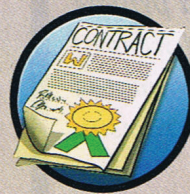
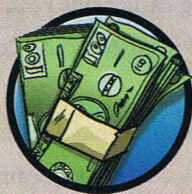
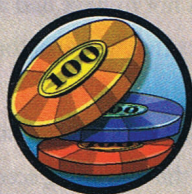


YOUR GUIDE TO THE BILL CAMPBELL TRIAL

*The **definitive primer** to the drama that will unfold when the former Atlanta mayor heads to the courtroom this month.*



BY CHANDRA R. THOMAS ★ ILLUSTRATIONS BY JAMES BURNS



Most people keep a low profile when indicted; Bill Campbell held a press conference.

Campbell has maintained his innocence, calling the authorities that examined every aspect of his personal and private life "forces of evil" motivated by racism.

IT WAS A SWELTERING AUGUST AFTERNOON AS former Atlanta Mayor Bill Campbell stood encircled by supporters at a news conference he'd called at Macedonia Baptist Church in Southwest Atlanta.

He elicited applause and "amens" from the crowd as he quoted the Bible, a passage from Romans that he had recently read at the bedside of his dying mother: "I consider that the sufferings of this present time are not worth comparing to the glory that is to be revealed to us."

Then the crowd (which we later learned included men that organizers had bussed in from a nearby rehab center) trailed out of the church behind him singing, "Victory is mine."

The question a year later is whether Campbell will be singing a different tune at the close of his corruption trial, which is set to begin September 26.

In a seven-count, 48-page indictment, federal prosecutors accuse him of organizing and leading criminal activity that abused his "position of public trust." They have remained steadfast in their claims that Campbell accepted more than \$150,000 in payments in exchange for city contracts, cash they say he used for free trips, home improvement projects and gambling sprees. Campbell is also charged with soliciting and accepting more than \$100,000 in illegal campaign contributions, defrauding campaign donors and filing false tax returns.

Campbell has maintained his innocence, calling the authorities that examined every aspect of his personal and private life "forces of evil" motivated by racism. Likening the probe to an "inquisition," he compared FBI investigators to Soviet KGB agents meddling into his personal life.

Whether the trial will support Campbell's claims of persecution remains to be seen. What is certain is that 10 former city officials and contractors have already been convicted of corruption. Prosecutors must now prove that the two-term mayor not only knew of illegal practices taking place under his watch, but that he also took part in, and benefited from, such dealings.

At a pretrial hearing earlier this year, Campbell, who claims not to have had any knowledge about the misdeeds of his friends and colleagues, told reporters that he looks forward to his "day of vindication."

It will be weeks or months before the final day of the trial. All we know for sure is that it's going to be a heck of a courtroom drama. To prepare you for the upcoming scenes, we've compiled a preview of what's to unfold—from the principal players to the strategies each side is expected to use.

The Principal Players

★ Bill Campbell

The two-term Atlanta mayor served from 1994 to 2002, a tenure that included the Olympic Games and Atlanta's dot-com era boom. He is credited with improving public housing and spearheading downtown revitalization. Atlanta's third African-American mayor, Campbell is a Duke University-educated lawyer, who as a child helped to integrate the Raleigh, North Carolina, school system. Campbell, who vehemently maintains his innocence, earned a reputation while in office of being articulate, arrogant and a steadfast supporter of affirmative action.

He now lives in Stuart, Florida (near West Palm Beach), and is employed by trial lawyer Willie Gary's law firm.

★ Richard Story

The presiding judge for the trial, Story earned a law degree from the University of Georgia in 1978. He served as chief judge on the Superior Court for the Northeast Judicial Circuit of Georgia from 1986 to 1997. He was appointed by Bill Clinton to the U.S. District Court and was confirmed in 1998. Story notably approved a \$192.5 million agreement to settle the class-action racial discrimination lawsuit against Coca-Cola and sentenced former Fulton County Commission Chairman Mitch Skandalakis in a corruption trial. He is considered fair, thorough and mild-tempered in the courtroom.

★ Sally Quillian Yates

The key prosecutor, Yates was acting U.S. attorney at the time of Campbell's indictment. No stranger to high-profile cases involving public figures, she was the lead prosecutor on corruption cases involving former DeKalb County Sheriff Pat Jarvis, former Fulton County Commissioner Michael Hightower and Fred Prewitt, former head of Atlanta's Civil Service Board. She is known as understated and low-key, but well-prepared and tough in the courtroom. *Interesting aside:* She is married to local attorney Comer Yates, who reportedly asked for Campbell's support in a 1996 congressional race. Campbell instead supported Cynthia McKinney, who won. Political analysts say Campbell's support was a deciding factor in the outcome of that race.

★ Jerry Froelich

The co-lead of Campbell's defense team, Froelich specializes in federal criminal defense. He was a former assistant district attorney in Newark, New Jersey, and a former assistant U.S. attorney in Atlanta. He defended former prosecutor and criminal defense lawyer Fred Tokars, who was convicted of having his wife, Sara, murdered, and also represented Herbert McCall, the former commissioner of the department of administrative services, who was found guilty of obstructing the federal grand jury investigation of City Hall. He was in the national spotlight defending NFL star Ray Lewis, who was acquitted of murder in a case involving a post-Super Bowl brawl outside of an Atlanta nightclub.

★ Steve Sadow

Froelich's co-lead, Sadow specializes in criminal defense, especially white-collar crime. He represented Joseph Sweeting, one of two defendants acquitted of murder in the trial of NFL star Ray Lewis. He famously argued the case that led to Georgia's controversial anti-sodomy law being declared unconstitutional and also represented Gold Club owner Steve Kaplan. He is known as contentious, aggressive and dramatic when hammering away at the prosecution.



Bill Campbell
The Suave Ex-Mayor



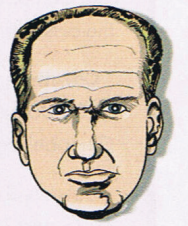
Richard Story
The Mild-Tempered Judge



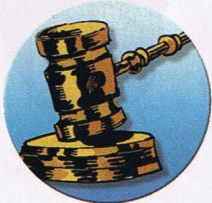
Sally Quillian Yates
The Tough-as-Nails Prosecutor



Jerry Froelich
The Defense Genius



Steve Sadow
The Bombastic Defender



The RICO statute, which is being used to charge Campbell, was used to convict former Sheriff Sidney Dorsey of corruption and the murder-for-hire of Sheriff-elect Derwin Brown.

[POTENTIAL STAR WITNESSES]

Dewey Clark

Considered a key prosecution witness, he is a longtime friend and aide of Campbell's who lived in a basement apartment of Campbell's Inman Park home for six years before resigning as his special assistant. Clark told authorities he delivered cash payoffs to Campbell from strip club owner Michael Childs for protection of Childs' liquor license.

Dan Debaradelaben

The owner of Lithonia-based Concept 2000 Technology, he is the former head of Atlanta's Private Industry Council, a job training program. He regularly played golf with Campbell. He is considered a key potential witness, although he is not named in Campbell's indictment.

George Greene

A potential prosecution witness, this former city contractor is founder of Sable Communications, which was paid \$11.5 million to ensure that city of Atlanta computers were Y2K compliant. He pleaded guilty to corruption and bribery charges and previously received a 15-month prison sentence and \$10,000 fine for bribing former Fulton County Commission Chairman Mitch Skandalakis and other officials. Greene has consistently cooperated with investigators. *Interesting aside:* a judge disqualified Greene's attorney from representing Campbell, citing a conflict of interest.

Samuel "Rickey" Rowe (deceased)

Accused of funneling illegal campaign contributions into Campbell's re-election campaign, Rowe was known as Campbell's confidante, and companies owned by him and his wife, Dorothy, earned more than \$20 million in city business during Campbell's two terms. Rowe, who was never formally indicted, was considered a critical witness until he died of complications from diabetes five months before Campbell's indictment. The defense team is fighting to have charges involving Rowe dismissed, claiming the length of the investigation eliminated him as a key witness. Prosecutors claim transcripts of secret tape recordings show Rowe admitted to giving his employees money to give to Campbell's re-election campaign and should be evidence in the upcoming trial.

The Charges Against Campbell

The executive summary of the 48-page indictment

[Count 1: Racketeering] This count charges Campbell with conducting the city's affairs through a pattern of racketeering activity from 1996 to 2002, including receiving payments and other benefits from contractors and consultants and committing campaign fund fraud. This portion of the indictment lays out allegations of 11 separate crimes. Prosecutors must convince jurors that Campbell committed at least two out of 11 acts to obtain a racketeering conviction. Federal investigators must also show that the acts committed are related and were continuous.

[Counts 2, 3, 4: Corrupt Payments] These counts charge Campbell with receiving unlawful cash payments of \$25,000, \$20,000 and \$10,000 in 1999 in connection with a contract to make city computers Y2K compliant. Prosecutors allege that Campbell concealed payments through a series of convoluted financial transactions and phony invoices.

[Counts 5, 6, 7: Tax Violations] These counts charge Campbell with willfully filing false tax returns for tax years 1997, 1998 and 1999.

[CONVICTED CRONIES]

Samuel Barber

- ★ Decatur computer executive, owner of American Computer Technology
- ★ Firm was awarded a multimillion-dollar contract to install computer software that reportedly never worked properly
- ★ Not named in Campbell's indictment
- ★ Pleaded guilty in 2003 to lying to a grand jury about raising campaign contributions for Campbell's 1997 mayoral campaign
- ★ Sentenced to six months of home confinement and fined \$5,000
- ★ A former member of Campbell's campaign finance committee

Thodur Bavan

- ★ Former deputy director of Operations and Maintenance for the city of Atlanta
- ★ Charged with taking payoffs from a city vendor
- ★ Pleaded guilty to bribery

Michael Childs

- ★ Former strip club owner
- ★ A potential prosecution witness
- ★ Sentenced to three years in prison for arson, making corrupt payments to a city official and income tax fraud. He was also fined \$10,000 and ordered to pay \$163,000 in income taxes.
- ★ Wiretaps during a federal investigation revealed that he offered a man \$20,000 to physically harm Campbell.
- ★ Was secretly recorded offering an informant cash to have three competing strip clubs burned

Jonathan Dodd

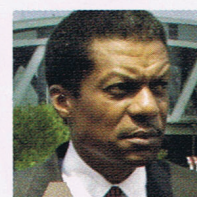
- ★ Former director of the Bureau of Motor Transport Services
- ★ Pleaded guilty to embezzling more than \$400,000 from the city between 1999 and 2002
- ★ Admitted to failing to report income on federal tax returns

Herbert McCall

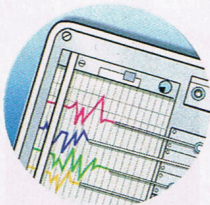
- ★ Former commissioner of the Department of Administrative Services, city agency that handles purchasing and contracts
- ★ Found guilty of obstructing the federal grand jury investigation of City Hall
- ★ Lied about his role in directing a computer software contract to city vendor Spectronics
- ★ The only defendant in the city corruption case who took his case to trial
- ★ Convicted on all four counts of perjury and obstruction of justice
- ★ Received a 21-month prison sentence, \$3,000 fine, three-year supervision after his release and 150 hours of community service

Vertis McManus

- ★ Former vice president of Spectronics, a vendor that received a \$103,589 "reseller's fee" from the city when it purchased financial management software from the Oracle Corporation in 1999
- ★ Admitted to giving illegal campaign contributions to Campbell's re-election campaign
- ★ Pleaded guilty to making payoffs to former Atlanta COO Larry Wallace
- ★ Sentenced to 13 months in prison and fined \$30,000



Among those in Campbell's circle, from top to bottom: former city official Thodur Bavan; Joseph Reid, who cooperated with investigators; developer C.R. "Ronnie" Thornton; and Campbell childhood friend Larry Wallace.



Polygraph tests cannot be admitted into evidence in Georgia's state courts unless approved by both the prosecution and defense, but they can be admitted into federal court in some circumstances.

Fred Prewitt

- ★ Former city employee and contractor
- ★ Accused of arranging for free air-conditioning work at Campbell's former Inman Park home
- ★ Pleaded guilty to tax fraud
- ★ Sentenced to six months in prison and six months of home confinement for income tax fraud
- ★ Also ordered to pay \$4,000 in fines
- ★ Has never cooperated with the federal investigation

Joseph Reid

- ★ Former Atlanta deputy COO
- ★ Considered critical and instrumental in bringing down several high-ranking city officials who were convicted of corruption
- ★ Accused of accepting two gift-wrapped packages, including a wallet stuffed with cash that was used to buy gambling chips
- ★ Received a two-year sentence (lighter for cooperating with investigators) and \$3,000 fine for taking bribes from former city contractor Vertis McManus

C.R. "Ronnie" Thornton

- ★ Clayton County developer and former city vendor
- ★ Pleaded guilty to violating federal banking laws by making \$130,000 in illegal campaign contributions to Mayor Campbell's 1997 re-election campaign
- ★ Judge Story sentenced him to two years probation, a \$10,000 fine and 120 hours of community service.

Larry Wallace

- ★ Campbell's childhood friend
- ★ Served as Atlanta's chief operating officer from 1997 to 2000, the highest ranking city official under Campbell
- ★ Considered Campbell's most intimate advisor while COO
- ★ Pleaded guilty to taking thousands of dollars in payments to influence the awarding of city contracts
- ★ Sentenced to 46 months in federal prison, three years probation, 150 hours of community service for taking illegal payments and income tax fraud
- ★ Received the longest sentence of any convicted in the City Hall probe

The Polygraph

Part of Campbell's defense is that he passed a lie detector test—which he took against the advice of his attorneys. The test was administered by Kendall Shull, a seasoned polygraph expert who headed the FBI's D.C.-based polygraph unit until 2001. Campbell says he answered "no" to these four questions:

1. Did you ever take any official action in exchange for campaign contributions, cash, gifts or other remunerations?
2. Did you receive anything of value in exchange for taking any official action as mayor?
3. Did you know of or did you participate in any illegal fundraising activity in connection with your mayoral races?
4. In connection with your races for mayor, were you aware of any illegal fundraising activity?

The Playbook

What tactic will each side take?

Lawyers being lawyers, those close to the case will say little in advance. A spokesman for the U.S. attorney's office declined comment on the case, citing that federal law prohibits any discussion of pending litigation. Campbell's defense team is also tight-lipped about the case, with Steve Sadow only saying, "I know that Judge Story will give us a fair trial, and that's all I ask for because I know that with a fair trial Bill Campbell will be acquitted."

To get a sense of the strategies that will be employed, we consulted two experts: Ellen Podgor, Georgia State University law professor, co-author of books on white-collar crime and international criminal law and co-author of a law professors' blog; and Ron Carlson, University of Georgia law professor, author of 14 books on evidence, trial practice and criminal procedures, and a WSB legal analyst.

[PROSECUTION]

Prosecutors are attempting to convict Campbell under the federal Racketeer Influenced and Corrupt Organizations Act (RICO), a law created by Congress primarily to go after Mafia kingpins. RICO allows federal prosecutors to tie together seemingly unrelated acts and present them as part of an alleged criminal enterprise.

"There is a major misconception out there that RICO is limited to the Tony Sopranos and mob activity, but that is not the case," explains Carlson. "If they can prove that an elected official operated an enterprise, using his power and position to get illegal campaign contributions then used that money for personal use, RICO is established." The complex nature of that law, adds Podgor, also poses additional challenges for the prosecution. "The key issue is RICO and it is very complicated," she says. "Explaining it to a jury can be very difficult."

Key strategies the prosecution is expected to use:

★ Rely heavily on testimony from former high-ranking City Hall officials and several people once close to Campbell, including his former golfing and gambling buddies. While critical to the prosecution's case, Carlson says these types of witnesses could prove unsettling to jurors. "They may be perceived as turning on a friend or biting the hand that feeds them," says Carlson. "The prosecution, in turn, must convince jurors that the only way that they could get information on Campbell was by going after those close to him. They must essentially argue that in order to prosecute the devil you have to go to hell to get your witnesses."

★ Attempt to prove that Campbell benefited from or knew about documented corruption while in office. The fact that 10 former city officials and contractors associated with the Campbell administration have already been convicted of corruption could help the government's case, says Carlson. "Prosecutors will try to bring jurors to the conclusion that where there's smoke there's fire."

★ Prove that Campbell established "a pattern and practice of misconduct and illegal acts" that

One legal expert says of the prosecution's reliance on convicted former Campbell cronies: "They must essentially argue that in order to prosecute the devil you have to go to hell to get your witnesses."



Campbell is the first Atlanta mayor ever to be indicted on criminal charges.

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included accepting money from people doing business with the city in exchange for lucrative city contracts during his tenure. "If they [prosecutors] have strong evidence of bribery, such as tapes or pictures, this should be easy to prove," says Podgor. "If they don't, it's likely going to be left to the testimony of a person who has been indicted and given a deal with the government. The defense, in this instance, will likely argue that the person is testifying against Campbell solely to protect himself." The fact that the indictment includes several events dating as far back as 1996 may also be troublesome. "Over time, memory fades and it may be hard for some of the witnesses to recall specific details about what went down in certain incidents," says Carlson. "The U.S. attorney's office will have to expend extra time preparing these witnesses, getting them to drudge up the details of statements that they may have made years ago."

★ Claim Campbell took money illegally for free trips and to support his casino gambling habit. "How they prove that will get down to their use of circumstantial evidence," says Carlson. "For example, if a witness were to say they delivered bribe money on such and such date then seven days later Mr. Campbell took a trip to Aruba, that could be used as circumstantial evidence."

[THE DEFENSE]

In defending Campbell, lawyers will work to prove that just because people around Campbell have been convicted, it doesn't mean that the former mayor is guilty.

Strategies they're expected to employ:

★ Convince jurors that prosecutors are trying to build a case against Campbell based on the words of questionable witnesses, many of whom were once close friends with Campbell. "This is not abnormal; there are many cases of a best friend testifying against another," says Podgor. "That person may not want to testify, but they feel the pressure to do so for a deal. On the flip side, the defendant knows this individual well and can tell his attorneys a great deal about that person that could help in cross examination."

★ Will likely argue that some witnesses are falsely accusing Campbell in exchange for the lenient treatment they have already received from the government. Federal prosecutors are required by law to disclose to the jury any deals that have been offered to witnesses, which could help the defense's attempts to discredit the testimony of certain key witnesses in the minds of jurors, says Carlson. "In some cases we should expect the defense to cross examine some of these witnesses, pointing out inconsistencies where they may have changed their stories. They must convince jurors that these witnesses who were once close to the mayor are operating on selfish motives instead of providing truthful testimony. The defense must essentially deconstruct the building built up by the prosecution, one brick at a time."

★ Will likely argue that some prosecution witnesses, in fact, accepted the bribes that they accuse Campbell of taking and never intended to give the bribes to Campbell. In this instance, according to Carlson, the defense must drive home the point to jurors that most of those already convicted of bribery claim to have worked through an intermediary, not directly with Campbell: "The government will likely counter that with the argument that these people are into corruption and are smart enough to put a layer or two of others between them, working through a surrogate." ❖