



NEW YORK STATE SENATOR

Malcolm Smith

## Democrats Blast Senate GOP For Police Bashing During Today's Senate Investigations Committee Hearing

MALCOLM A. SMITH September 24, 2007

State Senate Democrats condemned the abrasive anti-police rhetoric used by Senate Republicans during today's Senate Investigations Committee hearing.

Today's hearing included testimony from former State Police Superintendent Wayne Bennett and State Police General Counsel Glenn Valle who were questioned about procedures used when honoring Freedom Of Information Law (FOIL) requests.

"Today's hearing had little to do with any piece of legislation under consideration and everything to do with bashing the State Police, who serve not only the people of New York but the Executive Chamber as well," said Senate Democratic Leader Malcolm A. Smith (D-St. Albans).

The Democratic senators objected to the way Republican Senators George Winner, Dean Skelos, Michael Nozzolio, Thomas Libous and Martin Golden unjustly called into question the integrity of top State Police brass for their handling of police records pertaining to Senate Majority Leader Joseph L. Bruno's use of state aircraft.

In a 5-2 vote along party lines, the GOP-led committee also passed a resolution authorizing Winner, its chairman, to issue subpoenas requiring Acting State Police Superintendent Preston Felton to testify and provide documentation related to his execution of a request made by the Governor's staff for information on Bruno's publicly available travel itineraries using state resources. Two independent investigations have cleared the Governor's office of any illegality.

Valle testified that agencies like the State Police are working well within their authority when satisfying a request for public information from the Governor's office, like the travel itineraries. It was also noted that information on Bruno was supplied exclusively to the Governor's office simply because Bruno was the only state legislator who had used state aircraft during the period in question.

Requests for information are routinely provided to the public under the state's Freedom Of Information Law (FOIL).

Senators Tom Duane (D-Manhattan) and William Stachowski (D-Buffalo), the two Democrats present for today's Committee hearing, voted against the resolution to provide Winner subpoena power.

Duane, the Committee's Ranking Democrat, cited a letter by Preston Felton explaining his reasons for declining to testify before the committee because it could interfere with a pending investigation by the State Ethics Commission, now the State Commission On Public Integrity.

Smith noted that Senate Republicans have persistently questioned witnesses during previous Senate Investigations Committee hearings in ways that could have potentially

harmed what were, at the time, pending investigations by Albany County District Attorney David Soares and the State Ethics Commission, now the State Commission On Public Integrity.

On Friday, Soares issued a report echoing the Attorney General's conclusion that no illegal conduct occurred in the Executive Chamber when members of the Governor's staff released information involving the state aircraft.