

Insiders Detail Impeachment Probe

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On the trail of Richard Nixon in Watergate, Bob Woodward trudged into a parking garage at midnight to meet his secret and all-knowing source, "Deep Throat." It made for a tense and spooky scene in the film "All the President's Men."

In the impeachment inquiry of Gov. John G. Rowland, investigators worked in a different milieu — interviewing one Rowland aide at a University of Connecticut victory parade and collecting evidence from another source at a Chuck E. Cheese's.

The only spooky moment was the way the intensely loyal former members of Rowland's security detail turned vaporous when word went out that they were being sought for questioning.

"From that moment on, those troopers were in the wind. We never spoke to them. They were never around," James Mintz, chief investigator for the House impeachment committee, recalled Tuesday. "Those guys know how to duck an investigator."

Talking to state troopers formerly assigned to Rowland was only one of many attempts to gather evidence — some successful, others not — that private investigators made over a harried four months as they probed the governor's acceptance of gifts and favors from state contractors and a coterie of close aides.

With the permission of the committee, Mintz and Steven F. Reich, the counsel to the impeachment panel, gave their first interviews Tuesday, offering a behind-the-scenes glimpse of an inquiry that ended with Rowland's resignation last week.

They described the frustration of being shut out by federal in-

vestigators, who had been looking into aspects of the Rowland administration 18 months before the House unanimously authorized the impeachment inquiry in January.

They expressed gratitude to the state attorney general's office, which shared documents it had gathered in its investigation of bidding practices.

"The attorney general was helpful, and the feds were not helpful," Mintz said.

Reich said he established a cordial relationship with Assistant U.S. Attorney Nora Dannehy, who is overseeing the federal investigation of Rowland. He knew that Dannehy could not share evidence collected by the grand jury, but he hoped federal authorities might share material or background gathered by other means.

"They gave us zip," Mintz said. "We knew it very early. We knew we were on our own."

The U.S. attorney's office has refused comment on all aspects of its investigation, including its relationship with the impeachment inquiry.

Reich, who as a lawyer for congressional Democrats and later for the White House defended President Clinton against impeachment, was hired in February. A partner in the New York office of Manatt, Phelps & Phillips, he promised the resources of a large national firm and personal impeachment experience.

He said he came to Hartford intent on not repeating the mistakes of what he called the dysfunction-

al Clinton impeachment.

"It was dysfunctional largely because of how partisan it was," Reich said. "I was going to do everything I could not to repeat that."

House Speaker Moira K. Lyons, D-Stamford, already had set a bipartisan tone. Democrats controlled both houses, but she created a bipartisan inquiry committee in consultation with House Minority Leader Robert M. Ward, R-North Branford. The committee had five Democrats, five Republicans and co-chairmen, Democrat John Wayne Fox of Stamford and Republican Arthur J. O'Neill of Southbury.

"I had been on the receiving end of what I felt was an unfair, unrestricted prosecutor," Reich said, referring to Clinton's special prosecutor, Kenneth Starr. "I was very sensitive that we were not a roving investigation into corruption in Connecticut."

But Reich enjoyed a deep budget and was allowed to hire a small army of private investigators, most of whom worked directly for Mintz at the James Mintz Group. To the chagrin of Connecticut's white-collar defense bar, the committee eventually would run up a bill of \$5 million.

Lyons set a deadline of April 14. "It put us in a full sprint mode from the day we started," Reich said. "We never knew if we were going to get more time."

They began with press reports that focused on Rowland's rela-

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tionships with Robert V. Matthews, a real-estate and industrial investor, and William A. Tomasso of the Tomasso Brothers construction empire.

Mintz's investigators corroborated the press reports and established new connections, including Rowland's touting of Matthews to lenders and other clients as Matthews was boosting Rowland's finances by overpaying for the governor's condominium.

Tomasso and Rowland's former co-chief of staff, Peter N. Ellef, already were under federal investigation for what appeared to be an attempt to rig the awarding of a \$57 million contract to build a juvenile detention facility, the Connecticut Juvenile Training School.

Reich and Mintz said they clashed at times over Reich's insistence on narrowly focusing the inquiry only on transactions that could be directly connected to the governor. That meant, for a time, setting aside the training school as an impeachment focus.

"We knew it was a very important story, but the trail stopped with Peter Ellef," Mintz said. "And Steve said, 'We're not investigating Peter Ellef.'"

The committee issued its first round of subpoenas for documents on Feb. 26, drawing fire from Rowland. What Reich viewed as tightly focused, the governor and his lawyer saw as broad and intrusive.

More distracting was the reaction of Matthews, Tomasso and other Rowland benefactors: They

went to court to challenge the subpoenas. Aware of the April 14 deadline, Reich said, the subpoena recipients tried to stall.

By mid-March, Reich's legal team had successfully defended its subpoenas, which created a new problem. They were awash in paper — eventually collecting 409,000 pages.

"It was hard at that point to see the forest for the trees. We were living document by document, box by box," Reich said. "We couldn't connect the dots."

Patterns and relationships began to emerge from the sea of paper in April. Lyons extended the deadline, eventually agreeing in May to give them a final date of June 30.

Mintz and his investigators, after initially having trouble finding cooperative witnesses, had developed a flow of information and tips. In April, they heard about the governor's staff passing the hat to buy Rowland gifts for Christmas and his birthday.

"Steve set the bar high: If people weren't coerced, it wasn't going to be an issue," Mintz said. "It really didn't get above that bar. But it put us in touch with [Rowland's] people."

One former Rowland employee "blurted out" that Wilson Wilde, who ran the conservancy that maintained the Executive Residence, had loaned first lady Patricia Rowland the money to publish her illustrated children's book, "Marvelous Max, the Mansion Mouse."

The Connecticut Juvenile Training School issue was taken off the shelf as a result of an interview that investigator Martin

Lippe and assistant counsel Robert Jacobs conducted with Rowland's personal assistant, Christine Corey.

Corey recalled how upset Rowland was in November 1998, when he learned that Ellef and Tomasso were in Ohio with other state officials looking at juvenile detention facilities. Tomasso's presence on the Ohio trip was considered evidence of possible bid rigging. Rowland had denied any knowledge of the trip, but now a loyal aide was contradicting him.

"Let's just say the significance of the moment wasn't lost on us," Reich said.

Mintz then interviewed Kathleen Mengacci, Rowland's personal secretary. She, too, recalled Rowland's anger at learning that Tomasso was with Ellef in Ohio.

Since Ellef and Tomasso had provided gifts to Rowland, including renovations to his cottage on Bantam Lake, the impeachment panel would find relevant Rowland's refusal to reprimand Ellef for apparently violating state bidding laws or blocking Tomasso from bidding on the training-school contract.

The committee's last official act was adopting a 38-page report summarizing the evidence collected against Rowland, including his knowledge of Ellef's and Tomasso's collusion. It offered no recommendation whether any of the conduct was impeachable.

What would have been Reich's recommendation?

He smiled and paused, then noted that O'Neill and Fox had asked him to offer no conclusions.

"I am going to honor what the chairmen asked."