



STATE OF NEW YORK  
EXECUTIVE CHAMBER  
ALBANY 12224

July 15, 1991

Doris L. Sassower. P.C.  
283 Soundview Avenue  
White Plains, New York 10806

Dear Ms. Sassower:

Governor Cuomo has asked that I reply to your letter of June 18, 1991, regarding the appointment of a special prosecutor to investigate and prosecute allegations of collaborative cross endorsements of judicial candidates in Westchester County.

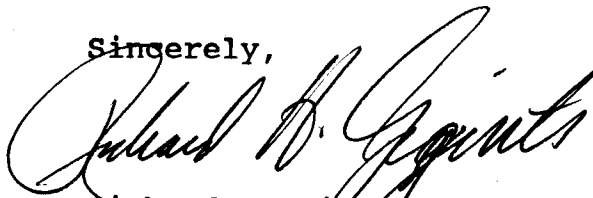
The power to appoint a special prosecutor in this State has been used sparingly. District Attorneys are independently elected constitutional officers. Before usurping this legitimate authority, the Governor must have clear and convincing evidence that the extraordinary measure of superseding the District Attorney's constitutional authority is warranted.

The Governor established a Special Prosecutor Review Committee, which I chair, and charged it with reviewing applications for special prosecutors and making recommendations to him. Other members of the screening committee include Elizabeth D. Moore, Counsel to the Governor, Patrick E. Brown, First Assistant Counsel and Barbara A. Leak, the Chair of the Crime Victims Board

The Committee very carefully reviewed your correspondence, along with the attached supporting documentation. Based upon the information you provided and the recommendation of the Special Prosecutor Review Committee, the Governor has declined to appoint a special prosecutor at this time.

Thank you for writing the Governor and sharing your concerns with us.

Sincerely,

A handwritten signature in cursive script, appearing to read "Richard H. Girgenti". The signature is written in dark ink and is positioned above the typed name.

Richard H. Girgenti  
Director of Criminal Justice