign finance reports required by the State Board of Elections (SBE) are extremely detailed. Therefore, McCollum had to track all the checks that he stole, and then falsify the numbers on the reports to make up for the fact the money from those checks was never deposited. McCollum also had to carefully ensure that the money that he recorded as going to vendors (but instead deposited into his own account) was made up for elsewhere in the campaign finance reports so that the balance in the bank accounts matched the balance reported to SBE. A team of auditors at SBE reviews these reports and compares each report to prior reports to make sure the numbers add up. The crime was eventually exposed, years after it began and only after large amounts of money had already been taken, due to small errors identified by SBE auditors, errors that ultimately McCollum couldn't reconcile given the vast fraud he perpetrated over such a lengthy period.

In addition to serving as the Treasurer of two campaign finance committees, McCollum also worked for Baltimore County Government starting in 2002. In 2010, McCollum was appointed to be the head of the Baltimore County Agricultural Center, until he resigned after reports from the Baltimore County Office of the Inspector General alleged issues related to fraud, waste, and abuse under his leadership.

McCollum acted as a valued advisor and friend to those who he deceived, including members of the public who donated to Baltimore County candidates. He was trusted by elected leaders who appointed him to a number of positions where he was given the opportunity to benefit the citizens of Baltimore County. Instead, he stole to

benefit himself. The meticulous and targeted nature of McCollum's long-term crimes, so heavily reliant on his positions of trust, warrants the sentence requested by the State.

Deterrence of the Defendant and Others

McCollum fundamentally undermined the values of transparency and democracy in Baltimore County elections and his sentence needs to serve as a warning to those who would seek to do the same. While his political career in Baltimore County will likely no longer include the role of campaign finance entity Treasurer, thereby not allowing him to duplicate his crimes, it is important to public trust in the political process that there be a general deterrent to all who may engage in such behavior. McCollum not only stole money; he deprived residents of Baltimore County from meaningful participation and influence in Baltimore County politics and elections. McCollum not only lied about expenditures and disbursements of campaign finance committees; he misrepresented actual engagement from members of our community with candidates and the ideas those candidates represent. The message that the community needs to hear from this Court is that violating the integrity of our electoral process has real and significant consequences.

“A popular government, without popular information, or the means of acquiring it, is but a prologue to a farce or a tragedy; or, perhaps both.” *James Madison to William T. Barry, correspondence* 1822. The need for transparency in government and the elections of those individuals who comprise our government's leaders is an essential aspect of our democracy's legitimacy. Over time, SBE has developed regulations and advocated for laws that facilitate free and fair elections by ensuring that information about how money is committed and used by political campaigns within the state is available to the public. This is the sentiment undermined by McCollum in his theft of

funds and perjury on the campaign finance forms that he filed for both campaign finance entities for which he served as Treasurer. His fraud, solely to benefit himself, deceived the candidates the campaign finance entities supported, and the public that supported those candidates.

To ensure the widest possible access to trusted roles in our electoral process, there are few regulations restricting who can serve as a campaign Treasurer or Chairperson in the State of Maryland. Ensuring wide accessibility must also, however, be coupled with deterrence from wrongdoing to ensure that the system is fairly administered. McCollum was given access and trust by two campaign finance committees that ultimately touched several (if not all) political races in Baltimore County. He voluntarily and methodically, over the course of seven years, abused that trust simply out of selfish greed and stole well over \$100,000. The State's request for five years' incarceration, with all but one year suspended, ensures that McCollum serves time for his crimes and serves as a warning to others who may consider abusing our democratic system for their own financial gain.

Respectfully submitted,

Charlton T. Howard, III
Maryland State Prosecutor

By:

/s/ Sarah R. David

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 25th day of July, 2023, a copy of the foregoing State’s Sentencing Memorandum was e-filed via MDEC and served upon all parties of record. The State also emailed a courtesy copy to Andrew Graham, Esq. and David Irwin, Esq. counsel for Defendant, William McCollum.

Respectfully submitted,

Charlton T. Howard, III
Maryland State Prosecutor

By:

/s/ Sarah R. David

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