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Endorsement - The Journal News

By Editorial Board

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Original publication: 10-26-2002

WHITE PLAINS - The impressive record compiled by state Attorney General Eliot Spitzer in his first four-year term justifies his re-election on Nov. 5. Spitzer, a Democrat, is challenged by former Court of Claims Judge Dora Irizarry, a Republican.

Spitzer has been responsibly aggressive across the board, from suing executives of major Wall Street firms in an effort to recover millions of dollars in "ill-gotten" gains for investors, to preventing the eviction of senior citizens by an unlicensed mortgage broker. He spurred the indictment of 17 alleged members of the Gambino organized crime family in June and reached a \$5 million settlement with a New York bank accused of narcotics money laundering. He won \$1.58 million in refunds for some 1,600 New Yorkers in a deceptive sweepstakes promotion, recovered \$1 million for upstate dairy farmers victimized in an investment scam and reached a \$365,000 settlement with the New York Botanical Garden to clean up pollution in the Bronx River.

Irizarry, a former Bronx assistant district attorney, contends that Spitzer has been lax in pursuing Medicaid and auto-insurance fraud, areas Spitzer said he would increase focus on if re-elected. However, Spitzer has not been idle on those fronts. He recovered \$1.7 million from 77 New York hospitals, including nine in Westchester and Rockland, in Medicaid overbillings, won \$1 million in restitution from a Yonkers ambulance company found guilty of fraud and recovered \$100,000 in a settlement with a Westchester mental health group. His office reported about 50 auto-insurance fraud arrests since last November, including 25 people in two separate rings accused of bilking insurance companies of \$200,000 through phony accident reports and faked

injuries.

In other local action, Spitzer helped strengthen the election process following a voter fraud case in Yonkers, won \$1.1 million in restitution in a Rockland mortgage scam, and won \$410,000 in consumer-case settlements involving an auto dealer and pharmacy.

While Spitzer regards the office as a wide-ranging protector of the public, Irizarry's scope is more limited. She seems to view the position as something of a super-district attorney, putting an emphasis on combating drug crime and child sex abuse. Perhaps that is due to her background, which is commendable, as a prosecutor and narcotics and organized-crime investigator before her judicial appointment by Gov. George Pataki in 1997.

The attorney general is the state's top lawyer, defending the state in all actions while also representing the public in criminal and civil cases. The office has more than 1,800 employees, including some 500 lawyers, as well as a support staff that includes forensic accountants and scientific investigators. There are 15 regional offices, including one in White Plains, and an extensive public outreach program.

When fund-raising groups proliferated overnight following the Sept. 11 terrorist attack on the World Trade Center, Spitzer appropriately stepped in to bring order and coordinate efforts. We also applaud him for prohibiting his employees from contributing to his campaign, an ethically challenged but traditional practice.

We are heartened that Spitzer recognized identity theft as "one of the nation's fastest-growing crimes" following the arrest in August of four people accused of stealing the identify of thousands of New Yorkers at various sources. Such theft is indeed increasing at an alarming rate, and law enforcement needs to be on the cutting edge of prosecution and prevention.

Spitzer also has the Independence, Working Families and Liberal party lines. Irizarry also has the Conservative line. Also running are John J. Broderick, Right to Life; Mary Jo Long, Green Party; Scott Jeffrey, Libertarian; and Thomas K. Leighton, Marijuana Reform.

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