



**TONY BROWN**

COMMENTARY

# Mosca report raises questions about O'Rourke, Vergari

If you read through "An Investigation into Allegations of Misconduct by the Westchester County Commissioner on Public Safety," you get the distinct impression that the commissioner, Anthony Mosca, has been working on behalf of a cocaine dealer.

If you watch Andrew O'Rourke, you get a similarly distinct impression that the county executive tolerates a police commissioner who works on behalf of a cocaine dealer.

So much for the war on drugs. This cocaine dealer, you'll remember, was part of what O'Rourke called the "private matter" between himself and Mosca. It was the private matter that "didn't involve criminal culpability." This was the private, non-criminal matter that was none of the public's business and not serious enough to cost Mosca his job.

This, we now know, is a mess, offering some most unflattering insights into the way Mosca and O'Rourke do their work. Some questions:

■ **WHAT KIND OF** police commissioner tries to make life easier for a cocaine dealer?

The investigation, from the State Commission of Investigation, makes it clear that Mosca first tried to use his position as police commissioner to get the drug dealer released without bail and then tried to have the drug-dealing charge lowered from a felony to a misdemeanor, all because the drug dealer was a friend's son. This is at least unethical, an abuse of police powers and unusually stupid. It also has the stench of obstruction of justice.

But to really understand Tony Mosca as a man and as a police commissioner, remember that on the day he was making calls on behalf of a cocaine dealer, he *didn't* call to ask after the condition of the police officer who was injured while arresting the cocaine dealer.

■ **WHAT KIND OF** county executive tolerates — even protects — a dirty police commissioner?

The easy answer is: "a county executive running for re-election who knows he's also hiding big post-election tax increases." But, with O'Rourke, the Mosca case is only the most amazing example of the favoritism and bad judgment that have frequently punctuated his years in office. He has, you'll remember, given away tens of thousands of tax dollars to departing commissioners in "consultant contracts" that were little more than gifts. Former aide Ed Gibba got one of the sweetest deals.

O'Rourke, you'll remember, gave one former commissioner a consultant contract that just happened to end the day the former commissioner qualified for his pension. Remember when Yonkers Conservative Party Chairman Anthony Aurrichio was found unqualified for his Playland job — and O'Rourke created a new one to keep him on the public payroll?

Remember when O'Rourke was aware that an assistant county attorney (with close connections to Republican Party officers, of course) had been paid for a fake job at Playland — and the county executive did nothing for months until it became embarrassing during the campaign?

These are not great moments in personnel management, Mosca least of all.

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■ **WHERE (AGAIN) IS** Carl Vergari, the district attorney?

Like O'Rourke, Vergari has had the Mosca report since August. Like O'Rourke, he has known that the police commissioner tried to intervene on behalf of a cocaine dealer. Like O'Rourke, he has known that the police commissioner tried to use the administrative power of his office — bail recommendations, advice on the strength of cases — to help a cocaine dealer.

But the district attorney, like the county executive, wasn't so alarmed that he did something about it. How can Vergari's assistants trust information from county detectives if they know that Mosca may be pressuring the detectives to fudge cases for his friends?

■ **IF THIS IS AN** example of the kinds of official — not to mention criminal or unethical — behavior that O'Rourke and Vergari tolerate, what else aren't they telling us?

Ever since my tenacious colleague, Mike Gallagher, reported that the state was investigating serious charges against Mosca, O'Rourke has defended his secrecy by pointing out, correctly, that allegations are nothing until they're substantiated. And (went his argument) since nothing criminal came of the state's investigation, it was unfair to legitimize allegations with release of a report that found no criminality in them.

So we can ask: Are O'Rourke's standards for his commissioners based on the simple absence of criminal indictment? Don't we have a higher standard for him?

*Tony Brown's column appears Monday, Wednesday and Friday.*

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