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03/09/2016

STATEMENT IN RESPONSE TO INQUIRY REGARDING EDWARD WALSH:

The Newsday cover story dated March 9, 2016 about the alleged protection of Edward Walsh by District Attorney Spota is inaccurate and misleading.

Before addressing the timeline that proves this, it must be noted that Newsday did not contact the District Attorney's office until 10:05 p.m. last evening when their reporter emailed looking for comment on his story. These actions were clearly designed to prevent this office from providing a contrary narrative and timeline to their inaccurate reporting. The story was published online at 11:00 p.m. leaving approximately 50 minutes to respond to these serious claims.

The anonymous complaints received about Walsh by the District Attorneys' Office beginning in March of 2010 were immediately forwarded to Sheriff DeMarco because they were complaints about his office and his employee. Sheriff DeMarco never reported the results of his investigation of these allegations: if he indeed conducted one. The appropriate question to ask is if the District Attorney was protecting Mr. Walsh why would he forward the complaints to the Sheriff for action?

More to the point on May 7, 2014, the District Attorney made another referral to the Sheriff based on a third anonymous complaint against Walsh. This fact is omitted from the Newsday article. Obviously it does not fit the false narrative Newsday is attempting to sell. Again if the District Attorney was intent on protecting Walsh why would he make this referral?

With regard to the Walsh employment application issues; the conduct alleged could never have been the subject of a criminal prosecution by Mr. Spota because the statute of limitations had run before he was elected District Attorney. How this demonstrates anything about the District Attorney's alleged protection of Walsh is truly mysterious. Why Sheriff DeMarco did not pursue relief against Walsh based on these alleged falsehoods under Article 50 of the NYS Civil Service Law can only be answered by him.

Walsh's presence as a player in an illegal gambling establishment is not criminal. In fact New York State Penal Law section 225.00(3) specifically provides that a person who is a player cannot be charged with a gambling offense. The claim that Mr. Spota "failed" to charge Walsh with any crime related to this incident when he could have is contrary to New York State law and false. Every competent state criminal law practitioner knows a mere player in a game of social chance cannot be charged with a gambling offense in New York State.

The timeline of the interaction between Sheriff DeMarco and the District Attorney regarding the substantive Walsh investigation presented by Newsday's story is inaccurate.

Beginning on April 25, 2014 and continuing until early August, 2014 when an Internal Affairs investigator was granted permission by DeMarco to advise District Attorney investigators that the case was in fact being investigated by federal authorities it was the Sheriff and his staff who thwarted the District Attorney's Office, not the other way around.

The facts are that on April 25, 2014 Sheriff Department employee Stephen Compitello was arrested for grand larceny involving false timesheets, not by the Sheriff but by District Attorney investigators. No information was provided about Mr. Walsh at that time. Sheriff DeMarco advised the District Attorney of his concerns about Walsh's timesheets in early May. Sheriff DeMarco provided no information to support a prosecution of Walsh. Additional details were promised but were not provided.

In June, the Sheriff called the District Attorney to advise he was proffering administrative charges against Walsh. Sheriff DeMarco refused to disclose the nature of the charges.

Early in the week of July 14th Sheriff DeMarco called the District Attorney to refer the Walsh investigation to the District Attorney's Office. Sheriff DeMarco promised that an Internal Affairs investigator would call that day to arrange an appointment. No call ever came. Finally, the week of July 21st a meeting was arranged between Internal Affairs and District Attorney investigators to be held on July 24, 2014. On July 23rd a call to confirm was made to the Sheriff's Department and the meeting was confirmed by them for 9:00 a.m. on July 24, 2014. The meeting on July 24th was thereafter cancelled by the Sheriff's Department. The meeting was rescheduled for July 29th. A Sheriff Department investigator promised to call on July 28th to confirm.

No Sheriff Department representative called on July 28th and no one appeared for the scheduled meeting on July 29th. On July 31st a Sheriff Department investigator called again to reschedule the meeting. When the investigator was queried about why no one had the courtesy to call or cancel the previous meeting he said he could not answer. Another invitation was extended for a meeting that day. Again District Attorney investigators were told that the meeting would have to wait for at least a week. When asked why, the investigator provided no explanation.

Clearly and unequivocally District Attorney investigators wanted to speak to Sheriff Department investigators about Walsh and made numerous attempts to do so. That they were unsuccessful is no fault of the District Attorney.

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