

# Fumo's Fini

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*by Dr. G. Terry Madonna and Dr. Michael Young*

Finally it's fini! The state's most extensive public corruption trial in a generation is over after five months, more than 100 witnesses, and some 1,300 exhibits. The jury's verdict, ending one of Pennsylvania's longest running legal soap operas, concluded not only the protracted trial, but the fabled career of Vincent Fumo, one of Pennsylvania's most powerful political figures.

The conviction of the former state senator on 137 counts will be remarked upon for many reasons, not least for the bizarre aspects of the proceedings. Testimony at the trial revealed purchases of \$100 dollar gallons of paint, \$6000 shower curtains for a home, attempts to spy on political enemies, searches through the garbage of a political rival, and perhaps weirdest of all, his son-in-law's testimony for the prosecution.

In the end, the Fumo case was vintage political theater, a veritable Greek tragedy, evoking the classic story of how the mighty can fall, driven in part by greed, hubris, and sense of entitlement.

But the sad saga now ended should not exit the public stage before setting the entire episode into the larger context of state political history - a history that includes a long and lingering record of political corruption reaching back as far as the Civil War era.

The Fumo case best gains perspective when compared and contrasted to several earlier prototype cases, each, like Fumo, celebrated in its time. Over the past forty years five such cases come to mind. Each featured charges and convictions against one of the state's leading political figures, and each is emblematic of the type of public corruption historically associated with the state.

1970's

- **State Senator** - State Senator Henry "Buddy" Cianfrani was indicted in 1977 on 110 counts of mail fraud, racketeering, obstruction of justice, and income tax evasion. The 14-year legislative veteran, like his senate replacement and relative by marriage Vince Fumo, was Chairman of the Senate Appropriations Committee. The no nonsense, gruff Cianfrani owned up to the array of charges, pleading guilty or *nolo contendere* to all 110 ten counts. No cop out here, Cianfrani did his two years without a whimper.
- **Speaker of the House** - Speaker of the House Herb Fineman was indicted in 1977 on 10 counts of blackmail, mail fraud, bribery, conspiracy, and obstruction of justice. Brilliant, demanding, and relentless, Fineman had centralized legislative power in the Speaker's office he held for seven years. Something of a Robin Hood-esque figure in office, he championed the expansion of programs for the poor and disadvantaged. At his trial, he successfully fought off all but one of the bribery charges. The crux of that case against him was that he demanded money from students attempting to matriculate into state subsidized medical and veterinary school. For his infraction, he spent two years in prison.

1980's

- **State Auditor General** - State Auditor General Al Benedict was believed by many a probable future governor. It was not to be. Benedict's career was cut short when he pled guilty to multiple charges of racketeering and income tax evasion, earning him a six-year prison sentence. In his plea bargain with the state he acknowledged that he participated in extensive public corruption that included selling state jobs, authorizing no bid contracts, and taking bribes and kickbacks.
- **State Treasurer** - State Treasurer R. Bud Dwyer will be remembered less for what he did in office than for how he left office. Perhaps no event in modern times shocked the state's political community more than the day in 1987 when Dwyer shot himself in public. Dwyer had called a news conference ostensibly to resign his office, but instead he pulled out a magnum revolver and shot himself in full view of the television cameras. Personable and popular, Dwyer was convicted of bribery for taking a \$300,000 state contract kickback.

1990's

- **State Attorney General** - Attorney General Ernie Preate almost won the Republican primary for Governor in 1994, despite being dogged by allegations that he approached and received campaign contributions from organized crime figures. Eventually Preate was convicted in 1995 of mail fraud and sentenced to 14 months in prison, thus ending an extraordinarily promising political career.

The Fumo case will raise the question of whether the state is veering back toward its earlier culture of corruption. Indeed, once upon a time using the term "public corruption" in the same sentence with "state of Pennsylvania" was to risk a tautology. In those good-old bad days the politics was rough, the politicians nasty, and the niceties of legal moral and ethical correctness were seldom observed or expected.

The 1970's and 80's were notorious if not especially noteworthy. In those years, dozens of state and local politicians pleaded guilty or were convicted of corruption. The U.S. Justice Department declared that Pennsylvania was the most corrupt among the 50 states.

But more recent history is mixed. Since Shapp left office in the late 1970's there has not been a case of major corruption in the state's executive branch going back across four governors. Still, even during that period a former Attorney General went to jail, as did a state Auditor General and several state legislators.

And currently two former lawmakers and ten legislative staff member are caught up in the so called bonus-gate scandal, the most far reaching investigation of wrongdoing by state officials in modern history. Additional indictments are likely to follow, and the Fumo conviction must be added to the pile.

It is possible to look at the Fumo case as an outlier, one politician too long in office, too powerful, and too arrogant to see the destruction he was courting. But put together with the bonus-gate investigation, in the context of a long and often sordid state history, Fumo looks less like a random blip and more like an ominous pattern. The state's recent respite from the scourge of public corruption may be over. That sickening recognition may be Vince Fumo's ultimate legacy.

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