

**STATE OF RHODE ISLAND
BEFORE THE RHODE ISLAND ETHICS COMMISSION**

In re: A. Ralph Mollis

Complaint No. 2006-6

ORDER

This matter having been heard before the Rhode Island Ethics Commission on December 12, 2006 pursuant to Commission Regulation 1011, and the Commission having considered the Complaint herein, the arguments of counsel, the findings of fact and admissions, the Respondent's mitigating factors and the proposed Information Resolution and Settlement, which is incorporated by reference herein, it is hereby

ORDERED, ADJUDGED AND DECREED

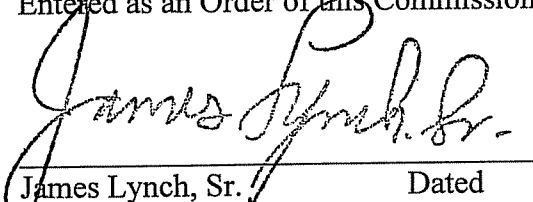
THAT, the Commission approves the Informal Resolution and Settlement as submitted; and

THAT, the Commission incorporates by reference herein its findings of fact and conclusions of law as those set forth in the Informal Resolution and Settlement; and

THAT, the Respondent violated Commission Regulation 5011 (b), Prohibited Activities-Transactions with Subordinates, of the Rhode Island Code of Ethics in Government; and

THAT, the Respondent is ordered to pay a civil penalty in the amount of Three Thousand (\$3,000) Dollars.

Entered as an Order of this Commission,


James Lynch, Sr. Dated 12/21/06
Chairperson

**STATE OF RHODE ISLAND
BEFORE THE RHODE ISLAND ETHICS COMMISSION**

**In re: A. Ralph Mollis,
Respondent**

Complaint No. 2006-6

INFORMAL RESOLUTION AND SETTLEMENT

The Respondent, A. Ralph Mollis, and the Rhode Island Ethics Commission hereby agree to a resolution of the above-referenced matters as follows:

I. FINDINGS OF FACT AND ADMISSIONS

A. Solicitation of North Providence Municipal Employees

1. The Respondent was elected to the office of Mayor of the Town of North Providence in November 1996 and has served in said capacity at all times hereto relevant. He has held elective office in North Providence continuously since 1986, having served as councilman from 1986 to 1996.

2. As Mayor of the Town of North Providence, the Respondent also serves as the Director of Public Safety pursuant to the North Providence Town Charter, §

8-1-1.

3. The Respondent was a candidate for the state elective office of Secretary of State in the democratic primary in September 2006 and the general election in November 2006.

4. John E. Fleming, Jr. and Ernest Carlucci served as co-chairmen of the Mollis for Secretary of State Campaign (hereinafter the "Mollis Campaign" or "Campaign").

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5. The Respondent appointed Mr. Fleming to the position of Chief of Staff to the Mayor of the Town of North Providence in January 1997. Mr. Fleming has served in said capacity at all times hereto relevant.

6. On or about June 10, 2006, the Mollis Campaign mailed correspondence to one thousand four hundred sixty-eight (1,468) individuals requesting contributions to Friends of A. Ralph Mollis. The correspondence was sent to individuals who had either contributed to the Respondent's past political campaigns or who had specifically requested to be included on a fundraising list.

7. The correspondence, authored by Mr. Carlucci, was signed by Messrs. Carlucci and Fleming in their capacity as Co-Chairmen of the Campaign.

8. The contents of the correspondence were read to the Respondent prior to its mailing and the Respondent authorized its use by the Campaign.

9. Included in the mailing along with the correspondence was one (1) ticket to a fundraiser to be held for the Respondent at the Metacomet Country Club in East Providence on June 29, 2006. The price per ticket was \$125.00. The mailing occurred three (3) to four (4) weeks prior to the scheduled campaign fundraiser.

10. Among the one thousand four hundred sixty-eight (1,468) individuals to whom the campaign solicitation was mailed were one hundred thirty-two (132) municipal employees of the Town of North Providence, exclusive of North Providence School Department employees.

11. Among the one hundred thirty-two (132) municipal employees who were mailed the solicitation were individuals employed by the following North Providence municipal departments: Animal Control (1); Board of Canvassers (1);

Building Inspector (3); Building & Planning (2); Crime Prevention (1); Emergency Management (1); Finance (1); Fire (36); Health & Welfare (1); Legal (5); Library (1); Municipal Court (2); Police (37); Public Works (19); Recreation (2); Recycling (1); Tax Assessor (1); Town Clerk (2) and Town Hall (15).

12. On June 28, 2006, one (1) day prior to the scheduled fundraiser, the Respondent's opponent in the November 2006 election, Guillaume de Ramel, filed the instant Complaint with the Ethics Commission. When he learned of the Complaint, the Respondent immediately ordered the Campaign to return all contributions from North Providence employees attributable to the solicitation.

13. At Mayor Mollis' direction, Mr. Carlucci personally returned those campaign contribution checks that the Campaign had received, but not yet processed, from North Providence municipal employees who had received the June 2006 solicitation and/or their spouses.

14. The Campaign estimates that between thirty (30) and forty (40) municipal employees who received the June 2006 solicitation made a contribution in response to the solicitation. The exact number of contributors is unknown given that the Campaign, at the Respondent's direction, returned all contributions received from said municipal employees, including checks it had not yet deposited, but did not record the checks returned.

15. The State of Rhode Island Board of Election's campaign finance records evince that on July 14, 2006 the Campaign issued refunds to fifteen (15) North Providence municipal employees, in the total amount of three thousand two hundred fifty

dollars (\$3,250). Said refunds reflect campaign contributions which had been previously accepted and deposited by the Campaign.

16. By Campaign correspondence dated July 21, 2006, Mr. Carlucci contacted an estimated four (4) to five (5) additional North Providence municipal employees, with whom he had not been able to make personal contact, and returned the remaining campaign contributions via United States mail.

17. Subsequently, five (5) municipal employees who received the June 2006 solicitation and whose campaign contributions were refunded by the Campaign made subsequent contribution(s) during the period from August 3, 2006 through October 26, 2006. Said campaign contributions were made by the individual employees after the return of their original contribution(s) and were not solicited by the Respondent and or the Campaign.

18. The spouse of one (1) municipal employee who received the June 2006 solicitation subsequently contributed to the Campaign, in his name alone, after his original contribution was returned by the Campaign. This contribution(s) was not solicited by the Respondent or the Campaign.

19. Seven (7) municipal employees who received the June 2006 solicitation, but did not respond thereto, subsequently made a contribution to the Campaign during the period from August 3, 2006 through October 26, 2006.

II. CONCLUSIONS OF LAW AND SETTLEMENT

A. Solicitation of North Providence Municipal Employees

1. The Commission finds that the Respondent, Mayor of the Town of

North Providence, is a municipal elected official subject to the Code of Ethics pursuant to R.I. Gen. Laws § 36-14-4(1).

2. The Respondent does not contest that the Commission has sufficient evidence with which the Commission could find that, by his June 2006 solicitation of North Providence municipal employees for contributions to his Secretary of State Campaign, through his Campaign, the Respondent, Mayor of the Town of North Providence, a municipal elected official, violated Commission Regulation 5011(b), Prohibited Activities- Transactions with Subordinates.

C. Mitigating Factors

In mitigation of the conduct detailed above, the Respondent submits the following:

1. Respondent has held elective municipal office, and been subject to the Code of Ethics, for over twenty years. He has had no previous complaints of violations of the Code of Ethics.

2. Respondent did not intentionally violate the Code of Ethics. While he was certainly aware of the Ethics Commission regulation at issue here, he failed to recognize the solicitation as problematic because he saw the mailing as one to past contributors without thinking about the fact that a small percentage of these contributors were town employees.

3. That immediately upon realizing Campaign's error, he immediately ordered the wrongfully-solicited contributions returned.

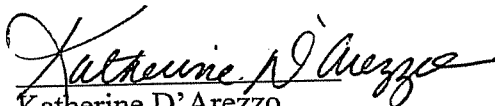
4. Respondent has fully cooperated with Commission staff in the investigation and resolution of this matter, and has ordered his campaign personnel to fully cooperate as well.

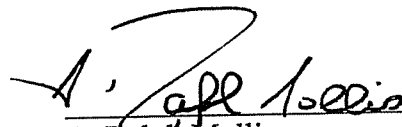
D. Settlement

The Respondent agrees that, pursuant to the above Findings of Fact and Conclusions of Law, the Prosecution will recommend, pursuant to R.I. Gen. Laws § 36-14-13(d), the imposition of a civil penalty of \$3,000.00. The above terms represent the full and complete Informal Resolution and Settlement for Complaint No. 2006-6.

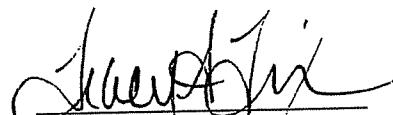
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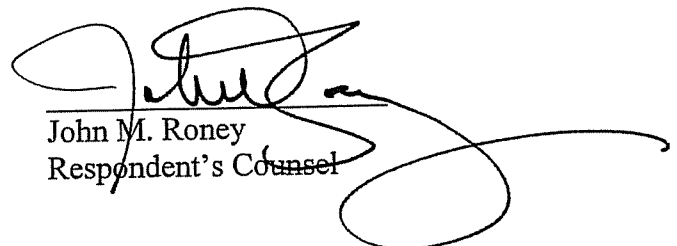
Dated: 12-12-06


Katherine D'Arezzo
Commission Prosecutor


A. Ralph Mollis
Respondent

Subscribed to and sworn before me
this 12th day of December, 2006.


Notary public
My Commission Expires: 4/2/2008


John M. Roney
Respondent's Counsel