

Who Convicts?

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Introduction

The life of former Connecticut Governor John G. Rowland unfolds much like a Greek tragedy: a man in a high seat of power with the prospect of a Presidential run, losing it all and finding himself in a federal penitentiary. However, before one is moved to pity, it should also be noted that Rowland's hamartia lay in doling out state contracts for favors and gifts and his hubris was in believing his office entitled him to such. His federal ethics investigation, subsequent resignation, and incarceration made national headlines and astonished the state that had elected him three consecutive times. John G. Rowland's fall from power highlights an all too common aspect of American politics, the corruption of elected officials. Two separate entities, the government and the media, convicted Rowland. The former found him guilty of corruption in the courtroom, whereas the latter convicted him in the minds of Connecticut's residents.

The *Hartford Courant* was the foremost media outlet that made public former Governor Rowland's relations with Tomasso Brothers Incorporated. The newspaper presented the citizens of Connecticut with a daily catalogue of the revelations of the graft. Under increased pressure from the media, a state and federal ethics investigation, and an impeachment inquiry, he resigned from office in June 2004 and pled guilty to having taken some \$107,000 from businesses.¹ This paper will explore Rowland's decision to resign in an effort to conclude whether it was prompted by the government investigations or the intense media attention.

In responding to this question, the former governor wrote, "the pressure from the *Hartford Courant* was enormous, the anxiety it caused my family goes beyond the pale, it was too much for them to bear, therefore, resignation was the only alternative. It is not about the judicial system it is about the mounting, it's about the destructive force of the fourth estate."²

Such a point of view contrasts immensely with that of the journalists. When interviewed, Jon Lender, perhaps the most dogged investigative reporter of the Rowland corruption scandal, said, "if government officials are not watched by an independent, active press, some of them will abuse their power at the expense of the citizens." For reporters like Lender, the profession carries significant obligations, for "if the press does not shine a light on corruption and abuses of power, then no one else will." He further argues "those in the government too often fail to police corruption within their ranks" and therefore it is the press's responsibility to ensure the airing of "criticism and allegations against the government and powerful in our society." Through this process, Lender believes debate is stirred and American freedoms are reinvigorated, thereby

¹ Stacy Stowe, "Rowland Home After Serving 10 Months in Corruption Case," *New York Times*, February 14, 2006.

² John G. Rowland, "Re: Interview," e-mail message to author, April 12, 2007.

sustaining the power of the governed over their government.³ Both Rowland's and Lender's thoughts regarding this case study thus motivate the hypothesis presented in this paper that the press was the principle instigator of Rowland's resignation.

Prior to answering this question, it is necessary to first reflect upon the leading political thoughts concerned with the nature of corruption and the procedures to correct it. This scholarly review will serve as an intellectual bearing to precede the details surrounding the Rowland controversy. The presentation of facts and evidence regarding this hypothesis will follow this literature review. This paper will end with the a thorough examination of the topic to demonstrate its significance and will also offer further avenues from which to research this particular area of politics.

Literature Review

The Nature of Corruption

The definition of corruption which will be employed in this paper is that of Peter deLeon, who writes that it "is the behavior which deviates from the normal duties of a public role because of private regarding, pecuniary status gains."⁴ Corruption is therefore a deliberate abuse of power to obtain a measureable monetary benefit.

The relationship between corruption and the people is well known to the American people. The dual realms of American politics, the state and federal, have long been the locales for numerous corruption scandals. The extent to which corruption has and continues to exist in American government has even led some scholars to postulate that it is an intrinsic aspect of American politics, a proverbial product of the system.⁵ These scandals impact not only the political scene in which they transpire but bear lasting effects upon posterity in a variety of manifestations.⁶

Corruption requires certain circumstances in order to exist. One such condition is the involvement of commercial business. The merger of the political and economic spheres establishes an environment conducive for corruption. Under such a setting, "the potential for harm is magnified," as government officials begin to act in their own self-interest.⁷ Business's extensive financial influence often supersedes the obligations of government office. Correcting corruption cannot involve the complete segregation of business and government because "corporation life" is the "destiny of Americans."⁸

The level of government significantly influences the extent of graft. James Q. Wilson argues that the state governments are more inclined to house corruption than other government echelons. States are more removed from the attention of large media outlets than the federal government, and therefore there is less "public scrutiny" of them. The causes of state-level corruption additionally stem from the large sums of money which flow through the state governments. Poor accountability of these funds furthers this prospect of corruption. The unreformed and decentralized nature of state governments, where power is haphazardly spread

³ Jon Lender, "Re: (no subject)," e-mail message to author, March 11, 2007.

⁴ Peter deLeon, *Thinking About Political Corruption* (New York: J.M. Sharpe, 1993), 24.

⁵ *Ibid.*, 25.

⁶ Walter Goodman, *All Honorable Men* (Boston: Brown Little, 1963), 10.

⁷ Raymond Michalowski and Ronald Kramer, *State-Corporate Crime* (London: Rutgers, 2006), 1.

⁸ Walter Goodman, *All Honorable Men*, 10.

among numerous bodies, correspondingly permits officials the opportunity to defraud the governed.⁹

Journalism and Corruption

A distrust of the government's ability to police its own ranks by using anti-corruption laws motivates the argument for the media's responsibility in keeping individuals in the government truthful. The case for this method against corruption rests on the premise that there is little fervor in the ranks of government for internal reform, especially when business holds an aspect of the debate. Since the journalist has "political power" in "influencing the agenda of attributes for an issue or political figure," he is an ideal instrument for change.¹⁰ The journalist's trusted responsibility is therefore to make public the corrupt politicians, and why they do not do so, these journalists are neglecting to perform their professional duty.¹¹

This concept of an aggressive media demands a populace receptive to their reports. Since voters desire an efficient and responsible government as opposed to an inefficient and corrupt one, they use voting rights in an effort to ensure this is so. This "electoral accountability" is an effective technique to end corruption and "can be enhanced by clarifying the lines of responsibility for government outputs." Reporters bridge the gap that exists between the government and the people and provide the public with information concerning the performance of elected officials. They act as watchdogs for the people, alerting them of improper conduct and influencing their perceptions of government officials. Although Watergate only involved the prospect of electoral accountability, President Nixon's demise is perhaps the most memorable instance of such an occurrence. However, the media's effectiveness hinges upon an educated voting population that stands vigilant to flex its rights against its corrupt leaders.¹²

One byproduct of this reliance on the media acting as the political "watch dog" is the potential for reporters to become too determined to find faults in the government. Through their "relentless criticism" these reporters take their duty to the extreme. The end result of their actions is that "the American public has become distrustful of and alienated from national politics." Zealous reporting impacts lower echelons of government in a similar manner as well. Certainly there must be some moderation in the media to prevent these results. Journalists should therefore be responsible for their reporting and always work to wisely bring about reform on behalf of the people.¹³

Background Information

An outline of the facts pertaining to Rowland's resignation is essential before proceeding to the thesis. This paper will primarily concentrate on the facts surrounding the Bantam Lake

⁹ James Q. Wilson, "Corruption: The Shame of the States" in *Political Corruption*, ed. Arnold J. Heidenheimer (New York: Holt, Rinehart, and Winston, 1970), 301-303.

¹⁰ Maxwell McCombs and Davis Merritt, *The Two W's of Journalism* (London: Lawrence Erlbaum Associates, 2004), 45.

¹¹ Bill and Nancy Boyarsky, *Backroom Politics* (New York: Tarcher, 1974), 240-255.

¹² Margit Tavits, "Clarity of Responsibility and Corruption," *American Journal of Political Science* 51, no 1 (2007): 220, (accessed March 6, 2007).

¹³ Bartholomew M. Sparrow, *Uncertain Guardians* (Baltimore: Johns Hopkins University Press, 1999), 25.

cottage, which Rowland had purchased during his first term, in 1997.¹⁴ This cottage in Litchfield, would later become the focal point of ethics and media investigations. It should be noted that Rowland was accused of other acts of wrongdoing, but none of these were of much importance when compared to the aforementioned incident.

John G. Rowland was first elected governor of Connecticut in 1994 and won re-election in 1998. In analyzing these first two terms, the *Washington Post* affectionately writes that Rowland was “possessed of considerable political skills and husky good looks.”¹⁵ Additionally, there was discussion in some political circles of President Bush appointing Rowland as a cabinet member, provided the president won re-election in 2004.¹⁶ Preceding his 2002 reelection, Rowland had an astonishingly low “poor” performance rating of 10%.¹⁷ Although this figure naturally increased with the campaigning in the election, given Connecticut’s political environment, his winning 56% of the vote indicates a strong approval rating entering 2003. Of the other thirty-five gubernatorial elections in 2002, only six involved an incumbent receiving more than 56% of the vote. In none of these six elections did the incumbents’ party affiliation and the states’ prevailing party affiliation differ, as was the case in Connecticut.¹⁸ It was for these reasons that many considered Rowland a rising star in the Republican national scene.

Soon, however, this star immediately began to fall. Only a few months into Rowland’s third term, a State Ethics Commission investigation made public its investigation of Rowland’s family vacations from the past four years. The State Ethics Commission investigation brought to light how Rowland had vacationed at homes owned by Tomasso Brothers Incorporated, which had won state construction contracts. The *Hartford Courant* reported that the companies run by Tomasso Brothers Incorporated “have come under scrutiny by federal and state investigators looking into possible kickbacks, bid-rigging and other corruption in the Rowland administration.”¹⁹ Rowland settled this investigation by paying \$9000 for a fine and the reimbursement of the four vacations.²⁰

Not even six months after this incident, the *Hartford Courant* ran an article by reporters Jon Lender and Dave Altimari that called into question renovations made to Rowland’s cottage. In this November 25, 2003 article, the *Hartford Courant* detailed renovations to the once “almost uninhabitable” cottage, which included a new kitchen, the installation of cathedral ceilings, a new heating system, and a new deck with a hot tub. The reporters uncovered a substantial gap between the cost of the renovations recorded on the town permits, \$13,500, and the services the contractors rendered.²¹

Furthermore, they found that some of the contractors worked for significantly lower prices to obtain state-awarded contracts for their labor. For example, Glenn Lauzier, a cabinet

¹⁴ *CTN State Civics Toolbox*, <http://www.ctn.state.ct.us/civics/impeachment/Timeline.htm> (accessed April 21, 2007).

¹⁵ Michael Powell, “Connecticut Governor Resigns,” *Washington Post*, June 22, 2004.

¹⁶ *Ibid.*

¹⁷ Christopher Barnes, “UConn Poll: Reaction to Governor’s Resignation Address,” *UConn News*, June 22, 2004. www.news.uconn.edu/2004/jun2004/rel04066.htm (accessed March 6, 2007). Note that unless otherwise specified, this source provides all of the polling data employed in this paper.

¹⁸ Central News Network, *2002 Governor Election Results*. <http://www.cnn.com/ELECTION/2002/pages/governor/index.html> (accessed April 19, 2008).

¹⁹ Dave Altimari and Jon Lender, “Renovations May Not Add Up,” *Hartford Courant*, November 25, 2003.

²⁰ *CTN State Civics Toolbox*.

²¹ Dave Altimari and Jon Lender, “Renovations May Not Add Up.”

maker, and Robert Bilodeau, a sheet rocker, both chronicled stories of working on the cottage under the explicit premise of winning contracts for the Governor's mansion. Link Mechanical Services, a subcontractor for the state contractor Tomasso Brothers Incorporated, installed the heat system for the cottage, and thereby "steered" the Tomasso Brothers into getting state contracts, which included a \$50 million construction contract for the state's juvenile facilities.²²

Initially, Rowland responded to the accusations on December 2, 2003 by denying any wrongdoing, but ten days later he admitted that he had not paid for all of the renovations to the cottage.²³ The next day, the *Hartford Courant* published another article that presented an even more damning case against the governor. Reporters discovered that Cocchiola Paving Incorporated and O & G Construction Incorporated both worked on the Bantam Lake cottage.²⁴ Under Rowland, the State of Connecticut had paid Cocchiola Paving Incorporated \$500,000 and O & G Construction Incorporated some \$200 million for state public works projects.

In the ensuing months, the State of Connecticut and the federal government conducted inquiries into Rowland's actions. These investigations included a federal ethics investigation, a state ethics investigation, and a state legislative impeachment inquiry. Rowland vainly attempted to prevent the execution of subpoenas, particularly his order to testify before these impeachment inquiries.²⁵ Rowland filed these appeals in the Superior and State Supreme Court in May and June of 2004, but these endeavors ended in failure.

With impeachment looming, as evident by public opinion data that will be presented later, Rowland announced his resignation to the state on June 21, 2004.²⁶ Ultimately, Rowland pled guilty in the federal corruption investigation in attempting to "defraud Connecticut citizens of the intangible right to honest services of its Governor."²⁷ Rowland's sentence of a year and a day confinement was issued on March 18, 2005. Typical of the entire scandal, controversy even surrounded the plea agreement. Legal commentators considered the punishment to be far too lenient since his plea agreement had originally called for fifteen to twenty-one months in prison.²⁸

Evidence

As previously stated, this paper seeks to ascertain what factor forced Rowland's resignation. The hypothesis of this paper is that while the ethics investigations served a legal purpose, the vigorous scrutiny by Connecticut's local press was the decisive factor that led Rowland to resign, as illustrated by newspaper articles, polls, and primary source data.

It was not until after Rowland's successful weathering of the vacation ethics violation in June 2003 that the local press truly mobilized against their governor. As Connecticut's primary state newspaper, the *Hartford Courant* was the vanguard of this movement. This was naturally

²² Dave Altimari, Jon Lender, and Edmund H. Mahony, "Gifts, Lies Admitted," *Hartford Courant*, December 13, 2003.

²³ *CTN State Civics Toolbox*.

²⁴ Dave Altimari, Jon Lender, and Edmund H. Mahony, "Gifts, Lies Admitted."

²⁵ Jon Lender, Mark Pazinokas, and Lynne Tuohy, "Rowland to Resign," *Hartford Courant*, June 21, 2004.

²⁶ Christopher Keating and Mark Pazinokas, "Resignation," *Hartford Courant*, June 22, 2004.

²⁷ *Plea Agreement Federal Corruption Charges U.S. v. John G. Rowland*, <http://news.findlaw.com/hdocs/docs/rowland/usrowland122304plea.html> (accessed March 8, 2007).

²⁸ Dave Altimari, Jon Lender, Edmund H. Mahony, "One Year," *Hartford Courant*, March 19, 2005.

so, as it was the sole local news outlet that had the resources, means, and will to present their front page findings every morning on the doorsteps of Connecticut residents. Smaller newspapers and television newscasts quickly followed suit and reported on the *Hartford Courant's* articles. Since this case was largely a state phenomenon, little national media attention was devoted until the resignation.

The November 25, 2003 article concerning the Bantam Lake cottage was the *Hartford Courant's* opening barrage. The University of Connecticut polls from this time period create an interesting picture when explained in conjunction with the newspaper articles. It would appear that Rowland had a small partisan base throughout the entire scandal, as the percentage of those believing his performance was either "excellent" or "good" never dipped below 20%. This figure is mirrored in the rating of the press, where 19% of the Connecticut residents polled thought the media attention was "unfair." Despite this very loyal following, Rowland's resignation from office was approved of by 87% percent of those polled. At this same time, only 3% of people polled believed his actions were neither "criminal" nor "unethical." Thus, even many of his most stalwart supporters ultimately realized his actions were corrupt actions and made him unfit for office. Interestingly, Rowland's disapproval rating when leaving office was at 64%, very close to President Nixon's 66% just prior to his resignation following Watergate.²⁹

These polls demonstrate Rowland's diminishing political base as a result of the intense journalism. Beginning in December 2003, at least 53% of the polled reported knowing "a lot" of Rowland's investigations. In addition, at least 21% felt they knew "some" aspects of what was transpiring. These two figures peaked in April 2004, with 90% believing they knew at least "some," if not "a lot" about the case. Those believing that Rowland had committed "criminal" acts likewise rose from 30% in November 2003 to 43% in June 2004. These figures illustrate the press's effective communication of the news to the Connecticut residents. Since Rowland was a conservative, his success hinged upon the ability to maintain his delicate bipartisan base. Although 20% of the people supported Rowland until the very end, only 3% could disagree that his actions were "criminal" or "unethical." The change in opinion reveals an incredible erosion of power. Indeed, the loss of political backing was so significant that 62% of Republicans disapproved of Rowland's administration. The compelling news attention, as evidenced by the significant amount of residents familiar with the case and their changing views, had convinced not only Rowland's moderates whom he relied on to win, but also his determined supporters, of his guilt.

Rowland himself acknowledged this debasement of power during his resignation announcement. According to the *Hartford Courant's* unnamed sources inside the administration, "Rowland told staff that even had he survived impeachment, he could never again govern with authority."³⁰ It would thus appear that Rowland recognized that the extreme attention given to his corruption investigation had eroded his power. The polling data and articles substantiate Rowland's viewpoint expressed earlier in this paper that journalists drove him from power.

²⁹ Jennifer Agiesta, "Approval Highs and Lows," *Washington Post*, July 24, 2007. http://blog.washingtonpost.com/behind-the-numbers/2007/07/approval_highs_and_lows.html (accessed April 19, 2008).

³⁰ Christopher Keating and Mark Pazinokas, "Resignation."

Conclusion

While this was not the first instance of conflict between the press and government, it will certainly not be the last. But, it is nonetheless a stunning paradigm that demonstrates the sheer power that the press can wield to influence the people and police the ranks of government. If past is prologue, the viewpoints expressed in this paper are likely to be echoed by the proponents of each side as they both jockey for power derived from the general public.

Although keeping the government honest is a noble cause, the press's overzealous nature could potentially harm the trust between the government and the governed. The hypothesis of this paper, although induced by John Rowland's words, had been undertaken with Jon Lender's premise that the government was going to fail in properly correcting corruption. This assumption itself reveals a dangerous cynicism in the deficiencies of government; a breach in the mutual trust that is supposed to exist between the people and the institution. The public's present low approval ratings of government might very well suggest the press is disseminating its disillusionment to the population. Further research into the State Select Inquiry as well as the corruption investigations could validate or refute Lender's presumptions concerning internal government reform. While the Constitution goes no further than to guarantee a free press, journalists must ensure that they wisely employ their informal policing power in such a manner to only bring about needed reform. Should the press act for its own aggrandizement, the dichotomy between the people and their government will certainly increase and erode what little trust still exists between them.

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