

## **Donald L. Carcieri**

Donald L. Carcieri (R-RI) was elected governor of Rhode Island in 2002 and reelected in 2006. Under the state's term limits law, he cannot run for reelection in 2010.

Gov. Carcieri:

- Hired his niece in violation of Rhode Island's anti-nepotism laws
- Failed to adequately manage his state's logistics and staffing needs
- Violated campaign finance laws by soliciting subordinates, accepting luxury gifts and missing a filing deadline
- Impeded the public's access to information and blocked pro-transparency legislation

### **CHARGE ONE: NEPOTISM**

In late 2002, as he was preparing to assume the governorship, Gov.-elect Carcieri hired his niece, Stephanie Accaputo, to the Governor's Office of Correspondence and Constituent Affairs, despite anti-nepotism laws prohibiting the hiring of family members.<sup>1</sup> When the incident became the subject of an ethics complaint, Gov. Carcieri maintained his innocence, insisting that at the time he hired Ms. Accaputo, Rhode Island's anti-nepotism laws applied only to blood nieces, not nieces-in-law.<sup>2</sup> Gov. Carcieri eventually relented, admitted wrongdoing, and paid the state Ethics Commission a \$2,500 fine to settle the complaint.<sup>3</sup>

### **CHARGE TWO: MISMANAGEMENT**

On December 13, 2007, a winter storm dumped 8.2 inches of snow across Rhode Island, clogging roadways with snow and causing mass gridlock.<sup>4</sup> In just one of many examples of the slow, poorly coordinated and badly led emergency response to the storm, approximately one hundred Providence school children were trapped in their buses until late into the evening.<sup>5</sup> Meanwhile, Gov. Carcieri had left the country without turning authority over to Lt. Gov. Elizabeth Roberts, his Democratic rival.<sup>6</sup> During the actual snowstorm, the governor was on a plane and "probably sleeping."<sup>7</sup> On his return, Gov. Carcieri fired the executive director of the Emergency Management Agency, even though it was not clear who was responsible for coordinating storm response.<sup>8</sup>

In September 2006, a temporary staffing firm with a small contract to supply the state of Rhode Island became insolvent.<sup>9</sup> To meet staffing needs, the Carcieri administration subsequently

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<sup>1</sup> Carcieri Makes Appointments to Top Administrative Posts, *Providence Journal-Bulletin*, January 3, 2003;

Katherine Gregg, Governor's 2002 Hiring of Niece Back in Spotlight, *Providence Journal-Bulletin*, May 24, 2008.

<sup>2</sup> Carcieri Disputes Ch. 10 Ethics Violation Claim, Office of Governor Don Carcieri, *Press Release*, May 23, 2008.

<sup>3</sup> Carcieri Admits Breaking Ethics Rules in Hiring Niece, *NBC 10 News* (Providence), November 18, 2008.

<sup>4</sup> Amanda Milkovits, Storm Casualty: EMA Director Dismissed, *The Providence Journal*, December 19, 2007.

<sup>5</sup> Id.

<sup>6</sup> Katherine Gregg, Who's in Charge Here?, *The Providence Journal*, December 18, 2007.

<sup>7</sup> Id.

<sup>8</sup> Milkovits, *The Providence Journal*, December 19, 2007.

<sup>9</sup> Week in Review, Office of Governor Don Carcieri, *Press Release*, August 25, 2007.

entered into an expansive and expensive emergency contract with Smart Staffing Services.<sup>10</sup> Under the terms of the new contract, the percentage of overhead costs increased dramatically, from 17 percent to 22.5 percent.<sup>11</sup> Furthermore, the absolute size of the contract expanded—from five years, capped at a total of \$10 million, to \$11 million a year.<sup>12</sup> At a state Senate investigation in May 2007, witnesses revealed irregularities in the contract’s sourcing.<sup>13</sup> They described the state’s payment arrangement—whereby Smart Staffing Services received payroll funds—as “unique” and “very unusual.”<sup>14</sup> The Senate’s final investigative report criticized Gov. Carcieri for undermining the state’s procurement process and for “violat[ing] the spirit of the Access to Public Records Act.”<sup>15</sup> The committee also found that a number of jobs staffed through the state’s temporary staffing contract appeared to differ little from regular, full-time government jobs, suggesting that the governor was using temporary workers to skirt state sourcing laws.<sup>16</sup> Gov. Carcieri decried the investigation, calling it a “witch hunt” and even threatened to send in the state police.<sup>17</sup> As a result of the outcry, Gov. Carcieri’s administration put the Smart Staffing Services contract out to bid and switched to a less expensive staffing firm.<sup>18</sup>

### CHARGE THREE: ETHICS VIOLATIONS

The Rhode Island Ethics Commission has cited Gov. Carcieri numerous times for violations. For example, although the Rhode Island ethics code prohibits the governor from soliciting campaign contributions from his subordinates, during his reelection campaign, Gov. Carcieri sent them direct-mail advertising.<sup>19</sup>

Rhode Island’s ethics code prohibits state officials from accepting expensive gifts from “interested parties” with business pending before the state.<sup>20</sup> Nevertheless, Gov. Carcieri accepted luxury box tickets to the New England Patriots’ football stadium in “knowing and willful violation” of the code.<sup>21</sup>

In 2003, Gov. Carcieri inexplicably missed the deadline for filing his personal financial disclosure by two-and-a-half months.<sup>22</sup> The commission did not levy a fine or punishment for the missed deadline.<sup>23</sup>

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<sup>10</sup> Katherine Gregg, Democrat Chair Assails Use of Temp Workers, *The Providence Journal*, April 4, 2007.

<sup>11</sup> Office of Governor Don Carcieri, *Press Release*, August 25, 2007.

<sup>12</sup> Gregg, *The Providence Journal*, April 4, 2007.

<sup>13</sup> Katherine Gregg, R.I. Deal with Staffing Firm Called ‘Unique’, *The Providence Journal*, May 15, 2007.

<sup>14</sup> Id.

<sup>15</sup> Katherine Gregg, Senate Panel Blasts Staffing Deal, *The Providence Journal*, February 5, 2008.

<sup>16</sup> Id.

<sup>17</sup> Id.

<sup>18</sup> Office of Governor Don Carcieri, *Press Release*, August 25, 2007.

<sup>19</sup> Rhode Island Ethics Commission, In Re: Donald L. Carcieri Complaint No. 2006–9, March 6, 2007.

<sup>20</sup> Rhode Island Ethics Commission, In Re: Donald L. Carcieri Complaint No. 2004–3, Complaint No. 2004-9, May 3, 2005.

<sup>21</sup> Id.

<sup>22</sup> Id.

<sup>23</sup> Id.

## CHARGE FOUR: BLOCKING TRANSPARENCY

In 2008, Gov. Carcieri vetoed a bill that would have strengthened the state's disclosure laws.<sup>24</sup> In his veto message, he said the bill would allow the disclosure of sensitive police information, even though, as *The Providence Journal* reported, the measure had been "crafted with input from the Rhode Island Police Chiefs Association."<sup>25</sup>

After Gov. Carcieri's absence from the state during the 2007 snowstorm mentioned above, the ACLU requested copies of the state's organizational chart to determine the state's chain of command.<sup>26</sup> Gov. Carcieri's office stonewalled, releasing only an already published news release.<sup>27</sup> Gov. Carcieri's office claimed that the only other documents responsive to the request were internal emails and that those were exempted from public disclosure because they were "internal documents that were created for internal purposes."<sup>28</sup> In response, the ACLU sued for the release of the emails.<sup>29</sup> In March 2009, a Superior Court judge ruled for the ACLU and ordered Gov. Carcieri to comply with Rhode Island's public records laws, forcing him to release internal e-mails and other documents.<sup>30</sup>

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<sup>24</sup> Steve Peoples and Katherine Gregg, Expungement, Public Records Bill Vetoed, *The Providence Journal*, July 4, 2008.

<sup>25</sup> Id.

<sup>26</sup> Ruling in Open Records Suit; Judge Orders Governor to Turn Over 'Chain of Command' Documents to the ACLU, Rhode Island ACLU (RI ACLU), *Press Release*, March 3, 2009.

<sup>27</sup> Id.

<sup>28</sup> Id.

<sup>29</sup> Id.

<sup>30</sup> RI ACLU, *Press Release*, March 3, 2009.