

## UPDATE - Cumbo to enter Alford plea for phone violation

Posted by [TBN Editor](#) On 03/21/2019

**UPDATED Thursday, March 21, 4:11 p.m.**

**Chesapeake Beach, MD** - The law offices of Joseph Greenwald and Laake, PA released a statement from its client, Chesapeake Beach Town Councilman Stewart Cumbo late Thursday afternoon, March 21. Cumbo is represented by attorney Timothy F. Maloney. "Under a plea agreement with the Office of the State Prosecutor, Mr. Cumbo will be entering into an Alford plea for a single count of the information violating Maryland's wire intercept laws," the law firm stated. "The Office of the State Prosecutor has agreed to recommend a disposition of probation before judgment, which is not a conviction under Maryland law, and community service."

### **Cumbo's statement (Amended at 5:30 p.m.)**

"In recent years, I have used one of the phone apps available on Google and I-Tunes to record some of these calls. I did this because as I have gotten older, I have experienced some memory problems. Most of the calls involved family and friends. I did not share these recordings with anyone or use them to harm anyone.

The use of these phone-recording apps is legal under Federal law and the laws of 38 states, but Maryland is not one of them. Using this app was an honest mistake on my part, for which I apologize. I never intended to break the law or hurt anyone.

I have accepted full responsibility for my mistake. I am grateful that the Maryland State Prosecutor has agreed to recommend community service and probation before judgment, so I can later have my record expunged. In my 65 years, I have never had even a blemish on my record. This has been very embarrassing for my family and me.

I am proud of my service for the last 18 years on the Chesapeake Beach Town Council. The recommended disposition of this case will allow me to continue to serve on the Town Council, but that the voters of Chesapeake Beach will ultimately make that decision. I hope they will accept my apology and allow me to continue to serve them in the future."

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### **Original Story**

**Chesapeake Beach, MD** - According to documents on file in the Maryland Court system, Stewart Cumbo, 64 of Chesapeake Beach is facing a single charge of willful interception of communications. Cumbo, who has served as a member of the Chesapeake Beach Town Council since 2000, was formally charged Monday, March 18. In a court document filed that afternoon, prosecutors stated "from on or about July of 2018 through November of 2018, Cumbo did willfully intercept, through a recording on his cellular phone, an oral communication, without knowledge or consent of the intercepted party." The court document further states that Cumbo "used his cellular phone to record approximately 275 telephone calls between himself and other individuals without telling the other individuals that the call was being recorded." The alleged action violates state law and the crime is a felony. The maximum penalty is five years in prison and/or a \$10,000 fine.

Cumbo is a retired Maryland State Police trooper and has also been involved with the Maryland Municipal League. He recently resigned from the Calvert County Board of Library Trustees. Chesapeake Beach Mayor Pat "Irish" Mahoney told TheBayNet.com that he was "concerned" about the allegations made against Cumbo, but declined to comment further.

The case against Cumbo is being prosecuted by the Office of the State Prosecutor. Deputy State Prosecutor Kelly B. Madigan declined to comment further on the case when contacted by TheBayNet.com.

Cumbo is being represented by former state delegate Timothy Maloney and his law firm Joseph, Greenwald and Laake. Maloney has promised a statement regarding the case will be forthcoming.

At this time, no court dates related to the case have been determined.

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