

## **Lobbyist to change 'Waltz' sting plea Attorney says Love to admit carrying bribes to lawmakers By BONNA de la CRUZ**

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Prosecutors appear to be strengthening their case against the politicians indicted in the "Tennessee Waltz" case, with a second defendant planning to plead guilty to passing bribes to the elected officials.

Charles Love, a Hamilton County school board member and lobbyist, plans to reverse his plea to guilty, admitting that he ferried bribes to two Chattanooga-area lawmakers, Love's attorney, Bryan Hoss, said yesterday.

The plea change comes a week after Barry Myers of Memphis, another defendant in the case, also reversed his plea, admitting to carrying bribes to two Memphis legislators.

"This is typical for the government to make deals with lower folks to build a stronger case against the primary targets, who are clearly the legislators," said David Raybin, a Nashville criminal defense lawyer.

Hoss said no deal has been made with prosecutors, but Love may end up on the witness stand to testify against state Sen. Ward Crutchfield, D-Chattanooga, and Rep. Chris Newton, R-Cleveland, who allegedly took the bribe payments.

"We anticipate that Mr. Love will be 100% truthful and possibly cooperate with federal officials," Hoss said.

Raybin said one downside to Love's guilty plea is that he will be appearing on the witness stand as a convicted felon.

"If his credibility is attacked, it can have a devastating affect on the case," Raybin said.

Hal Hardin, a former federal prosecutor and judge, said it's typical for prosecutors to try to arrange deals with lesser characters in cases involving multiple defendants.

"The government normally attaches more priority to a public official than to a private citizen who may have been involved in the crime because of the position of trust involved," Hardin said.

Love decided to plead guilty after hearing hundreds of hours of audiotapes and seeing some videotapes of recorded conversations between him, undercover FBI agents and other individuals, Hoss said.

"We, his lawyers, went through them. He went through them. And we believe it is in his best interest to plead guilty because he is guilty," Hoss said. "He is accepting responsibility for what he has done."

The audiotapes, about 150 of them covering as many as 250 hours of recordings, also included the voices of his co-defendants, Hoss said. Phone messages left with Newton, his attorneys and Crutchfield's attorneys were not returned late yesterday. Crutchfield could not be reached.

Indictments against Love accuse him and Crutchfield of taking \$12,000 from undercover FBI agents. Love also is accused of passing \$4,500 in bribes to Newton.

Love acted largely as the "bagman," the go-between in the bribery operation, allegedly passing cash to the lawmakers that came from agents who were pretending to be representatives from E-Cycle Management Inc.

E-Cycle was, instead, a front for the FBI. It sought legislation that would have set up a lucrative deal for the company, allowing E-Cycle to buy used computers from the state with the purpose of recycling them.

The indictments say that Love met with E-Cycle representatives in August last year and told them that if they had "gifts to bear" they would get more attention from legislators.

Love has filed two motions asking U.S. magistrate judges in Memphis to combine four indictments against him — two with Crutchfield and two with Newton — and to reverse his original not guilty plea entered in June, Hoss said. No date for the hearing has been set, but Hoss expects it to be next week with sentencing later.

Myers, another "bagman" in the case, has a Feb. 17 sentencing date scheduled for his conviction on two counts of ferrying bribes to state Sen. Kathryn Bowers, D-Memphis, who at the time was a state House member, and to Roscoe Dixon, who at the time was a Democratic senator from Memphis. Another politician, former Sen. John Ford, D-Memphis, also is indicted in the case. •