

Harsch files ethic complaint against Lynch

By Dotti Farrington

J. William W. Harsch, of Jamestown, Republican candidate for state attorney general in the November election, late last month filed ethics charges against incumbent Attorney General Patrick Lynch of Pawtucket, who is seeking his second four-year term.

Lynch issued a statement denying wrongdoing in taking \$4,250 in campaign donations and a settlement of \$12.5 million in promised donations to charities to not include the DuPont chemical company in the Rhode Island lead paint case that Lynch prosecuted.

The claim of unethical political donations in the lead paint case drew media attention from national news outlets. The lead paint case has been called a landmark case in environmental circles.

Harsch, a lawyer with a long history of state and national governmental work, lost his first bid for the attorney general's office against Lynch in 2002. Harsch, who is currently one of several Jamestown town solicitors, started his second campaign almost a year ago as a way to developing greater voter recognition throughout the

state. Harsch has increased his base of support but still trails Lynch significantly, according to the latest poll by Brown University researchers.

On June 29, Harsch filed a complaint with the Rhode Island Ethics Commission, charging Lynch with taking improper campaign contributions from DuPont associates, including a company lobbyist, Bernard Nash, who spent a year negotiating with Lynch to get the attorney general to not prosecute the Dupont company. The case ended last March with a judgment against three paint manufacturers who are expected to spend up to \$4 billion to clean up lead paint if the jury's decision is upheld.

Lynch not only denied wrongdoing, but he also stated, "I am the only attorney general in the country to force DuPont to pay any amount, much less millions of dollars. For Bill Harsch to now assert that I was not fighting as hard as I could on behalf of all Rhode Islanders against the lead paint producers is political opportunism at its worst, and the content of the charge is utterly baseless. There is no reason to return the contribu-

tions."

Harsch called Lynch's taking of the specified contributions a "clear conflict of interest." He told the commission that "Lynch's receipt of campaign contributions from agents of DuPont, while prosecuting a civil action on behalf of the state of Rhode Island against lead paint manufacturers, including DuPont, appears to have been in substantial conflict with his duties as the attorney general of Rhode Island and was in substantial conflict with his employment in the public interest."

Harsch said that as the state's chief law-enforcement officer, the attorney general must be held to the strictest standard of ethical and professional duties.

Harsch said, "From being fined by Rhode Island Superior Court on two separate occasions for professional misconduct to this apparent violation of ethical standards, Patrick Lynch has proved over the last three years that he neither understands nor respects the high moral, ethical, and professional standards demanded of the office of attorney general. Rhode Island cannot afford to have the people's

attorney engaging in political favors."

Harsch added, "The people of the state are not being properly represented." He said that is why he filed the ethics complaint, to bring it "to the attention of the proper authorities." Harsch said his campaign discovered the donations while doing opposition research on Lynch.

Harsch reported that Lynch accepted \$2,500 from Nash and his wife Phyllis, and \$1,750 from three people in DuPont's lobbying firm, the Dewey Square Group.

Nash also issued a statement denying wrongdoing.

In February, a jury found three paint manufacturers — Sherwin Williams, NL Industries and Millennium Inorganic — had created a public nuisance.

Under the terms of the settlement that Lynch negotiated, DuPont was to pay the \$12.5 million settlement to the Children's Health Forum, a nonprofit agency based in Washington, D.C. That agency was to provide funds for cleanup efforts and education campaigns.

Deputy clerk charged with drug possession

Kimberly Turcone, 26, of 149 Hamilton Ave. will appear in Providence District Court July 10 for a pre-arraignment conference on drug possession charges.

The deputy town clerk in Jamestown, Turcone was charged May 5 with cocaine possession after allegedly being observed buying the drug from a street dealer in Providence.

According to the arrest report, two Providence narcotics detectives were watching a pay phone at the corner of Thurbers Avenue and Eddy Street because complaints had been lodged about the phone being used for drug transactions. Turcone allegedly drove up in her car, made a call from the pay phone, then drove away. The detectives followed her.

The report said the detectives watched Turcone pull over near the corner of Cahill and Trask streets, and they pulled up within 25 feet of her car. Using binoculars, the detectives reported seeing a young black man riding a bicycle pull up to Turcone's window. The officers reported that the man "spit out a small bag of suspected cocaine into his right hand" and handed it to Turcone.

Turcone drove away and was pulled over by police at a nearby traffic light, the police report said.

The detectives reported that once confronted, Turcone allegedly handed over the bag to the police, where it was later test-

ed and confirmed to be cocaine, the police report said.

Turcone allegedly co-operated with police, signed a statement about the drug transaction, and positively identified Antonio Gass, 19, of Providence as the man on the bicycle who sold her the drug, the police report said.

Turcone was charged with being in possession of a controlled substance, a felony. Gass was charged with unlawful delivery, the report said.

After spending the night in a Providence police station, Turcone was released on personal recognizance.

Jamestown Town Administrator Bruce Keiser said, "As Kim's employer, it is the town's responsibility to ensure that her rights under medical leave laws are protected to allow her the necessary time and options to deal with a very serious health issue. Personally, I am hopeful that Kim will be able to successfully address this problem. While the

charges proceed through the courts, I will meet with the Town Council to discuss actions that may be necessary and appropriate regarding Kim's employment status and conditions."

Bruce McIntyre, an attorney representing Turcone, made the following statement about his client: "Kimberly is being treated for certain health-related issues. She is requesting the same level of privacy, compassion and understanding that any individual in a dignified society would want for themselves."

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