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Few people, if any, knew the inner workings of the Moreland Commission to a greater extent than I did. The Governor had repeatedly warned legislators that their failure to pass comprehensive ethical reforms would result in the creation of a Moreland Commission. When these legislators ignored the Governor, who had the overwhelming support of the People of New York and who had garnered the support of all sixty two elected District Attorneys, he kept his word. It was a gutsy move. I was asked by a reporter if any public official was off limits. Sitting next to Governor Cuomo, I responded that we were going to follow the money. That's what we did. Throughout the Governor offered advice, encouragement and expressed his gratitude, all of which I appreciated. With much said and written about Moreland, let me make some final points to clear the record.

1. The Governor in forming the Commission announced that it would be an independent body. It was. The notion that ten elected DAs along with a County Executive, a law school Dean, a renowned judge, professors, a businessman and private attorneys committed to good government, would NOT be independent is ridiculous. We had total investigatory decision making authority and we used it. In fact, a lot of the commissioners' time was spent trying to prioritize our investigations. Believe me, it was a target rich environment. Only myself and fellow co-chairs Kathleen Rice or Milt Williams could unanimously authorize subpoenas. Had Commission staff uncovered illegality or unethical behavior on the part of the Governor or the AG, then those matters would have been pursued. And if I or my co-chairs or any other Commissioner had been told or "ordered" not to pursue a sensitive topic, I can state with a high degree of certainty that we all would have resigned. That never happened.
2. The Governor recently said the Commission was "not legally independent." I'm sure the Governor will be asked to explain exactly what he meant by that. Remember that the Governor and the AG appointed us. We were directed by the enabling order to report on our activities to the Governor and the AG. The Governor's office handled our budgetary needs. The Governor and the AG provided us with staff and provided that staff with office space and material. I listen to some that suggest the Governor formed the Commission

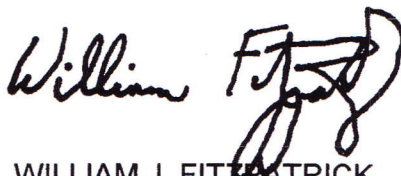
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and then was not supposed to care what we were doing. I guess we were expected to have bake sales to fund ourselves and pay for staff. Had you been in the room during our many meetings, you would have seen many discussions, reasoned debate, intellectual curiosity, investigative strategies, commitment to a government responsive to the needs of the people and most of all you would have twenty five independent decision makers.

3. People have questioned my independence because I directed that a subpoena to an entity with ties to the Governor be withdrawn after a discussion I had with the Governor's aide Larry Schwartz. About three weeks later, having considered his comments, we nonetheless decided to issue the subpoena. I'm not a rigid person and I prefer to absorb as much advice as I can before making major decisions. A subpoena being issued by the Moreland Commission is a big deal and I didn't make those decisions lightly. I didn't make those decisions worried about looking "fair" in other people's eyes. Many internal discussions were had amongst Commissioners about what individual or entity to subpoena or not to subpoena. And many diverse opinions were expressed. The bottom line is that nobody "interfered" with me or my co-chairs. Frankly, for those who do not know me well, that suggestion is absurd.
4. Finally, I want to comment on the purpose of the Commission and the actual success that we had, the latter having been sadly ignored. Although we had subpoena power, the Commission was not an independent prosecutorial agency. We had no summary arrest power; we had no ability to convene a grand jury; we had no power to confer immunity. We were designed to make policy recommendations and conduct investigations. And we were designed to be temporary. Were we in existence today, a good deal of our time would be spent fighting frivolous motions to quash our subpoenas, motions ironically enough submitted by some of the same people now criticizing the Commission. And what did we accomplish in our few months of work? The Moreland Commissioners produced a report that should serve as a template for any legislative body serious about ethical reform; a report that serves as a roadmap for any prosecutorial agency serious about rooting out public corruption; we exposed the pitiful enforcement power of the Board of Elections and helped get legislation passed to put some teeth in the enforcement arm of that agency; we exposed the corrupt pay to play culture of some in Albany with specific examples that await prosecutorial scrutiny; most of all we helped the Governor spur the legislature into action on the Public Trust Act, the very reason we were formed in the first place; we exposed the systemic abuse of campaign funds being used for personal expenditures and per diem reimbursements when people weren't even in Albany; [we were beginning to look at the unholy alliance of political favors being doled

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out for "no-show" jobs]; we made a compelling case thanks to the eloquence of Commissioner Richard Briffault and others for public financing of political campaigns; and we referred our pending investigations to the very capable hands of US Attorney Preet Bharara. Ultimately, that's what we would have done anyway and I guarantee you those investigations will bear fruit in the near future. Look, I get it that "Plane Lands Safely at JFK" doesn't make interesting news. Some of the missteps, the infighting and the silliness made my life difficult and makes for entertaining reading. When the Governor asked me to serve on this Commission, I considered it the chance of a lifetime. I met and worked with some of the finest people I've ever met. Kathleen Rice has been a colleague and friend for a decade and she's phenomenal. Milt Williams is plain and simple the most ethical person I've ever known. To suggest that the three of us, or our fellow Commissioners, could be corrupted is laughable. Governor Cuomo didn't create this culture of corruption but he sure as hell did his best to stop it. I thank him for that and I thank my fellow Commissioners whose legacy will go on as Preet continues his work or as some cases may be referred to local DAs. I've often been asked if the Governor called me again and asked me to serve, would I do it. Yes, in a New York minute.

A handwritten signature in black ink that reads "William Fitzpatrick". The signature is written in a cursive style with a large, stylized "F" and "P".

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ONONDAGA COUNTY