

David Nocenti/NYEC  
07/23/2007 03:12 PM

To Christine Anderson/NYEC@NYEC  
cc Jeffrey Gordon/NYEC@NYEC, Lloyd  
Constantine/NYEC@NYEC, Paul Larrabee/NYEC@NYEC,  
Peter Pope/NYEC@NYEC, Richard Baum/NYEC@NYEC,  
bcc  
Subject Re: Fw: DRAFT STATEMENT FROM ALBANY COUNTY DA  
re: today's report

I think that statement is fine, but I also see no need for the DA's Office to seek our comments on their press releases, particularly on this issue, and so I would hesitate to comment on it.

I think the most innocuous response would be to tell them that they should feel free to issue whatever release they wish to.

Christine Anderson/NYEC

Christine Anderson/NYEC  
07/23/2007 02:58 PM

To Richard Baum/NYEC@NYEC, David Nocenti/NYEC@NYEC,  
Lloyd Constantine/NYEC@NYEC, Peter  
Pope/NYEC@NYEC, Sean Maloney/NYEC@NYEC  
cc Paul Larrabee/NYEC@NYEC, Jeffrey Gordon/NYEC@NYEC  
Subject Fw: DRAFT STATEMENT FROM ALBANY COUNTY DA re:  
today's report

Everyone ok with this? I want to get back to them ASAP

----- Forwarded by Christine Anderson/NYEC on 07/23/2007 02:57 PM -----



"Arthur, Richard"

07/23/2007 02:52 PM

To <christine.anderson@chamber.state.ny.us>  
cc  
Subject DRAFT STATEMENT FROM ALBANY COUNTY DA re:  
today's report

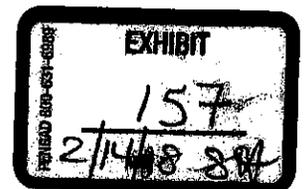
DA Soares, asked me to run this by you prior to our releasing it. Since we're getting pounded by the press, we would like to get this out soon.  
Thanks

Richard Arthur  
Press person for the day while Heather is at a conference.

DRAFT FOR REVIEW

Proposed Statement by Albany County District Attorney P. David Soares

The Office of the Albany County District Attorney has concluded its investigation, conducted contemporaneously with that of the Office of the Attorney General, of an allegation that Senator Joseph L. Bruno



Privileged & Confidential - PD -01525

violated NYS Criminal Law in his use of aircraft owned by the State of New York. We concur with the statement in the Attorney General's report that "Except in extreme instances, it would be difficult to attempt to impose criminal responsibility under the Penal Law based on the mixed use of state aircraft given the vagueness of the relevant policy and the lack of any definition of what constitutes, 'official business.'"

Consequently, we have found no basis for criminal prosecution. We concur with the conclusion of the Attorney General's report that existing state law is "porous" and needs to be clarified to protect the interests of the people.

We were not asked to, nor did we participate in, any investigation of the conduct of members of the Governor's Office.

Richard Arthur  
Director of Administration  
Office of the District Attorney  


Confidentiality Notice: This fax/e-mail transmission, with accompanying records, is intended only for the use of the individual or entity to which it is addressed and may contain confidential and/or privileged information belonging to the sender, including individually identifiable health information subject to the privacy and security provisions of HIPAA. This information may be protected by pertinent privilege(s), e.g., attorney-client, doctor-patient, HIPAA etc., which will be enforced to the fullest extent of the law. If you are not the intended recipient, you are hereby notified that any examination, analysis, disclosure, copying, dissemination, distribution, sharing, or use of the information in this transmission is strictly prohibited. If you have received this message and associated documents in error, please notify the sender immediately for instructions. If this message was received by e-mail, please delete the original message.

Christine Anderson/NYEC  
07/23/2007 03:14 PM

To "Arthur, Richard" <Richard.Arthur@albanycounty.com>  
cc  
bcc  
Subject Re: DRAFT STATEMENT FROM ALBANY COUNTY DA re:  
today's report

Arthur, the DA's office should feel free to issue whatever press release it deems appropriate.

Christine

"Arthur, Richard" <Richard.Arthur@albanycounty.com>



"Arthur, Richard"

07/23/2007 02:52 PM

To <christine.anderson@chamber.state.ny.us>  
cc  
Subject DRAFT STATEMENT FROM ALBANY COUNTY DA re:  
today's report

DA Soares, asked me to run this by you prior to our releasing it. Since we're getting pounded by the press, we would like to get this out soon.  
Thanks

Richard Arthur  
Press person for the day while Heather is at a conference.

DRAFT FOR REVIEW

Proposed Statement by Albany County District Attorney P. David Soares

The Office of the Albany County District Attorney has concluded its investigation, conducted contemporaneously with that of the Office of the Attorney General, of an allegation that Senator Joseph L. Bruno violated NYS Criminal Law in his use of aircraft owned by the State of New York. We concur with the statement in the Attorney General's report that "Except in extreme instances, it would be difficult to attempt to impose criminal responsibility under the Penal Law based on the mixed use of state aircraft given the vagueness of the relevant policy and the lack of any definition of what constitutes, 'official business.'"

Consequently, we have found no basis for criminal prosecution. We concur with the conclusion of the Attorney General's report that existing state law is "porous" and needs to be clarified to protect the interests of the people.

We were not asked to, nor did we participate in, any investigation of the conduct of members of the Governor's Office.

Richard Arthur  
Director of Administration  
Office of the District Attorney

**Confidentiality Notice:** This fax/e-mail transmission, with accompanying records, is intended only for the use of the individual or entity to which it is addressed and may contain confidential and/or privileged information belonging to the sender, including individually identifiable health information subject to the privacy and security provisions of HIPAA. This information may be protected by pertinent privilege(s), e.g., attorney-client, doctor-patient, HIPAA etc., which will be enforced to the fullest extent of the law. If you are not the intended recipient, you are hereby notified that any examination, analysis, disclosure, copying, dissemination, distribution, sharing, or use of the information in this transmission is strictly prohibited. If you have received this message and associated documents in error, please notify the sender immediately for instructions. If this message was received by e-mail, please delete the original message.