

# Corruption fighter tackles double-dipping probe

**NEW YORK:** Peter Pope's eyes light up when he talks about the search for truth and justice.

By Christopher Mele  
The Times Herald-Record  
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The official overseeing the attorney general's investigation into alleged double-dipping deputies is well versed in rooting out public corruption.

Crooked union leaders. Members of organized crime. Corrupt contractors. Peter Pope has prosecuted them all.

Wearing a green tie sprinkled with unicorns, the sleeves on his wrinkled white shirt rolled up, Pope recently sat, relaxed, in a conference room on the 25th floor of a lower Manhattan office

building as he talked with a visitor.

Asked about the role of the Public Integrity Unit that he heads, Pope leaned forward in his chair.

He spoke slowly and deliberately at first. But then his words took off in a gallop and spilled out like coffee beans from a torn burlap bag.

Pope, most recently the inspector general at the New York City School Construction Authority, spoke about taxpayers' right to expect their hard-earned money to pay for public projects - hospitals, bridges and schools - not to grease the palms of unethical contractors or public officials.

Pope offered a historical overview of corruption in New York, including its role in the con-

struction of the Brooklyn Bridge and more modern-day examples of bid-rigging.

He gave a hearty, infectious laugh as he described the ingenious rip-off schemes that date back to the days of Tammany Hall.

"It just goes to show that nothing changes," he said. "It's not a new problem. It's a really, really old problem."

Pope is overseeing a probe centered on allegations of moonlighting Orange County sheriff's deputies.

Six sheriff's deputies and a sergeant who worked as part-time police officers in the Village of Montgomery and Town of Deerpark filed limecards showing them at both jobs at the same time on 73 occasions.

Pope's unit is coordinating a

## Peter B. Pope bio

► **Title:** Special counsel to the attorney general.

► **Salary:** \$125,000.

► **Age:** 41.

► **Married, children:** Declined to say

because of the nature of his work.  
► **Education:** Harvard College, Yale Law School.

► **Professional experience:** Special counsel to the attorney general and coordinator of the Public Integrity Unit (January 1999 to present); vice president and inspector

general, Office of the Inspector General, New York City School Construction Authority (1996-99); first assistant inspector general and counsel (1995-96); vice president, Management Controls Department, Goldman Sachs (1993-95); deputy chief, labor racketeering unit, Manhattan District Attorney's Office (1992-93); assistant district attorney (1988-92); law clerk to U.S. District Court Judge Robert W. Sweet (1987-87).

► **Military experience:** None.

► **Hobbies/interests:** Fishing, kayaking, canoeing.

joint probe with Orange County District Attorney Frank Phillips into \$650,000 worth of municipal

water given away by the Village

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of Kiryas Joel to its main synagogue and private schools.

"When I look at public integrity, I don't see a violation of this law, a violation of this law or a violation of another law, but a group of people who have dedicated themselves to cheating the system," Pope said.

Most public integrity and corruption cases involve money, he said. Other cases involving abuses of power can be remedied through the electoral process, he said.

Pope did an 18-month stint with Goldman Sachs, a global investment banking and securities firm, that left him longing to fight corruption. "I terribly missed the search for truth and justice. I know it sounds silly, but I missed trying to set things right," he said.

Critics have hinted that the double-dipping investigation is politically motivated, given that Spitzer is a Democrat and Orange County Sheriff Frank Bigger a Republican. Former county Democratic Minority Leader Richard Baum is Spitzer's chief of staff.

No matter what the nature of the probe, it's a baseless charge, Pope said.

"I will quit this office before I did a case for political purposes," he said.

Pope would not answer questions specifically about the double-dipping probe. "In public integrity cases, above all, it's very important to do them in a way that not only do the people who are the subject of the inquiry get a fair shake, but perceive they're getting a fair shake," he said.

The Attorney General's Office has sent Freedom of Information requests to the Sheriff's Office and municipalities involved. When asked why the office didn't issue subpoenas right off, Pope said that,

### What jurisdiction?

Critics privately say that the attorney general has no authority under state law or constitution to conduct a criminal investigation in a local jurisdiction.

They also say Attorney General Elliot Spitzer is overstepping his authority.

Former Attorney General Dennis Vacco tried to prosecute an Internet pornography case and "that state DAs went to war with him and won," said Orange County District Attorney Frank Phillips.

The power to prosecute criminal cases is

### At a glance

The attorney general's Public Integrity Unit has a full-time staff of three, backed up by 500 lawyers with expertise in environmental, labor, criminal and other areas of the law.

The office currently has 10 active cases, including a scandal enveloping Capitol OTB in Albany, an investigation started by former attorney general Dennis Vacco.

The Attorney General's Office wields significant powers unique to itself. One of them allows the office to conduct a "pre-action investigation" that could compel people to turn over documents and testify under oath without convening a grand jury.

Investigations can have a range of possible outcomes, not all of them resulting in indictments and prosecutions.

Organizations can be placed in receivership or under a monitor; property can be forfeited; civil litigation can be filed to seek redress or legislative action sought to correct a problem; grand jury reports can be issued with recommendations and findings; or no action may result.

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generally speaking, it's often best to start at a less intrusive level because it allows more room for cooperation.

This strategy also makes allowances for human weaknesses.

Were the acts of wrongdoing the result of evil or just foolishness? "You're not working with a light switch. You're working with a dimmer," he said.

As for which cases are worth attention, Pope said it's partly a matter of choosing those that will have the greatest lasting impact.

"We really want to get in there and leave it in a fundamentally reformed way," he said.

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vested in local prosecutors, said Gerald Benjamin, SUNY New Paltz political scientist and government expert. "The attorney general acting on his or her own authority - I don't know of any (cases)," Benjamin said.

Attorneys general have in the past intervened in local criminal cases because they're high profile and what the public expects, Benjamin said.

He said the attorney general can come in if the governor requests such intervention - as former governor Mario Cuomo did in naming then-attorney general Robert Abrams to spearhead the Tawana Brawley case - or at the request of a local district attorney.