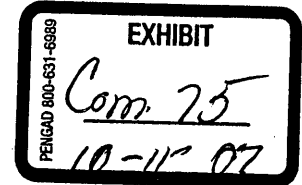


[REDACTED]
September 7, 2007

New York State Ethics Commission
Alfred E. Smith State Office Building
11th Floor, Suite 1147
80 South Swan Street
Albany, New York 12210



Gentlemen:

In response to your letter of August 23rd notifying me of the Commission's investigation of the facts and circumstances described in the Attorney General's Report on the Alleged Misuse of New York State Aircraft and the Resources of the State Police, I want to submit the following response:

I believe this report is misleading and wrong in several respects. I will explain my view in detail after providing some relevant background.

Until recently, I served as the Communications Director for Governor Eliot Spitzer, a position I held since the start of the administration in January. Before that, I was the Communications Director for the New York State Department of Law for eight years. Before that, I was a Communications Director in the State Assembly for four years and a Press Officer for Governor Mario Cuomo for six years. I started my career as a journalist, and was a correspondent for the Associated Press at the State Capitol. Through these and other positions, I have more than 20 years experience involving state government. Throughout this time, there has never been any allegation of impropriety or misconduct on my part. Now, however, I have been placed at the center of a controversy dubbed Troopergate. Due to ongoing investigations over the last month, I have been unable to comment publicly. During this time, false information has been reported as fact, I have been maligned repeatedly and my family has suffered greatly. In an effort to clear my name, I ask the Commissioners consider the following points in their review of this matter:

First, I did not concoct media interest in use of state aircraft as claimed in the AG's report. This has been a topic of intense media scrutiny for decades (a simple Google search reveals 87 stories on the topic that predate the Times Union article on July 1). In this regard, reporters routinely examine the use of state aircraft by public officials. This was true for Governors Cuomo and Pataki, and it is true now with Governor Spitzer. In fact, on at least four separate occasions earlier this year, multiple reporters requested and received information from my office on the use of state aircraft and other state vehicles by public officials. Each time reporters received such information from my office, they did their own analysis, made their own judgments about news value and wrote their own articles.

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Second, I did not misuse the State Police. I never asked the State Police to spy on Senator Bruno, to gather special information on him, to recreate documents or do anything of the kind. In fact, I never spoke to anyone at the State Police about this matter. I did ask the Executive Chamber's liaison to the State Police, a senior official in the prior administration who was retained by the new administration for his expertise in security and law enforcement matters, for existing public documents that would be responsive to an anticipated Freedom of Information Law request. This followed pointed inquiries from reporters - including persistent questions from a veteran reporter who had written about aircraft use many times before. Since the Governor's office controls state aircraft and is responsible for ensuring appropriate use, I had an obligation to respond. I trusted that the documents provided by the State Police and others were accurate, obtained properly and cleared for release to the media. I provided these public documents to the reporter only after conferring with colleagues and determining that it was appropriate to do so.

Third, there was no plot against Senator Bruno. I released the available public documents on all of the elected officials who used state aircraft during the first five months of the year. In doing so, I was acting on the firm belief that reporters have right to this information - if for no other reason than it costs New York taxpayers tens of thousands of dollars each and every time the aircraft is used. I never expected that the release of public documents would be considered a dirty trick requiring criminal and ethical investigations.

In retrospect, however, it is clear that given Albany's poisoned political atmosphere, I should have referred reporters to the State Police for any and all information on Senator Bruno. Even though the documents were clearly public records, the fact that I provided information on Senator Bruno allowed the Governor's political rivals and adversaries to allege impropriety. While I deeply regret the ensuing controversy that has kept the state government from addressing important problems, I continue to believe that my actions were lawful, ethical and in the spirit of openness the public expects and deserves.

Respectfully,


Darren Dopp