

STATE OF NEW YORK
COMMISSION ON PUBLIC INTEGRITY

In the Matter of:

An Investigation into the Alleged
Misuse of Resources of the Division
of State Police

Alfred E. Smith State Office Building
80 South Swan Street
Eleventh Floor, Suite 1147
Albany, New York 12210-8004

Wednesday, October 17, 2007
10:00 a.m.

STENOGRAPHIC RECORD of an Investigative
Interview under oath pursuant to notice.

INTERVIEWEE:

CHRISTINE ANDERSON,

APPEARANCES:

HERBERT TEITELBAUM,
Executive Director
MEAVE M. TOOHER, ESQUIRE
Investigative Counsel
JOAN P. SULLIVAN, ESQUIRE
Associate Counsel
New York State Commission
of Public Integrity
540 Broadway
Albany, New York

(CHRISTINE ANDERSON)

APPEARANCES CONTINUED:

HENRY PUTZEL, III, ESQUIRE
565 Fifth Avenue
New York, New York 10017
212.661.0066

Counsel for Ms. Anderson

PRESENT:

ROBERT SHEA, Investigator
Commission on Public Integrity

REPORTED BY:

CHRISTINE GREENAWAY,
Registered Professional Reporter
New York State Notary Public

1 (CHRISTINE ANDERSON)
2 C H R I S T I N E A N D E R S O N ,
3 having been duly sworn, was examined
4 and testified as follows:

5 - - -

6 EXAMINATION BY MS. TOOHER:

7 Q. Would you state your full name for the
8 record, please.

9 A. Christine Anderson.

10 Q. And are you represented by counsel today?

11 A. I'm.

12 MS. TOOHER: Would you state your
13 name for the record.

14 MR. PUTZEL: Henry Putzel,
15 P-u-t-z-e-l, the 3rd, 565 Fifth Avenue
16 in New York City, for Miss Anderson.

17 BY MS. TOOHER:

18 Q. Miss Anderson, you are here voluntarily
19 today; is that correct?

20 A. Yes, I'm.

21 Q. And where are you currently employed?

22 A. The Governor's Office for the State of New
23 York.

24 Q. And how long have you been employed there?

1 (CHRISTINE ANDERSON)

2 A. Since January 1st. I worked for the
3 transition office since November 8th before that.

4 Q. Where were you employed before that?

5 A. I worked on the Governor's campaign.

6 Q. What is your position with the Governor's
7 Office?

8 A. I'm his press secretary.

9 Q. What is your title?

10 A. Press Secretary, Press Secretary and
11 Director of Marketing.

12 Q. And to whom do you report?

13 A. I currently report to the secretary of the
14 Governor and the Governor himself.

15 Q. How long have you been reporting in that
16 fashion?

17 A. Umm, since, umm, my, since my boss, Darren
18 Dopp -- (request by court reporter) -- who's the
19 communication director, was sanctioned. I believe
20 it was July 23rd that that went into effect, when
21 the AG's report came out. Yes, that's correct.

22 Q. So prior to July 23, you reported to
23 Darren Dopp?

24 A. Yes.

1 (CHRISTINE ANDERSON)

2 Q. And you indicated that Mr. Dopp was
3 sanctioned. What was the circumstances of the
4 sanction?

5 A. The Attorney General's report that was
6 issued the morning of the 23rd.

7 Q. And do you know why he was sanctioned?

8 A. In the statement the Governor gave that
9 day, you know, he took the findings of the report,
10 umm, and took the recommendations of the report,
11 which he judged the individuals in the
12 administration had acted improperly and chose to
13 sanction Darren initially for an indeterminate
14 period of time without pay.

15 Q. And so was it your understanding that
16 Mr. Dopp had acted inappropriately?

17 A. Was it my understanding?

18 Q. Yes.

19 A. The report that day, which came out, umm,
20 was what it was and the Governor chose to make those
21 decisions. It wasn't my decision to make. I wasn't
22 involved in making the decision about the sanction.

23 Q. But you did read the report?

24 A. I did.

1 (CHRISTINE ANDERSON)

2 Q. You did read the Attorney General's
3 report. In your opinion did Mr. Dopp act
4 inappropriately?

5 A. With the facts that we had that day I
6 think it was an appropriate, you know, an
7 appropriate action by the Governor.

8 Q. No, I asked you, do you believe Mr. Dopp
9 had acted inappropriately based on what was
10 contained in the report?

11 A. Umm, again, all we had was the facts in
12 the report and I think that the Governor did what he
13 thought was appropriate and that was his decision to
14 make. And I certainly didn't, I didn't, I thought
15 it was appropriate. I didn't -- umm, it wasn't for
16 me to make.

17 Q. No, I understand it. I'm not asking you
18 to comment... (Instruction from court reporter.)

19 Based on the facts contained ed in the
20 report --

21 A. Right.

22 Q. -- that you indicated you had read --

23 A. Right.

24 Q. -- did you believe, in your opinion, that

1 (CHRISTINE ANDERSON)

2 Mr. Dopp had acted inappropriately?

3 A. Umm, presented with those facts on that
4 date, umm, I did. Umm, I think that it was clear
5 that, you know, proper procedures were not followed,
6 umm, and that's why, umm, I -- I started my answer
7 by saying I thought the Governor had acted
8 appropriately.

9 I think we've seen, you know, the DA's
10 report that put out new information, but I do still
11 believe the Governor did what was appropriate based
12 on the, umm, information that they had.

13 Q. And I understand your opinion as far as
14 the Governor is concerned, but right now I'm asking
15 you for your opinion --

16 A. Right.

17 Q. -- based on the facts that were contained
18 in the AG's report.

19 MR. PUTZEL: Based solely on
20 those facts?

21 MS. TOOHER: Correct.

22 A. I thought the action was appropriate.

23 Am I not answering or not understanding
24 the question?

1 (CHRISTINE ANDERSON)

2 MR. PUTZEL: I think what she's
3 asking you is whether you have formed
4 an opinion as to what, on the basis --
5 (Instruction by court reporter) --
6 whether you formed an opinion on the
7 basis of the facts in the report as to
8 whether his actions were appropriate.

9 I think you answered the
10 question by saying that you thought
11 that he did not follow accepted
12 procedures based on those facts.

13 A. Right. And, you know, I do believe that
14 it's clear that someone in the communications role
15 should not have been doing, umm, what he did and
16 that especially where it's information involving a
17 public official and your political opponent, umm,
18 you have to go to every length to make sure that
19 those procedures are followed. Not that there are
20 set procedures, but in terms of dealing with the
21 FOIL request or media request or whatever it might
22 be.

23 And, you know, to me at that time when I
24 read the report and, you know, in reading the

1 (CHRISTINE ANDERSON)

2 correspondence and the things that were in it, it
3 seemed those procedures were not followed.

4 Q. What would you consider to be the
5 appropriate procedures?

6 A. Well, with respect to a FOIL, umm, the
7 FOIL should have gone directly to the FOIL officer.
8 I mean that's the very -- that's the most basic.

9 Q. So it's your understanding that the
10 correct procedure for FOIL in the Executive Chamber
11 is that a FOIL go directly to the FOIL officer?

12 A. It is, but I will say one thing that we
13 really, when we came into office sort of tried to
14 open things up and provide access to information to
15 reporters in a way that maybe hadn't been done
16 before.

17 There wasn't a policy change, it was
18 simply an effort to be more forthcoming. I think
19 and I have since seen this I think in the DA's
20 report that, you know, the e-mail from Fred Dicker
21 saying come on, you know, he asked the State Police
22 for something and they weren't giving to it him and
23 he e-mailed Darren saying, you talk about openness,
24 why should I have to FOIL for this?

1 (CHRISTINE ANDERSON)

2 There was I think a genuine desire when
3 information was public, information that the public
4 had a right to, people shouldn't have to go through
5 a lengthy process to get their hands on it, so...

6 Q. So was there a FOIL process in place?

7 A. There is a FOIL procedure where FOILs go
8 through the counsel's office. That said a lot of
9 times reporters will ask, Do I need to FOIL for
10 this? I've been asked that before. Usually I don't
11 know the answer to it and I have to look and find
12 the information, whether it's Indian matters or
13 whatever it might be to determine whether those are
14 documents that can be publicly given out. If
15 there's documents that deserve review by counsel's
16 office and need to be requested that way, then they
17 go through Mariya Treisman in our counsel's office.

18 Q. How do you make a determination as to
19 which documents can be publicly given out?

20 A. How do I make a determination?

21 Q. You said you get requests from
22 reporters --

23 A. Right.

24 Q. -- for documents.

1 (CHRISTINE ANDERSON)

2 A. It's a case-by-case basis, but depending
3 upon what they're asking for, they're not usually
4 decisions I make in a vacuum. I consult with other
5 people and ask them if there's an issue on it, the
6 deputy secretary, or who oversees it. I may check
7 with counsel's office or whoever it might be.

8 I haven't had many opportunities to, you
9 know, to, to, to have -- I don't know that I have
10 had a specific request where I have gotten a FOIL
11 and have just given something. I've had requests
12 from people that have said, Do I need to FOIL? I
13 have checked and given them an answer one way or
14 another.

15 Q. So when you get a request for documents --
16 strike that. Do you get direct requests for
17 documents?

18 A. I occasionally get one of two things -- I
19 will get -- or one of three things. I will get a
20 FOIL request when someone comes to me not knowing
21 who to send it to, which I will then forward it on.
22 I will get a request, Do I need to FOIL for this?
23 This what I'm looking for.

24 The most recent example is like the

1 (CHRISTINE ANDERSON)
2 Capital Project Money, everyone wanted the lists of
3 who was getting what in our capital budget
4 allocation, which was a list that was not, it was
5 not a final list. It was a work in progress. It
6 was a discussion document with the legislation.
7 That was not something even through a FOIL request
8 they would have been able to get. So that was a
9 frequent request I got.

10 The third would be -- first was FOIL to
11 pass on; second is do I need to FOIL; and the third
12 would be if copying me on a FOIL request that they
13 had sent to Mariya. So that was just to let me know
14 about it.

15 Q. What would you do with this?

16 A. Nothing. Delete it.

17 Q. So you would let Mariya --

18 A. Oh, yeah, if it went directly to Mariya, I
19 typically would have nothing more to do with it
20 then.

21 Q. When we say Mariya --

22 A. Treisman in the counsel's office. She's
23 our Chamber's FOILs officer.

24 Q. How long has she been a FOIL officer?

1 (CHRISTINE ANDERSON)

2 A. I have no idea. She came over with the
3 new administration so I'm assuming since January 1.
4 I don't know if she was there on a prior
5 administration.

6 Q. So you basically described three types of
7 documents. There's the requests that you get that
8 you check to see if they are, if they need to be
9 FOIL'd?

10 A. Right.

11 Q. There's the FOILs requests which are
12 captioned as FOIL requests which you forward to
13 Ms. Treisman?

14 A. Right.

15 Q. And then you would get copied sometimes on
16 a request that she requests?

17 A. Right.

18 MR. PUTZEL: Wait for Miss Tooher
19 to finish because my friend over here
20 can't take you both down at the same
21 time. So just wait for her question
22 and then listen and then think about
23 the question and then answer it.

24 MS. TOOHER: She can't do two at

1 (CHRISTINE ANDERSON)

2 once.

3 THE WITNESS: Sorry, it's my
4 first.

5 BY MS. TOOHER:

6 Q. The first group, those requests that you
7 get that you check to see if they're FOILable, do
8 you consider those to be oral FOIL requests?

9 A. It might be an e-mail; it might be a phone
10 call; someone might stop at my office. So it's not
11 always, it's not always written.

12 Q. And I think they indicated in the DA's
13 report that you stated it was common for reporters
14 to ask for documents without providing a FOIL
15 request.

16 A. I mean I get asked for -- there's not
17 always an official document request. It's can I get
18 a letter that was sent to, to the interior secretary
19 about the Mohawk Indians? I mean it could be -- you
20 know, things that I don't necessarily view as, as
21 umm, you know, written requests. They are just a
22 day-to-day, you know, request for information.

23 Q. How do you make the distinction between
24 what you think is just an everyday document request

1 (CHRISTINE ANDERSON)

2 and what you think is more, is a FOIL type request?

3 A. Case-by-case basis. If I -- again these
4 aren't decisions made in a vacuum so I don't -- it
5 would be a very rare situation where I would know of
6 something immediately whether that was something I
7 could just give out without checking. Umm, and
8 unless, umm, it was requested I received once before
9 or previously. So I would always have to check.

10 Q. Who would you check with?

11 A. Umm, again, it would depend upon what the
12 issue was. If it's an Indian matter I might check
13 with Rich Rivkin, who's in our counsel's office who
14 deals with that, or maybe a press officer in my
15 office who had dealt with the issue more extensively
16 than I have.

17 Umm, it could have been, umm, you know,
18 any number of -- it could have been the counsel's
19 office generally. It might have been the budget
20 office. It just really would depend on what they're
21 asking for.

22 Q. And would you check with counsel's office
23 or whomever on these day-to-day document type
24 requests as well?

1 (CHRISTINE ANDERSON)

2 A. Not always. Again it would depend upon
3 what they were asking for.

4 Q. I think you indicated in the DA's report
5 again that Mr. Odatto had requested documents from
6 you in the past, but that he had never actually
7 submitted a FOIL request.

8 A. Umm, that he had asked me for -- sorry, I
9 don't remember that question from them, but I mean
10 he absolutely may have, you know, asked me for
11 documents at one time or another.

12 Umm, he's -- he was one of the ones I
13 think I remember would have asked me for the Capital
14 Projects, for example, you know. So again it's not
15 always an official written request for documents,
16 but, you know, on any given day might ask for one
17 thing or another.

18 Q. Can you give me an example of a request by
19 Mr. Odatto?

20 A. The capital budget I just listed, that was
21 probably the easiest. Again it was a work in
22 progress, trying to sort out the capital budgets
23 with the Assembly and the Senate, documents he
24 probably wants to this day that I still don't think

1 (CHRISTINE ANDERSON)

2 has been finalized because the capital budget has
3 not been set yet, umm, and until that's a final
4 document it's not, I don't believe it's FOILable or
5 available and that was one where he had asked me for
6 that a couple of times.

7 Q. And you didn't provide the document?

8 A. I checked on it both times to make sure it
9 was something, you know, I believe I checked with
10 the budget office on that one.

11 Q. Okay, but you did not provide a document
12 in response to his request?

13 A. No, I did not.

14 MR. PUTZEL: Wait for her to finish.

15 BY MS. TOOHER:

16 Q. We just want a complete record.

17 A. I'm sorry, I don't realize I'm doing it.

18 Q. It's understandable. Can you give me an
19 example where you did provide documents to
20 Mr. Odatto?

21 A. Umm, I don't have any off the top of my
22 head. More information, I mean more recent, you
23 know, in more recent times has asked me, umm, for
24 sort of dates when the plane was used, you know,

1 (CHRISTINE ANDERSON)

2 where did he go, did he have private meetings on
3 those days.

4 Again, not a document per se, but
5 information that I was compiling to give him.
6 Again, that's somewhat different than a document
7 request, but that's sort of the day-to-day basis of
8 what I do.

9 I don't off the top of my head have an
10 example -- and I don't -- I haven't dealt with a
11 FOIL request from Jim that I can remember in a very
12 long time.

13 Q. Okay. The capital project, for example,
14 he came to you and requested particular documents;
15 is that how that worked?

16 A. Lists. Lists. Yeah, documents.

17 Q. And you felt you could not provide that
18 information to him?

19 A. Again, I didn't make that decision on my
20 own. I checked into it with I believe the budget
21 office and was told that that was, that (a) the
22 document was a work in progress; it wasn't final
23 umm and it was not something that could be made
24 public until it was, at the time it was finalized.

1 (CHRISTINE ANDERSON)

2 Q. And what did you tell Mr. Odatto at that
3 time?

4 A. Umm, just that. That it was work in
5 progress and not a document that, that I can provide
6 him.

7 Q. And I think you indicated a moment ago
8 that he came back to you on this?

9 A. I believe a little bit later asked me for
10 it again. Umm, he's very persistent and that's umm
11 what reporters will do and I checked, I believe I
12 checked again umm because he wasn't the only one
13 asking for it. And still, you know, it still wasn't
14 finalized, still wasn't something I couldn't make
15 public.

16 Q. Did you keep any kind of notes on this?

17 A. On the Capital Project?

18 Q. On these requests and your response.

19 A. No, no. Again, the volume that I'm
20 dealing with day-to-day is, you know, remarkable.
21 It's not I get requests -- I had requests from
22 reporters this morning not for documents, but
23 information related to stories that were in the
24 paper today related to, for the Governor's speech

1 (CHRISTINE ANDERSON)

2 that he's given, or that he already gave this
3 morning. Things like that. It's the entire nature
4 of my job.

5 Q. And the other types of requests, FOIL
6 requests --

7 A. Written, you know, documented FOIL
8 requests.

9 Q. Is that what you consider a FOIL request,
10 a written documented request?

11 A. No, I guess there -- I'm not, I'm not
12 certain that it has to be in writing. I know that
13 that's sometimes how they come in. I've been copied
14 on them, so I see some official document requests
15 come in. I don't know that I would think it has to
16 be put in that fashion.

17 I think if someone said, I'm requesting
18 this information, whether they ask me verbally or a
19 document request, I take that very seriously and do
20 what I can do either refer it to the counsel's
21 office, or if it requires that document review
22 process or getting it for them if it's valid, public
23 information that the government should be providing.

24 Q. But when you refer it to the counsel's

1 (CHRISTINE ANDERSON)

2 office, how do you refer an oral request? Do you
3 refer the individual or do you --

4 A. By phone or by e-mail or --

5 Q. So do you reduce it to some sort of a
6 writing?

7 A. Not, probably not generally. I probably
8 pick up the phone and call David Nocenti or call
9 Mariya, you know.

10 Q. And what would you say to Mariya or David?

11 A. Again, it would just depend on what they
12 were asking for. I probably would describe what
13 they wanted, you know, ask them if it was something
14 that I could provide, who might have it.

15 Again, I wouldn't always go to counsel's
16 office. It would really be the expert who was
17 involved to try and find out if that was something
18 that was a legitimate public document that the press
19 office should be providing to the press.

20 Q. And what's your understanding as to what a
21 legitimate public document is?

22 A. It just depends on what it is. I mean the
23 public has, you know, they may ask for the
24 Governor's speech today. That's a legitimate, you

1 (CHRISTINE ANDERSON)

2 know, it's in writing, it's a speech that he gave,
3 it's a public, umm, public speech. That's the most
4 basic of examples.

5 Umm, it could be the Capital Project list,
6 which is, you know, again I didn't think whether it
7 was legitimate or not to provide. One day when it's
8 final it absolutely will be. You know, the public
9 has a right to know how its, you know, the projects
10 that are being itemized and given state funds.
11 That's something that they all eventually, you know,
12 receive.

13 Q. They're entitled to the final list?

14 A. Again, I think we're harping a little bit
15 too much on the Capital Project list.

16 Q. I'm using it as an example because it
17 seems to be a concrete one that you've given. And
18 I'm trying to understand the distinction from your
19 perspective as to when, when you say no. When you
20 say, Mr. Odatto, this isn't a final document, you
21 need to wait until the final document is completed
22 or you need to make a formal FOIL request. How do
23 you draw those lines?

24 A. Purely based upon the folks that I would

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2 consult, umm, and on that one it was dealing with
3 the budget office and asking them whether that was
4 (a) fine to give out at the moment.

5 I had certainly seen draft versions of it.
6 We were dealing with capital budgets towards the end
7 of the session. But that's not my decision
8 exclusively to make and so I asked and I was told
9 it's not final, it can't go out yet. You know, one
10 day it will be final and then that's when it's
11 appropriate for it to go out.

12 Q. Did you relay to Mr. Odatto that
13 information?

14 A. I did.

15 Q. And that he could make a subsequent
16 request or a written request at a later time?

17 A. I just told him that when it was
18 finalized, umm, I would gladly get it for him.

19 Q. Do you keep notes on things like that?

20 A. I don't. Again, it's the volume
21 day-to-day is not such that I probably would have
22 done that. You know, probably would have talked to
23 the budget office over the phone. Maybe not though.
24 It's hard to -- I get so many requests just for

1 (CHRISTINE ANDERSON)
2 information for documents, whatever it is, you know,
3 not something I would have remembered exactly how
4 those conversations went.

5 Q. Well, part of it is that the volume issue,
6 I guess, makes me, when I'm trying to keep track of
7 things, I write notes or to-do lists or things like
8 that. Do you do that?

9 A. I do, but it's not something I have ever
10 itemized or saved. I mean they're just chicken
11 scratch lists that I keep for myself, and if Jim
12 called and I got right back to him and it wasn't
13 something that I was, like needed to work on for a
14 period of time, if it's something I just dealt with,
15 it probably may not have even ended up on that list.

16 Again, the nature of my job is all day
17 long on the phone getting information to people.
18 That's what I do. So I don't -- it doesn't always
19 end up in a -- it doesn't, it doesn't always end up
20 in a note or, you know, a list or something.

21 MR. PUTZEL: Well, the other
22 question, though, is once you made the
23 list for yourself and used it, I
24 understand from what you said that you

1 (CHRISTINE ANDERSON)
2 don't hang onto those lists? You just
3 discard them?

4 THE WITNESS: I do, and again
5 these are, it could be pick up dry
6 cleaning as well as the five things
7 I'm doing that day. I have never
8 been, never kept them as anything more
9 than my own notes for myself.

10 MR. TEITELBAUM: Miss Anderson, when
11 did you speak to the District Attorney?

12 A. Umm, I spoke to them the week before the
13 report came out. It was a Friday. I'm not sure
14 what day that was.

15 MR. TEITELBAUM: Who was -- (Request
16 by court reporter.) Was it one of the assistants?

17 A. It was a woman. A woman and two
18 gentlemen. I don't remember a name.

19 MR. TEITELBAUM: That's okay. And in
20 addition to these three assistants, was there
21 anybody else in the room?

22 A. Peter Pope was the counsel that came in
23 with me.

24 MR. TEITELBAUM: Was Mr. Pope

1 (CHRISTINE ANDERSON)

2 representing you during that session?

3 A. He made it very clear he didn't -- he
4 represented the Chamber, not me personally, but they
5 had agreed to have counsel come in. And I was told
6 that I was umm not a -- I was just a, not a subject,
7 but a witness.

8 MR. TEITELBAUM: Witness.

9 A. Yeah, and I didn't need my own counsel,
10 which I asked if I did and -- bless you -- and they
11 said that I did not.

12 MR. TEITELBAUM: Did somebody tell
13 you that you needed counsel today?

14 A. They said it was purely my choice. Since
15 it's under oath, that's something I take pretty
16 seriously. You know, I thought it best.

17 MR. TEITELBAUM: Did Mr. Pope speak
18 during the session with the District Attorney?

19 A. He didn't.

20 MR. TEITELBAUM: He just sat there
21 quietly?

22 A. Yeah, sort of like Pete's doing. Sorry.

23 MR. TEITELBAUM: You've read the
24 District Attorney's report?

1 (CHRISTINE ANDERSON)

2 A. I have.

3 MR. TEITELBAUM: And the report makes
4 reference to you from time-to-time?

5 A. Right.

6 MR. TEITELBAUM: Is there anything in
7 the District Attorney's report that you believe is
8 inaccurate?

9 A. No.

10 MR. TEITELBAUM: Could you describe
11 what your job functions are, please.

12 A. Again, first and foremost I'm the
13 Governor's primary spokesperson. So I'm day-to-day
14 talking to reporters, often once, twice, several
15 times a day; working with them on stories that
16 they've gotten development, stories that they're
17 potentially exploring, the idea of writing, but
18 haven't yet written; getting them information they
19 need; providing them access to either the Governor,
20 other administration officials, people that they
21 need to help shape their stories. Umm, so that's
22 kind of the primary bulk of my day.

23 The other piece of it is doing the sort of
24 scheduling and planning. I help plan all the

1 (CHRISTINE ANDERSON)
2 Governor's events. And I also deal with all of his,
3 like the press releases, the briefing notes, all of
4 that typically is, you know, I edit and put all of
5 that out day-to-day.

6 MR. TEITELBAUM: Have those been your
7 job functions since January 1st or have they
8 morphed?

9 A. They've morphed quite a bit. Recently I'm
10 doing sort of two jobs, umm, just, you know,
11 incredible volume lately, umm, but Darren and I had
12 mostly a structure where I still did a lot of his
13 scheduling and planning work as well as the
14 spokesperson work, and he would work on sorts of
15 speeches and you know sort of working with reporters
16 on a kind of the larger strategy on sort of profile
17 pieces and things like that and I would do more
18 day-to-day responses to incoming questions.

19 MR. TEITELBAUM: Have you now picked
20 up Mr. Dopp's job functions?

21 A. As much as possible.

22 MR. TEITELBAUM: Has somebody else
23 picked up some of them?

24 A. I brought in an additional press officer.

1 (CHRISTINE ANDERSON)

2 We're understaffed a little bit to help umm just
3 sort of take some of the day-to-day questions off of
4 me, umm. I have tried to set up a structure so that
5 we have more help. You know, the volume is always
6 high. It's been consistently high throughout the
7 summer. Still trying to hire people, but it's
8 tough.

9 Q. Who reports to you? Does anybody report
10 to you?

11 A. Umm, I have a staff of -- the exact
12 number -- I have, well, previously three press
13 officers up in Albany. I have two left. Earlier in
14 the summer, I have two people there. I have two,
15 three people there now - one junior person, a couple
16 of secretaries up in Albany, some guy that does our
17 t.v. and audio visual stuff. And down in New York
18 City I have a press officer, sort of senior press
19 officer and admin and marketing person.

20 MR. TEITELBAUM: Who are the press
21 officers that report to you?

22 A. Paul Larrabee is my deputy and Jeff
23 Gordon, who's our budget press secretary, has come
24 to help out in the short-term, and Christine

1 (CHRISTINE ANDERSON)
2 Pritchard in Albany, and Jen Ginver in New York
3 City.

4 MR. TEITELBAUM: And back in May of
5 this year going forward --

6 A. Right, right.

7 MR. TEITELBAUM: -- have the cast of
8 people who you just named changed? You said two
9 people left.

10 A. Two people left, but that was prior to say
11 the Attorney General's report coming out. Umm, I
12 don't know the exact date, but I would say probably
13 umm right after the session ended, which ended
14 around the end of June.

15 So I brought Jeff in, he's the only real
16 change that we've had, over from budget. Probably
17 the -- I just don't remember. Probably the, maybe,
18 probably late July, I brought him in right after the
19 Attorney General's report came out.

20 We were down two press officers. Just
21 day-to-day also needed to be pushing out our own
22 agenda as well as dealing with questions about the
23 indices...We needed extra hands and brought a senior
24 person over.

1 (CHRISTINE ANDERSON)

2 MR. TEITELBAUM: And what is your MO
3 in terms of keeping track of what the staff who
4 reports to you is doing? How do you do that?

5 A. It's tough. Umm, I try to set up a
6 structure where I have Paul up in Albany, who kind
7 of oversees the upstate events and schedule; and Jen
8 Ginver in New York City, who oversees the New York
9 City schedule; and then they each have their --
10 there's a couple of press officers up in Albany that
11 help; and Jen -- there's a couple of other people in
12 New York, and also they'll farm out events. We'll
13 have, you know, eight events in a week. You know,
14 most press officers will have one or two a week that
15 they handle exclusively; they write the briefing for
16 the press release and get everything together.

17 My job is more to sort of sit in on the
18 scheduling meetings, put in place a plan, figure out
19 what the message will be at those events, and
20 disseminate that to them through regular staff
21 meetings we have and my day-to-day correspondence
22 and direction to the staff.

23 MR. TEITELBAUM: So you, correct me
24 if I'm leaving something out, so you generally know

1 (CHRISTINE ANDERSON)

2 what your staff is doing through meetings with them
3 and through e-mail communications and telephone
4 calls.

5 A. I guess, you know, I try to do, I haven't
6 been very religious about it, but do morning staff
7 call, where we regroup and talk about the day. It
8 probably happens twice a week, and then just sort of
9 regular correspondence.

10 You know, a lot of times what happens is
11 one reporter will come to you with a question and
12 they're also going to, or another reporter is going
13 to another press officer. So it's very important
14 that we all stay, you know, connected so that we
15 know the requests that we're getting, so that if we
16 get a similar question we're giving the same answer
17 and not separate answers, which happens
18 occasionally.

19 MR. TEITELBAUM: And this MO that you
20 describe in terms of staying in touch with your
21 staff and learning about what they're doing, is that
22 something that these kinds of approaches have been
23 used since January 1st.

24 A. Well, it's changed a little bit. I'm

1 (CHRISTINE ANDERSON)
2 primarily overseeing the staff now. But I was -- I
3 worked for Darren and Darren was the head of the
4 office previously (Request by court reporter) -- up
5 until the end of July, and so the staff reported to
6 essentially to both of us. You know, they worked
7 with me on kind of the scheduling and events, but
8 would work with him on a particular speech that
9 maybe he was working on, or whatever it was that he
10 was working on, they also -- you know, he's the
11 boss.

12 MR. TEITELBAUM: Did you and Mr. Dopp
13 regularly communicate about what each of you was
14 doing? The tasks of each of you.

15 A. Yeah, everyday.

16 MR. TEITELBAUM: Did Mr. Pope prepare
17 you for your meeting with the District Attorney?

18 A. Umm, he gave me the documents that umm had
19 been handed over and we talked through umm, you
20 know, again it's a first for me to go before you and
21 to go before the District Attorney and talked to me
22 what it would be like; told me umm who I will be
23 going in with umm and umm spent a little bit of
24 time, not much, the night before just asking me

1 (CHRISTINE ANDERSON)
2 these are the questions you're likely to get asked.
3 Umm, you know, stress my, that my honesty was what
4 was required and that I go in and answer questions
5 and that, you know, he didn't think I was a subject,
6 just a witness, and said it should be fairly
7 routine. But I think it lasted all of 18 minutes.

8 MR. TEITELBAUM: The District
9 Attorney or your session with Mr. Pope, which was
10 the 18 minutes?

11 A. With the District Attorney.

12 MR. TEITELBAUM: I see. How long was
13 your session with Mr. Pope?

14 A. I don't remember. Umm, maybe -- it was
15 the night before. Maybe 30 minutes?

16 MR. TEITELBAUM: Did he ask you what
17 your answers would be to certain questions?

18 MR. PUTZEL: I'm uncomfortable
19 on grounds of privilege in your
20 eliciting more substance of this
21 communication than there was.
22 Mr. Pope was not representing Miss
23 Anderson personally, but was
24 representing by testimony the Chamber,

1 (CHRISTINE ANDERSON)

2 of which she was a part, and in the
3 absence of a waive of the attorney-
4 client privilege, I'm -- it seems to
5 me she has an obligation not to --

6 MR. TEITELBAUM: Let me rephrase
7 the question.

8 MR. PUTZEL: Yeah.

9 MR. TEITELBAUM: Did the subject
10 of how you would answer questions come up?

11 MR. PUTZEL: How in terms of
12 substance?

13 MR. TEITELBAUM: Yeah, the subject.
14 I'm not asking what was said, but the subject of how
15 you would answer questions, did that come up?

16 MR. PUTZEL: You can answer
17 that, sure.

18 A. It did.

19 MR. TEITELBAUM: Was that the only
20 time that Mr. Pope --

21 A. Yeah.

22 MR. TEITELBAUM: -- prepared you in
23 terms of appearing before some commission or
24 enforcement authority?

1 (CHRISTINE ANDERSON)

2 A. I believe so. He never talked to me about
3 this other than to say that I was requested. I got
4 your letter shortly thereafter.

5 MR. TEITELBAUM: Now, in answering
6 some of my colleague's questions as to whether
7 you -- how you handle a particular request for
8 documents, does the occasion arise in which a
9 request is made orally and you say in words or
10 substance, I need for you to FOIL this? It's got to
11 be submitted through a FOIL request? Has that ever
12 happened?

13 A. I don't remember a specific instance of
14 that. I think if there were instances where I
15 couldn't give something, reporters could come back
16 to me and say, well then I'm going to FOIL for it
17 and I would say, go right ahead, you're more than
18 welcome to. That's what I remember personally
19 having, having dealt with.

20 MR. TEITELBAUM: Were there occasions
21 where in fact the reporter would then FOIL the
22 request?

23 A. Again not that I remember directly, but
24 I'm sure there have been instances.

1 (CHRISTINE ANDERSON)

2 MR. TEITELBAUM: Are there occasions
3 where you're asked for documents where you don't
4 seek the input of other people, but just make the
5 decision yourself to put the documents out?

6 A. Unless it's something that's been
7 previously given out, no.

8 MR. TEITELBAUM: And --

9 A. Or for example, the day schedule or
10 something that I know would be for, based on
11 precedent is something that is just, you know,
12 regularly given, that's fine.

13 MR. TEITELBAUM: What is the protocol
14 if you're asked for documents but the documents are
15 in the possession, not of the Executive Chamber, but
16 of another agency within the Executive Chamber?

17 A. What is my --

18 MR. TEITELBAUM: What is the
19 protocol?

20 A. I don't know that I have had -- I've been
21 told by reporters when they are displeased that they
22 are unable to get information out of an agency.
23 That's pretty much -- I have never, that I can
24 remember, ever gone to an agency and tried to get a

1 (CHRISTINE ANDERSON)

2 document from them that I have any -- that I
3 remember doing.

4 MR. TEITELBAUM: Have you had
5 occasion where somebody asked you for documents that
6 are in the possession of an agency other than the
7 Executive Chamber?

8 A. Have I had occasion? Not that I remember.

9 Q. Other than the Dicker situation that you
10 referenced in your testimony that occurred in March,
11 I believe, do you know the situation where a request
12 was made for documents that were in the possession
13 of an agency other than the Executive Chamber?

14 A. Umm, do I know of other requests? Umm, I
15 don't know specifics, but my, my general sense is
16 yes, there are probably countless FOILs of any
17 agency at any moment, but I don't know of any off
18 the top of my head.

19 MR. TEITELBAUM: I think my question
20 was probably not clear.

21 A. Okay.

22 MR. TEITELBAUM: I'm talking about a
23 situation in which a request is made for documents
24 to a member of the Executive Chamber, but that the

1 (CHRISTINE ANDERSON)

2 documents are in the possession of an agency other
3 than the Executive Chamber.

4 Do you know of that happening, other
5 than the Dicker situation that you referenced?

6 A. No. What I do know of is people
7 complaining to me when -- not so much documents, but
8 when they feel like agencies haven't provided them
9 with information in a timely fashion. For example,
10 there was a bridge collapse in Minnesota over the
11 summer umm that caused us to have to very quickly
12 try to do a review of New York's bridges. Umm
13 obviously every reporter in New York wanted to know
14 what the state of our bridges were.

15 We had a tough day where umm D.O.T. just
16 kind of was, you know, a little slow getting things,
17 the information out, umm and I received a couple of
18 complaints from reporters saying this is information
19 you should have. Umm, you know, you should have a
20 list of your bridges and their conditions and at any
21 given moment we should be able to get that and it
22 should be easy.

23 I fully agree with them. We had a list,
24 believe it or not, that had all of the bridges by

1 (CHRISTINE ANDERSON)
2 number. It had their ranking, it had all this other
3 information, but not their name. So the most
4 bureaucratic thing, you would have to go back into
5 the hundreds of bridges we have in New York State
6 and actually link up the name with the number, and
7 believe it or not that took us six or so hours to
8 do, and reporters were frustrated and so I hear a
9 lot of that.

10 BY MS. TOOHER:

11 Q. You indicated that you would only release
12 documents that had previously been given out.

13 A. No, not necessarily.

14 MR. PUTZEL: Wait. Is there
15 a question yet?

16 MS. TOOHER: There will be.

17 MR. PUTZEL: Wait for the
18 question.

19 BY MS. TOOHER:

20 Q. You indicated that you had only released
21 documents that had previously been given out without
22 checking. How do you know what those documents are?
23 Is it --

24 A. It might be -- umm, you know, I don't have

1 (CHRISTINE ANDERSON)
2 a specific example, but umm I don't have a specific
3 example, but if it was say, you know, anything from
4 a speech to a schedule that I had given out before,
5 or if it was say a letter, if it was a letter to, to
6 members of the congressional delegation that had
7 been given out, umm, then maybe I had been asked for
8 it once and therefore knew that it was fine to give
9 out again.

10 Q. So it was that you knew they had been
11 previously given out?

12 A. That I had checked the first time and been
13 told that it was available to give out and therefore
14 any subsequent requests would have been given the
15 same answer.

16 MR. PUTZEL: If there's any
17 question in your mind as to whether
18 you should or should not give a
19 document out, I take it you check
20 first?

21 THE WITNESS: Always, always.

22 BY MS. TOOHER:

23 Q. Do you keep any kind of list of documents
24 you provide to reporters?

1 (CHRISTINE ANDERSON)

2 A. I don't.

3 Q. And you were speaking a moment ago about
4 documents from other agencies and there was the
5 incident with Fred Dicker and he was actually
6 requesting documents from the State Police?

7 A. Right.

8 Q. Is that correct?

9 A. I read about it in the DA's report. It's
10 not something I knew about at the time.

11 Q. So you were not aware of that before the
12 DA's report?

13 A. No.

14 Q. Were you aware of Mr. Dopp requesting
15 documents from other agencies before the DA's
16 report?

17 A. Before the DA's report?

18 Q. Yes.

19 A. Well, that would be part of the Attorney
20 General's report.

21 Q. Were you aware before the Attorney
22 General's report?

23 A. I, I believe that there was a FOIL request
24 for documents. I knew that the Times Union story

1 (CHRISTINE ANDERSON)

2 was coming and that it was the result of handing
3 over documents and that it was likely coming, you
4 know, umm, around the beginning of July.

5 Q. You knew that there was a FOIL request for
6 documents of what nature? How did you know that?

7 A. I don't know. Umm, I just don't know. I
8 thought a lot about it. Umm, I believe I would have
9 had a conversation -- it only makes sense that it
10 would have been a conversation with Darren telling
11 me that this story was coming, that it was the
12 result of a FOIL request. Umm, but I don't
13 remember, I don't remember a specific conversation.
14 Umm, I probably talked to him countless times a day
15 on any given number of stories that are in progress,
16 umm, things we're working on and I just don't know
17 when that took place.

18 Q. Before the FOIL request or before you
19 first knew of the FOIL request, did you know of the
20 gathering of information concerning Senator Bruno?

21 A. I didn't, no. I didn't.

22 Q. Had you discussed, had any discussions
23 with Darren about Senator Bruno's activities?

24 A. I knew only that there was this request

1 (CHRISTINE ANDERSON)

2 out there, that a story was in the works by Jim
3 Odatto and that it was likely to be embarrassing to
4 umm Senator Bruno when that story came out.

5 I, you know, I've since been -- I see you
6 flipping to the statement. Umm, I have since been
7 made aware that I did see that at the time, but
8 didn't remember that, if you're asking me when
9 before the FOIL came.

10 Q. You didn't remember the statement?

11 A. Umm, I was shown the statement before
12 going -- when the documents that were handed over to
13 the DA's office, was shown that statement. I didn't
14 remember receiving it at that time. But, of course,
15 now seeing it, I do recall that.

16 Q. I'm going to hand you what's been marked
17 Commission's Exhibit 30.

18 A. Sure.

19 Q. And you indicated that you were shown this
20 document prior to going to the District Attorney's
21 office?

22 A. I was shown all the documents that had
23 been handed over.

24 Q. But this was included in the document?

1 (CHRISTINE ANDERSON)

2 A. It was included, right.

3 MR. PUTZEL: Wait, I don't think
4 you finished your answer to that. You
5 were shown all the documents that have
6 been turned over to the District
7 Attorney?

8 THE WITNESS: I was that related
9 to me.

10 BY MS. TOOHER:

11 Q. And included in those documents was a copy
12 of Commission's 30?

13 A. Yes.

14 Q. And when you were shown Commission's 30,
15 this is by Mr. Pope?

16 A. Yes, or I think I had it before I talked
17 to -- he handed me a set of documents that I looked
18 through before talking to him.

19 Q. Prior to being provided Commission's 30 by
20 Mr. Pope, had you seen this document?

21 A. I definitely saw this document. I hadn't
22 -- I didn't -- I hadn't remembered it until I saw it
23 again.

24 Q. So it was when Mr. Pope provided you with

1 (CHRISTINE ANDERSON)

2 a copy of Commission's 30 that it refreshed your
3 recollection --

4 A. Right.

5 Q. -- that you had seen this document?

6 A. Right.

7 Q. Commission's 30 is dated May 17, 2007;
8 right?

9 A. Right.

10 Q. Was that the time that you had seen it?

11 A. If that's the date on the statement.

12 Q. What was the context that you had seen
13 this statement originally?

14 A. I remember very little about it. So
15 little that it was a surprise to me when I saw it
16 before going into the DA. We put out countless, we
17 put out countless press releases each and every day.
18 Umm, I don't, you know, I don't write all of them,
19 but I typically see them before they go out the
20 door.

21 (Request by court reporter.)

22 MR. PUTZEL: Was this issued
23 as a press release -- referring to
24 Commission's 30 -- and the answer was

1 (CHRISTINE ANDERSON)

2 it was not.

3 BY MS. TOOHER:

4 Q. How do you know that?

5 A. That it was not issued? I don't know how
6 to answer that question. It would have gone out to
7 our media list and it didn't.

8 Q. How do you know it was not released? Did
9 you check? Did you go through your prior
10 statements?

11 A. Well, this would have gone through a
12 separate process if it had gone out. We have a
13 review process whereby every press release we put
14 out will go through a series of individuals who
15 check it for accuracy, edit it for spelling, we will
16 check it -- just to approve that it's going out at
17 the right time. That it's, you know, good to go.

18 Q. And this document --

19 A. Didn't go through that process.

20 Q. And how do you know that?

21 A. There would be another set of e-mails
22 around this that would have said, you know, this is
23 going out in 30 minutes, I need your sign off. You
24 know, I would have, I would have taken it from there

1 (CHRISTINE ANDERSON)

2 and put it through various steps.

3 Q. And you have no memory of doing that?

4 A. No, I have no memory of doing that.

5 Q. But is there something you would have
6 looked at? Would there be any indication on the
7 document that it had gone through that process?

8 A. Not on this document, but there would have
9 been a separate chain that would have put it through
10 its approval, that would have put the document
11 through the approval process.

12 Q. And I guess what I'm trying to find out is
13 how are you so certain this document didn't go
14 through that process?

15 A. If you -- I mean if there are documents
16 that I'm not aware of, show them to me. I don't...

17 Q. Well, no. You said you didn't recall
18 seeing this document.

19 A. Right.

20 Q. But that you're very clear that it didn't
21 go through that process.

22 A. Right.

23 MR. PUTZEL: And the reason she
24 testified to that was that she has not

1 (CHRISTINE ANDERSON)
2 seen the e-mails that she would expect
3 to see and other documents that would
4 indicate that this was reviewed and
5 went through the normal process before
6 being released and there are no such
7 documents that she has seen that
8 indicate that.

9 BY MS. TOOHER:

10 Q. I understand your testimony. I'm just
11 trying to clarify for purposes of the record.

12 A. It would be on our website. It would
13 be -- I'm sorry, maybe I didn't, I didn't understand
14 your question. It would be, you know, it would be
15 -- again like every media organization would have
16 written about it; right? If it went out the door
17 then it would have been the subject of news stories,
18 I would imagine, which it wasn't.

19 MR. TEITELBAUM: The process that you
20 you're describing when a press release is to be
21 issued, tell us more about that process and who are
22 the people involved in it.

23 A. Again it depends on what the issue is. It
24 typically involves the people that if it's

1 (CHRISTINE ANDERSON)
2 environmental, it would involve our deputy secretary
3 for the environment. It would involve typically
4 counsel's office or whoever the counsel is that is
5 dealing with, you know, that issue.

6 If it's got a piece of legislation to it,
7 typically there's always a counsel member assigned
8 to it or a member of the counsel's office assigned
9 to it. There would be people from the secretary's
10 office, Rich Baum and a couple of his staff. Darren
11 previously would have been on the approval list.

12 I typically would have included a press
13 officer on my end. Whether it would be, you know,
14 Paul, Jeff or Jen. Who else?

15 Oriane Schwartzman in my office, who
16 actually hits the button and sends it out and
17 coordinates all the edits.

18 That's pretty much the distribution group.
19 But again depending on what it is, it would involve
20 the different subcategory of people that would have
21 to look at it.

22 MR. TEITELBAUM: So if a press release
23 involved the work of a particular agency, you would
24 run it by somebody in that agency before it went

1 (CHRISTINE ANDERSON)

2 out?

3 A. No, never someone at the agency, but by
4 the deputy secretary that oversaw that agency. Not
5 if a Commissioner wasn't involved, I wouldn't
6 potentially copy them, but that's not -- I would
7 have no problem doing that, but the deputy secretary
8 oversees them. So if you get the deputy secretary's
9 sign-off that's what you need and they are working
10 directly with the Commissioner.

11 BY MS. TOOHER:

12 Q. Did you discuss Commission's 30 with
13 Mr. Dopp at any time?

14 A. As I said to the DA, I remember a brief
15 conversation with him. I don't know, I don't know
16 exactly where that was, but I remember a
17 conversation where he just said it's not going out.

18 Q. I'm going to show you what's been marked
19 Commission's 77 and I ask you if you can identify
20 this document.

21 A. It's an e-mail from Darren to myself on
22 May 17th.

23 Q. Did you receive this e-mail?

24 A. Again, as I said before, I didn't remember

1 (CHRISTINE ANDERSON)
2 receiving this e-mail. Umm, I was made aware of it
3 before when the document request, the set of
4 documents was given to me before the DA, umm, which
5 refreshed my memory that I had in fact received this
6 and I vaguely remember it at the time.

7 Q. And what is, what is your memory as to
8 receiving this document?

9 A. Simply as I told the DA's office, simply
10 that it wasn't going out umm and Darren seemed to be
11 frustrated about that and there seemed to be, umm,
12 just seemed to be frustrated that this was something
13 that umm wasn't going to go out.

14 I at the time, just to give you a sense
15 for what we were working on, we had these five,
16 these leaders meetings that they were having at the
17 end of the session, which was something that's never
18 been done in Albany. You know, leaders of the
19 Senate, Assembly, the Governor, Lieutenant Governor.
20 We were in the midsts of putting these things
21 together, which was a tremendous amount of work
22 dealing with the press around what the stories that
23 were coming out of them; how much progress was being
24 made; deals that were coming together or not coming

1 (CHRISTINE ANDERSON)

2 together. Umm, that was my day-to-day existence at
3 that time when umm this statement came to me.

4 Q. And the reference at the top of the e-mail
5 subject, arr. What did you take that to mean?

6 A. That Darren was frustrated it wasn't going
7 out.

8 Q. And you indicated that you had a
9 conversation with him about this statement?

10 A. I believe I did.

11 Q. What was the sum and substance of that
12 conversation?

13 A. All I remember of it was that he was
14 frustrated it wasn't going out.

15 Q. And did he relate to you that he had had a
16 meeting about this statement with members of the
17 Executive Chamber?

18 A. No, he didn't.

19 Q. And did he discuss with you any follow-up
20 on the information contained in this statement?

21 A. No.

22 Q. Did you read this statement at the time?

23 A. I'm sure I did.

24 MR. PUTZEL: Do you have any

1 (CHRISTINE ANDERSON)

2 recollection of reading it?

3 THE WITNESS: I don't.

4 MR. PUTZEL: Okay.

5 A. Again, unless something -- I tend to be in
6 my day-to-day job, there's a degree of process that
7 goes to it. This wasn't going to go through my
8 process. I'm sure -- I can look, but I'm sure there
9 were other press releases that were going out that
10 day that were going through that.

11 Umm, you know, I would love to see a
12 calendar because there were leaders meetings right
13 around this time, which was pretty much all I was
14 focused on. So that probably explains why I don't
15 remember too much about this at all.

16 Q. Well, isn't Senator Bruno one of the
17 leaders in the state government?

18 A. Yes, right.

19 Q. So a story about Senator Bruno's
20 activities at that time would seem to be pertinent
21 to what you were working on?

22 A. Remember though that Senator Bruno was
23 coming out of these leaders meetings each and
24 everyday creating his own news around the Governor

1 (CHRISTINE ANDERSON)
2 is not going this or that or we don't have a deal on
3 this and we would seem to have these weekly
4 productive meetings and would leave the meeting and
5 just the, you know, just the rhetoric that would
6 come out of his mouth and kind of all the sideshow
7 around these leaders meetings was just -- that was
8 what was, that was what I was focused on in terms of
9 what was going on with Joe Bruno. You know, you
10 have to go back and look a little bit at the media
11 stories from these few weeks to know what it was
12 like in our office at that time.

13 MR. TEITELBAUM: Ms. Anderson,
14 regarding Commission's 77, this was prepared I take
15 it for the purpose of going out to the press; is
16 that a fair statement? That was the purpose of it?

17 A. Press releases are typically drafted for
18 that purpose.

19 MR. TEITELBAUM: If this were going
20 to be a background piece to go out to the press,
21 would it say anything on it to indicate that it was
22 a background piece? How would that work?

23 A. What do you mean by background piece?

24 MR. TEITELBAUM: In other words, it

1 (CHRISTINE ANDERSON)

2 would not be attributed to a particular person, but
3 attributed to the Chamber only?

4 A. I still don't understand the question.

5 MR. PUTZEL: Is there such a
6 thing, a release issued on background
7 for --

8 THE WITNESS: No.

9 MR. TEITELBAUM: You never heard of
10 that?

11 A. No. There would be a -- Do you mean given
12 out sort of verbally like background information?
13 If a statement would come out under our heading, it
14 would come out as a statement from Darren, a
15 statement from me, a statement from the Governor, a
16 statement from the deputy secretary. It wouldn't
17 just go out as an unnamed or unspecified, you know,
18 document.

19 MR. TEITELBAUM: So you don't have
20 any knowledge of a document being distributed to the
21 media for background purposes only and not for
22 attribution to a particular individual?

23 A. Something like this, a statement?

24 MR. TEITELBAUM: Not a press release.

1 (CHRISTINE ANDERSON)

2 MR. PUTZEL: A written document?

3 MR. TEITELBAUM: Yeah.

4 MR. PUTZEL: Here's the question --

5 A. I don't understand.

6 MR. PUTZEL: Here's the question,
7 as I understand it. Do you have
8 knowledge of any kind of written
9 document that is released to members
10 of the media, not for attribution, but
11 on pure background only? A written
12 document.

13 A. I don't have any specific examples of
14 that, no. I mean if we give out documents it's --
15 no, unless it's again, it's a leak of some sort or
16 a, you know, it doesn't, in my world, that doesn't
17 -- you give out something -- you might give out a
18 comment.

19 What I would do on a day-to-day basis is
20 to try to get people to use a quote I would like
21 them to use. Sometimes the rest of my comments I
22 will give them on background, which forces them to
23 use the quote, you know, the one quote they have and
24 the rest of it is background material. But that's

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2 sort of the closest.

3 MR. TEITELBAUM: But that wouldn't be
4 in writing?

5 A. It might be an e-mail. It might be -- you
6 know, this morning I gave information to a reporter
7 who is not writing, doesn't need a quote from me,
8 but wants kind of a background on a story he read.

9 MR. TEITELBAUM: Have you ever seen a
10 document that was generated from, from the office in
11 which you work, saying for background only?

12 A. No.

13 MS. SULLIVAN: Commission's 77, first
14 sentence says, "Our office has received inquiries
15 regarding Senate Majority Leader Joe Bruno's use of
16 state aircraft."

17 Were you aware of any inquiries at
18 your office that you received?

19 A. Not that I'm aware of. Again, I didn't
20 spend, clearly didn't spend much time thinking about
21 this at the time. Umm, you know, clearly I was made
22 aware of it closer to the TU story coming out that
23 there was a FOIL request and I can also say that the
24 use of state aircraft is an issue that has been of

1 (CHRISTINE ANDERSON)
2 great interest to the media going back years, the
3 prior administration, our administration.
4 Definitely something that media were, you know,
5 always interested in.

6 MS. SULLIVAN: But during this time
7 frame, that being mid-May, were you aware of any
8 media inquiries in the use of state aircraft by
9 Senator Bruno?

10 A. Not that I can remember, no.

11 BY MS. TOOHER:

12 Q. I have a question.

13 A. Sure. I feel like I'm not -- you're
14 confused.

15 Q. No, we're just trying to find out --

16 MR. PUTZEL: Don't feel that
17 way. Wait for the question, answer
18 the question and wait for the next
19 question.

20 BY MS. TOOHER:

21 Q. We are just trying to find out the facts
22 and information that you can provide them today.

23 If you look at Commission's 77 and compare
24 it with Commission's 30, Commissioner's 30 indicates

1 (CHRISTINE ANDERSON)

2 it's a statement by Darren Dopp.

3 A. Yeah.

4 Q. The version that's sent to you is a
5 statement by XXX. Why would there be a change like
6 that?

7 A. Can I make one clarification? I saw this
8 one. I mean --

9 Q. Commission 77.

10 A. So I didn't previously --

11 MR. PUTZEL: Indicated Commission's
12 77.

13 A. Previously I said I seen 30, but this is
14 what I saw.

15 BY MS. TOOHER:

16 Q. You saw 77?

17 A. When you just showed me it, I didn't
18 realize there was a difference, but I'd seen only
19 the e-mail.

20 Q. But can you explain to me why there would
21 be that difference of attribution to Darren Dopp in
22 one version and no attribution in another?

23 MR. PUTZEL: If you know.

24 BY MS. TOOHER:

1 (CHRISTINE ANDERSON)

2 Q. If you know, yeah.

3 A. I don't know, yeah.

4 Q. You indicated mid-May, May was a busy time
5 with the leaders meetings. Did the issue of Joe
6 Bruno's use of the plane and travel come up during
7 that time period in meetings that you can recall?

8 A. No, but Joe Bruno did, quite frequently.
9 I mean it was really, really a tough time getting
10 through these meetings. And, you know, there was
11 just a lot going on in terms of trying to keep them
12 moving forward and keep them productive, and so he
13 was absolutely a subject of conversation, but, but
14 not with respect to his travel.

15 Q. Did Mr. Dopp ever discuss with you during
16 that time frame the issue of Joe Bruno and travel?

17 A. Not that I remember, no.

18 Q. I'm going to show you what's been marked
19 as Commission's 46. Have you seen this document
20 before?

21 A. I have.

22 Q. And when did you see it?

23 A. Umm, it's marked the 27th of May. Umm,
24 again, I don't, you know, I get countless of e-mails

1 (CHRISTINE ANDERSON)
2 from the Governor and others and don't, didn't
3 remember getting this until I was handed it before
4 the DA's inquiry. I -- you know, when I received
5 it, I was in Italy, my brother-in-law's wedding.

6 Q. On the 27th of May?

7 A. 27th, I was there that weekend. So this
8 would have been -- 24th, 25th is the weekend, so
9 this would have been I think Monday? I think a
10 Monday.

11 Q. I just want to direct your attention --
12 it's a thread of e-mails and there's an e-mail that
13 you were copied on on the 27th from Laurence in
14 quotes?

15 A. That's the Governor.

16 Q. And it's copied to you and to Darren Dopp
17 and Richard Baum and it discusses some other areas
18 of interest to the Governor. But the last sentence
19 is, "I also want to discuss a post-session strategy
20 regarding Bruno and travel generally."

21 A. Can I back up again? I'm making the same
22 mistake I made last time. I never -- I didn't see
23 this e-mail from Eliot to Rich. I wasn't copied on
24 it.

1 (CHRISTINE ANDERSON)

2 Q. The first e-mail?

3 A. The first piece of the chain. So I'm
4 copied on a piece lower down here.

5 Q. And that's the piece I'm referring to.

6 A. Okay, I just want to be clear. So you're
7 question then is?

8 Q. The last sentence in the piece that you
9 are copied on, "I also want to discuss a post-
10 session strategy regarding Bruno and travel
11 generally." What was your understanding as to what
12 that meant?

13 A. I didn't spend two minutes thinking about
14 it at the time. It would be not uncommon for the
15 Governor to talk to me about both the near post,
16 which we talked about quite frequently; the post-
17 session strategy, which we were going to embark on
18 this tour basically after the session ended; and
19 Senator Bruno, who was the source of much, you know,
20 much conversation those days. So to me those are
21 two very distinct -- three very distinct items.

22 Q. So regarding Bruno and travel generally
23 would be distinct items?

24 A. Very, very distinct.

1 (CHRISTINE ANDERSON)

2 Q. And what was your understanding as to what
3 the travel issue was?

4 A. Travel generally is a big piece of my job.
5 Not only do I travel with the Governor, but I'm
6 also -- I play a scheduling role where I'm also
7 helping put together his events in the various
8 cities.

9 This past week he's been in Rochester,
10 he's going to Placid and Elmira tomorrow. That's,
11 you know, I'm wrapped up in planning, you know,
12 where those events are going to be; who's going to
13 be there; getting the media there; doing the press
14 releases, the briefings, everything that goes around
15 that. Everything to working on the backdrop for,
16 you know, for the events. That's my job.

17 In terms of where we were at this date
18 looking back on it would have been going, you know,
19 heading towards the end of the session. We ended up
20 doing this tour where we went out and basically
21 traveled the state. We were sort of telling people
22 that look, we're here, we're immersed in the end of
23 the session, but when it ends, we're going to go out
24 and talk about our own agenda and govern through the

1 (CHRISTINE ANDERSON)

2 agencies and really hit the state, and which we
3 ended up doing.

4 But that was very much in our minds at the
5 time that we were unfortunately just immersed in an
6 agenda that wasn't exclusively our own. That we
7 were immersed in the day-to-day back and forth with
8 Joe Bruno and the legislature, but that we were one
9 day soon going to have the ability to go out and
10 kind of drive our own message and travel the state
11 and do what we had hoped to do.

12 Q. And have you discussed the subject matter
13 of this e-mail with anyone?

14 MR. PUTZEL: Other than your
15 lawyer.

16 A. And I discussed it with Peter Pope before
17 the DA, but simply as a, you know, here's this, you
18 know, what's your answer to this.

19 BY MS. TOOHER:

20 Q. And did you have any conversations with
21 Darren Dopp after the end of May concerning Joe
22 Bruno and travel?

23 A. After the end of May?

24 Q. Yes.

1 (CHRISTINE ANDERSON)

2 A. Well, no. I would have had conversations
3 with him about travel generally. That would be a
4 constant. I mean I was his person that was helping
5 put together these trips.

6 Q. You were his --

7 A. Meaning I was his deputy, so I was the one
8 sitting in on most of the scheduling meetings and
9 doing the work with our team planning out, you know,
10 these events and trips and tours and things.

11 Q. But did you discuss with Mr. Dopp Joe
12 Bruno's travel --

13 A. No.

14 Q. -- after the end of May?

15 A. Only to the point where I knew that this
16 Times Union story was coming towards the end of, or
17 I guess the beginning of July.

18 Q. The article comes out on July 1st.

19 A. July 1.

20 Q. How far or how long in advance of the
21 article were you discussing the subject matter with
22 Mr. Dopp?

23 A. I don't remember. I tried to remember
24 when that would have been. It would have been in

1 (CHRISTINE ANDERSON)

2 the, you know, in the days shortly leading up to
3 that story.

4 Q. How did the subject first come up with
5 Mr. Dopp?

6 A. I don't remember.

7 Q. What was the sum and substance of your
8 conversations with him?

9 A. My daily conversations with him are about
10 stories that are in progress, so it would have been
11 in that context.

12 Q. And did he tell you this was a story in
13 progress?

14 A. Umm, I remember that I knew it was coming.
15 It only makes sense that I would have heard that
16 from Darren directly. We talked to each other each
17 and every day, or did. Each and every day about
18 stories that were coming, so...

19 Q. When he told you the story was coming,
20 what did he tell you was coming?

21 A. I don't remember. You know, that it was
22 in response to, umm, you know, that it was in
23 response to a FOIL; it was related to travel,
24 Bruno's travel; and that it was likely not going to

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2 be a favorable story. That's...

3 Q. It was not going to be a favorable story
4 for Senator Bruno?

5 A. For Senator Bruno.

6 Q. I understand. It's just if you don't let
7 me finish, the record is not clear.

8 So Mr. Dopp relayed to you that there was
9 a story coming out about travel that was not going
10 to be favorable to Mr. Bruno?

11 A. Correct.

12 Q. And did he say anything about the Governor
13 in the story?

14 A. He didn't.

15 Q. Did he relate to you that it would not be
16 a favorable story for the Governor?

17 A. No.

18 Q. I'm showing you what's been marked as
19 Commission's 78.

20 A. Right.

21 Q. And this is an e-mail from you to Darren
22 Dopp dated July 26, 2007.

23 A. Yep.

24 Q. Do you recall receiving this e-mail?

1 (CHRISTINE ANDERSON)

2 A. I do.

3 Q. And can you tell me what this e-mail
4 reflects?

5 A. This is an e-mail from Darren to me on the
6 26th. Umm, this, the Governor -- the reason I
7 remember this e-mail, the Governor was heading up to
8 the Sagamore umm for a speech that he was giving
9 there, umm which was the first, I think this was
10 June, the first post-session umm speech that he was
11 given as part of his tour that we went on to
12 basically say to the legislature, you left all this
13 work unfinished.

14 The first speech was at the Sagamore. Jim
15 Odatto had umm, he had called Darren I believe -- I
16 had been talking to him -- he said, Are you going to
17 the speech?

18 Q. You had been talking to Darren or to
19 Mr. Odatto?

20 A. Odatto. Basically we were -- it was a
21 brief exchange. He asked if I was going and I said
22 yes and he said, Well, you better get going, it's in
23 an hour. It will take you at least an hour and 15
24 to get up there. And I said, Oh, I didn't realize

1 (CHRISTINE ANDERSON)
2 that. And, you know, then when I was in the car
3 with the Governor and I was told we were flying, I
4 had one of these moments where I thought, okay, now
5 it makes sense. I had no idea we were taking the
6 helicopter up there. So -- (Request from court
7 reporter) -- I remember that exchange that day from
8 Odato, but in terms of this e-mail exchange, that's
9 kind of, that's what I remember of it.

10 Q. And the e-mail from Darren to you is, Can
11 you give him a buzz. Need to be nice to him. Going
12 to ask a big favor of him soon.

13 A. Right.

14 Q. Did you have any conversation with Darren
15 about that?

16 A. Never discussed it.

17 MR. PUTZEL: Just wait for the
18 question.

19 BY MS. TOOHER:

20 Q. Did you have any conversation with Darren
21 about it?

22 A. No further conversation.

23 Q. Did you have any concept as to what the
24 big favor was?

1 (CHRISTINE ANDERSON)

2 A. Nope.

3 Q. Did you ever have a follow-up conversation
4 with him?

5 A. We didn't.

6 Q. And were you aware at this time now, June
7 26th, that Darren was working on the story
8 concerning Senator Bruno's travel with Mr. Odatto?

9 A. Again having had my memory refreshed, I
10 knew that there was a statement, but didn't know
11 there was a prolonged effort to provide documents or
12 to work with Jim Odatto on the story. I knew about
13 the story closer to its actually, you know, release
14 date.

15 MR. TEITELBAUM: Where is your office
16 in proximity to the office that was occupied by
17 Mr. Dopp?

18 A. I have two offices. I have a New York
19 City office and then the Albany office is --

20 MR. TEITELBAUM: Give me both.

21 A. Sorry?

22 MR. TEITELBAUM: Give me both.

23 A. He doesn't have an office in New York
24 City; didn't travel. Our office in Albany is --

1 (CHRISTINE ANDERSON)

2 umm, there's one office in between them. Otherwise,
3 they're in relatively close proximity.

4 MR. TEITELBAUM: And around the time
5 of June of this year, did you see Mr. Odatto in
6 Mr. Dopp's office?

7 A. No. Well, I mean reporters are in and out
8 of our office all day long. Umm, I don't remember
9 any specific sit-down conversations that would have,
10 umm, that would have seemed out of the ordinary.
11 Umm, reporters are in and out. That was actually
12 part of what Darren tried to do is being with the
13 administration, open up the second floor.

14 He would, you know, get sole credit for
15 basically taking down the restrictions that didn't
16 permit reporters to come onto the second floor. So
17 now the reporters can walk right into your office,
18 which is as it should be, but that's, you know,
19 exclusively, you know, the result of him making that
20 change.

21 During the Pataki years, the reporters
22 couldn't get onto the second floor.

23 MR. TEITELBAUM: So during that
24 period, did you see Odatto in his office?

1 (CHRISTINE ANDERSON)

2 A. Yes. Probably, yes.

3 MR. PUTZEL: Wait. Do you
4 recall seeing him in the office?

5 This is not a guess.

6 A. Between January and this date, of course
7 Jim would be in the office.

8 MR. TEITELBAUM: Let me make
9 this clear so we can clear this up
10 and your counsel doesn't have to say
11 anything about this again. We don't
12 want you to guess. We're only probing
13 your knowledge.

14 MR. PUTZEL: It's really a
15 question of your recollection. And
16 if you infer that he would have been,
17 that's not a recollection. It's
18 whether you recall seeing him in the
19 office.

20 THE WITNESS: Between January
21 and this time?

22 MR. TEITELBAUM: In June.

23 THE WITNESS: No way to see if
24 he was in in June.

1 (CHRISTINE ANDERSON)

2 MR. TEITELBAUM: Okay.

3 (Commission Exhibit 97 marked
4 for identification.)

5 BY MS. TOOHER:

6 Q. I'm providing you what's been marked
7 Commission's Exhibit 97.

8 A. Is this --

9 Q. It is. I just -- and I ask you if you can
10 identify this document.

11 A. It's an e-mail from me to Jim Odató.

12 Q. The content of the e-mail, it's dated June
13 26th, the same day we were just speaking about.
14 "Trying to get you an mp3."

15 A. Right.

16 Q. Can you explain that?

17 A. Do you know what an mp3 is? It's an audio
18 file, so this would be an mp3 of the speech. This
19 is something that I, if you talk about information
20 provided to reporters, it would have been providing
21 them with mp3's of audio as recently as yesterday.
22 So it's a very basic function.

23 Q. That was my guess of what it was.

24 A. I didn't realize.

1 (CHRISTINE ANDERSON)

2 Q. We just didn't know what it was and we
3 were trying to identify it. And did you provide the
4 mp3 to Mr. Odatto?

5 A. I said I was trying. I hope I did.

6 Q. You discussed that Mr. Odatto was seeking
7 documents and that there eventually was a FOIL
8 request from him. Were you ever shown the FOIL
9 request --

10 A. No.

11 Q. -- from Mr. Odatto?

12 A. No.

13 Q. I have just provided you a copy of
14 Commission's 66, which is an e-mail from Jim Odatto
15 to Darren Dopp and it indicates it's a Freedom of
16 Information Law request dated June 27, '07. Have
17 you seen this document before?

18 A. Never.

19 Q. This is the first time that you've ever
20 seen the actual FOIL request?

21 A. First time.

22 MR. TEITELBAUM: Was it your
23 understanding that prior to June 27th there was an
24 existing FOIL request from Jim Odatto concerning the

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2 travel itineraries of various officials, including
3 Senator Bruno?

4 A. Umm, I did know -- I did believe that
5 there was a FOIL. Umm, I don't know the exact date.
6 This is clearly a few days before the TU story came
7 out. I don't know if I was made aware of it this
8 day or, or shortly before that.

9 MR. TEITELBAUM: Your testimony
10 you've given here this morning, you have made
11 reference to the fact that you knew that Darren was
12 working on a FOIL from the TU.

13 Were you under the impression that he
14 was working on a FOIL request from TU prior to June
15 27th?

16 A. Again, I only knew shortly before the,
17 shortly before the TU story came out on July 1. I
18 don't remember the exact day. Umm, my best
19 recollection would have been that it was about a
20 week, a week or so prior to the story coming out.

21 MR. TEITELBAUM: That he began
22 working on a FOIL request?

23 A. That the story was coming. I didn't have
24 any sense for when the FOIL came or how long, how

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2 long it would have taken to, to respond to it.

3 BY MS. TOOHER:

4 Q. When you knew the story was coming out,
5 you indicated that it was a story about Senator
6 Bruno and it was not your understanding that it was
7 a negative story for the Governor; is that correct?

8 A. Yeah, all I remember is that it would be a
9 negative story for Senator Bruno.

10 Q. Would Mr. Dopp have told you if a negative
11 story was coming out for the Governor?

12 A. Umm, we talk about that, you know, in the
13 events that's coming. I around the same time having
14 gone back and looked at the news coverage from --
15 read the stories from the beginning of July, there
16 was another story coming out in the New York Times
17 that was of much, not greater interest, but I was
18 more personally involved in which was a -- umm, we
19 had gone on this tour, we had gone to an event on
20 Long Island and there had been a gentleman who stood
21 up while we were saying your Senator needs to go
22 back to work and hasn't finished the business of the
23 state, and there was a gentleman who stood up and
24 said, I think my Senator is doing a good job. And

1 (CHRISTINE ANDERSON)
2 of course the New York Times reporter that was there
3 caught this and thought it was a great story.

4 I don't remember where it ran in the
5 paper, but I remember it was going to be a big story
6 about our tour of which I was sort of managing. So
7 that I, I don't remember talking about it
8 specifically, but I certainly would have made Darren
9 aware of the fact that I was at this event in Long
10 Island, I knew it was coming, I talked to the
11 reporter, it was not going to be a good story.

12 Q. Let me clarify the question. If there was
13 a negative story coming out was it your practice and
14 Darren's practice to advise each other of negative
15 stories?

16 A. Yes.

17 Q. So he did not advise you that the story
18 coming out about Senator Bruno had negative
19 implications for the Governor?

20 A. No.

21 Q. Did you have other interests at that time
22 about the travel and use of the airplane? Did you
23 have inquiries around the time that TU article was
24 coming out?

1 (CHRISTINE ANDERSON)

2 A. Not that I remember, no.

3 Q. And is that an issue that comes up fairly
4 routinely in the press office?

5 A. Use of the plane was always an interest.
6 You know, certainly even since then I received
7 requests since the AG's and DA's request for
8 information related to the use of the plane. I
9 don't remember having any at that time.

10 Q. At the time that there were -- just before
11 the articles coming out, were there other inquiries
12 for information leading to the article on Senator
13 Bruno?

14 A. Not that I'm aware of.

15 (Commission Exhibit 98 marked
16 for identification.)

17 BY MS. TOOHER:

18 Q. I handed you what's been marked as
19 Commission's 98. Can you identify this document?

20 A. It's an e-mail from myself to Mari, who I
21 should mention also works indirectly for me. She's
22 not on my staff per se, but is David Paterson's
23 press secretary, and it's dated June 29th.

24 Q. And did you receive this e-mail?

1 (CHRISTINE ANDERSON)

2 A. I obviously did. I didn't remember.

3 Q. Is Arce, is that the last name?

4 A. Arce.

5 Q. Apparently sending you a request, subject:
6 Odatto from TU, and wants to know if certain
7 activities constitute inappropriate use of the
8 government aircraft.

9 What was your understanding at that time
10 as to what would constitute an inappropriate use of
11 the aircraft?

12 A. The question by most reporters is was
13 there political business mixed -- or personal
14 business mixed with public business. So and the
15 question would have been, you know, was -- again,
16 I'm reading into this a little bit, but was David
17 somehow using the state resources to go down to DC
18 to have a meeting that was purely political and had
19 nothing to do with state business.

20 Q. And what was your understanding as to what
21 would be inappropriate?

22 A. Umm, well, again I think we have very, and
23 this I know more after the fact, but our state laws
24 are incredibly lax when it comes to the use of the

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2 state plane. I think you all have put out an
3 advisory on this; correct? I mean right?

4 And further clarifying, which would have
5 been I believe well after -- well after June 29th?
6 Sorry. Well after June 29th. But again I think we
7 have always held ourselves to a higher standard.

8 So if David had gone down there and had
9 private meetings, it's something we would have made
10 available. We would have -- I would have checked
11 with people to make sure that he was, that it was
12 appropriate that he was doing that. If, you know,
13 we needed to reimburse for it or whatever it might
14 be. But the law is clear, it's clear the law
15 allowed at this time for the trip to be
16 predominantly public business or even -- the law
17 allowed for you to mix business and personal.

18 Q. And your response -- I assume David was in
19 DC for official meetings?

20 A. Right.

21 Q. Is that a reflection of that mix?

22 A. It's a reflection of an administration
23 that takes its own ethics incredibly seriously and I
24 would absolutely imagine that if David was taking

1 (CHRISTINE ANDERSON)

2 the plane down that it would be for official
3 business.

4 And obviously we take requests seriously
5 related to our own use of state resources and would
6 have -- umm, I don't remember too much about this,
7 but would have clearly been checking in to make sure
8 that we had a schedule and we knew what he was doing
9 and that it was as it should be.

10 Q. So as reflected in 98, and when I read the
11 e-mail and I'm not saying this is your
12 interpretation, it appears to state that the DC trip
13 to meet with Howard Dean might present a problem,
14 and your response is you need to look at the context
15 if he was in DC for an official meeting and that's
16 how you would evaluate it?

17 A. It's simply saying let's pull together the
18 schedule and see what it is. I'm much more
19 intimately involved in what Eliot's schedule is and
20 how Eliot is adhering to these things day-to-day.
21 And so this was clearly an effort to say, let's see
22 what he did, let's make sure it is, you know, falls
23 under the relevant rules and regulations as, you
24 know, as related to the use of the aircraft and

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2 let's figure out what the story is.

3 Q. And then the next sentence of your
4 response, "We'll help pull the relevant rules that
5 apply to the aircraft use."

6 A. Right.

7 Q. What rules are those?

8 A. Well, clearly they're fewer than I would
9 have guessed. I mean just -- it's an honest answer.
10 You know, I have learned since then the rules are --
11 I think, if I remember, I think just to get to this
12 e-mail specifically, I think it was either he didn't
13 end up meeting with Dean or they did end up -- they
14 ended up being bounced -- there was something about
15 the meeting itself that when explained was -- I'm
16 happy to go back and look, but there was something
17 about -- umm, I don't remember. What is the
18 question? I'm going on.

19 BY MS. TOOHER:

20 Q. My question is, What were the rules at
21 that time? You indicate that you're going to pull
22 the relevant --

23 A. Mixed use was fine.

24 Q. And what's that understanding based on?

1 (CHRISTINE ANDERSON)

2 Is there a writing that reflects that? Did you
3 speak to someone?

4 A. It would have been with counsel's office,
5 counsel's office guidance that we would have, that
6 we would have been able to determine what those
7 were.

8 Q. Did you make a request of counsel's office
9 based on this inquiry from the Lieutenant Governor?

10 A. I don't remember. I mean I don't know if
11 you have any further e-mails on this, but I would
12 have had to. I clearly --

13 MR. PUTZEL: But do you recall?

14 MR. TEITELBAUM: It's of course for
15 her to testify that way.

16 MR. PUTZEL: Well, as long as
17 her testimony reflects what the state
18 of her recollection is. It's not okay
19 for her to guess. You said that
20 yourself.

21 MR. TEITELBAUM: But if her
22 method of operation was such that in
23 the normal course this kind of matter
24 would be referred to the counsel's

1 (CHRISTINE ANDERSON)

2 office, we want to know that.

3 MR. PUTZEL: I have no problem
4 at all in her saying that, as long as
5 she makes the clear distinction
6 whether she recalls that or whether
7 that's what her course of business
8 would have been.

9 I just want her state of mind to
10 be clear.

11 A. I guess what I'm getting at, which I
12 wouldn't mind checking, is I believe that Mari came
13 back to me about either the meeting not happening,
14 being postponed or something, something about the
15 meeting that it didn't -- that I don't think, I
16 don't think we ended up going back to him with any
17 sort of, you know, statement of policy, or that we
18 went back to him with other than an explanation of
19 what that meeting was or wasn't, or was happening or
20 not happening.

21 Q. But when you say you would check, what
22 would you be checking? You said you would go back
23 and check.

24 MR. PUTZEL: Check? Check?

1 (CHRISTINE ANDERSON)

2 MS. TOOHER: She testified a
3 moment ago that she said she would
4 go back and check.

5 THE WITNESS: Look at the
6 schedule.

7 BY MS. TOOHER:

8 Q. So you would check the Lieutenant
9 Governor's schedule to see what --

10 A. To see what he did that day.

11 Q. And that's what your response would be
12 based upon?

13 A. Absolutely. I mean I think that's what he
14 was asking for.

15 (Break taken.)

16 BY MS. TOOHER:

17 Q. Were you engaged in any other information-
18 gathering concerning the Odatto Times Union article
19 around the July 1st period?

20 A. Not that I remember.

21 Q. And did Darren speak to you at all about
22 the article at that time beyond just telling you the
23 article was coming?

24 A. Nothing further than that.

1 (CHRISTINE ANDERSON)

2 Q. And did you have conversations with anyone
3 else in the Executive Chamber about the article?

4 A. I didn't.

5 Q. And did Darren indicate to you that he had
6 spoken to anyone about the article?

7 A. He didn't.

8 Q. And when the Times Union July 1st article
9 came out, did you see the article?

10 A. Of course.

11 Q. And what was your reaction to the article?

12 A. Umm, umm, you know, that this was, that
13 there were, you know, allegations being raised into
14 Senator Bruno's use of the plane, umm, that seems to
15 suggest he had done so inappropriately.

16 Q. And were there any discussions about the
17 impact on the Governor at that time?

18 A. No.

19 Q. You had no conversations with Darren or
20 anyone else concerning the article's reflection of
21 the Governor?

22 A. What do you mean by that exactly?

23 Q. Did you discuss the article -- it wasn't
24 just about Joe Bruno, it was about use of the

1 (CHRISTINE ANDERSON)

2 aircraft in general.

3 A. In general.

4 Q. Did you discuss how the Governor was
5 reflected in that article with anyone?

6 A. No, not that I remember.

7 Q. And did Darren provide you with
8 information on how to respond to inquiries about the
9 article?

10 A. The days after the article, he would have
11 been -- and he did answer my questions as to how I
12 should be handling reporters' questions.

13 Q. And what was the type of information that
14 he provided you?

15 A. Umm, you know, our responses to questions
16 that were being raised, umm, from the article.

17 Q. And what did he tell you to say?

18 A. What did he tell me to say?

19 Q. Uh-huh.

20 A. There were any number of questions, so you
21 would have to ask a specific question what he was
22 asking.

23 Q. On the question of Senator Bruno and what
24 this reflected of Senator Bruno, what were you to

1 (CHRISTINE ANDERSON)

2 say?

3 A. Umm, I would have to go back and look.
4 Umm, it was, you know, the media story spoke for
5 itself. We spoke to our, our use of state
6 resources. You know, how we had gone about it. You
7 know, again I would have to go back and look at a
8 specific question, but that was our, I think, I
9 believe our general posture in the, you know, couple
10 of days after.

11 Q. What about the characterization of
12 Mr. Bruno's activities?

13 A. Umm, I think the media story made that
14 characterization as, you know, troubling.

15 Q. When you say troubling, could you explain
16 that?

17 A. Umm, it rose -- it raised the question of
18 whether or not he used taxpayers' dollars
19 appropriately.

20 Q. And what was the Chamber's response to
21 that allegation?

22 A. I would have to go back and look at it,
23 but I believe our response was it deserves review
24 and, you know, that's, I mean that's what I

1 (CHRISTINE ANDERSON)
2 remember. I would have to go back and look. I'm
3 sure I had some sort of standard statement I would
4 have given or comment, but it was basically, you
5 know, the media raised a question. It seems if you,
6 you know, look at it, it seems troubling, it
7 deserves a review and that was about it and then we
8 answered questions I'm sure about our use of it.

9 Q. Did you discuss what the review would be?

10 A. What review? What --

11 Q. Of what the review would be.

12 A. There were conversations about whether or
13 not it would be referred to the Ethic -- sorry, to
14 probably to the District Attorney or to the Attorney
15 General or the Inspector General. There were
16 conversations about that.

17 Q. What were the conversations about the
18 District Attorney's office?

19 A. My conversations would have been with
20 Darren as to, umm, as to if it was being recovered
21 and where.

22 Q. And what were those conversations?

23 A. Umm, I was told that they were looking
24 into it independently.

1 (CHRISTINE ANDERSON)

2 Q. You were told by whom?

3 A. By Darren.

4 Q. That who was looking into it
5 independently?

6 A. The District -- the Attorney General and
7 either the District Attorney or the Inspector
8 General.

9 Q. Did you have specific conversations about
10 those entities?

11 A. I think -- I want to say it was the
12 District Attorney and the Inspector General or -- I
13 would have to go back and look, sorry.

14 Q. That's okay.

15 MR. PUTZEL: I just want to ask
16 a clarifying question because I don't
17 think your answer was clear.

18 You were told that they were
19 looking into these matters
20 independently. "They" meaning these
21 agencies, the Attorney General and the
22 Inspector General and so on?

23 THE WITNESS: Uh-huh.

24 MR. PUTZEL: Okay.

1 (CHRISTINE ANDERSON)

2 BY MS. TOOHER:

3 Q. That was my understanding as well.

4 A. Yes.

5 Q. Did Darren indicate if -- I'm sorry,
6 strike that.

7 Did Darren indicate to you at all that he
8 was involved with those reviews with the IG, the AG
9 or the DA?

10 A. He didn't.

11 Q. He did not?

12 A. That he was involved in those? No, he
13 didn't.

14 Q. Did he indicate whether he was providing
15 documents to anyone?

16 A. Umm, he told me that, umm, that he was --
17 that they were looking into it independently.

18 Q. And "they" being?

19 A. Either two of the three - District
20 Attorney, AG or IG. That two of those three
21 entities were looking into it independently. I was
22 then pushed by reporters who said to me, We've
23 talked to them and they said they're not.

24 I went back to Darren to clarify. I said,

1 (CHRISTINE ANDERSON)
2 you know, you're telling me they're looking into it.
3 Those offices are not confirming that information.
4 And I looked to him for clarification on that.
5 Q. And what did he say to you?
6 A. I believe he reaffirmed that they were, in
7 fact, looking into it.
8 Q. Did he do any follow-up?
9 A. And then later in the day those offices
10 did in fact confirm that they were, or at least the
11 District Attorney's office confirmed they were
12 reviewing the matter.
13 Q. And how did you know that?
14 A. They put out a statement.
15 Q. The DA's office put out a statement?
16 A. It might not have been again a statement
17 statement, but a comment to the press that would
18 have confirmed that.
19 Q. And did Darren ever indicate to you that
20 he was providing any information to those offices?
21 A. He didn't.
22 Q. Did he indicate to you if he had provided
23 any documents to those offices?
24 A. No.

1 (CHRISTINE ANDERSON)

2 Q. Did anyone in your office indicate to you
3 that they were providing information to those
4 offices?

5 A. No, no.

6 MR. TEITELBAUM: Would that have been
7 within the purview of Mr. Dopp's responsibilities as
8 you know them to be? The liaison with enforcement
9 authority on behalf of the Executive Chamber?

10 A. I don't know.

11 MR. TEITELBAUM: Would that have been
12 within the responsibilities of Mr. Larrabee, who
13 reports to you and reported to you then?

14 A. Within his day-to-day responsibilities,
15 no. I don't know if -- I don't know if the first
16 time that -- I just don't know.

17 MR. TEITELBAUM: Do you know if
18 Mr. Larrabee has had any communications with the
19 District Attorney's office?

20 A. He has had any?

21 MR. TEITELBAUM: Any communications
22 with the District Attorney's office concerning
23 Senator Bruno.

24 A. I don't.

1 (CHRISTINE ANDERSON)

2 MR. TEITELBAUM: Is that something
3 you would know in the normal course of your job?

4 A. We work very closely together. Umm, you
5 know, again, that was at a time when Darren was
6 still in the office, and so Paul didn't report
7 exclusively to me. Umm, so I can only speak to what
8 I knew.

9 MR. TEITELBAUM: Given the fact that
10 he was at that time reporting to both you and
11 Mr. Dopp, would his being in communication with the
12 District Attorney's office concerning Senator Bruno
13 be a piece of information that he would have
14 conveyed to you in the normal course of your
15 relationship in the performance of your respective
16 job functions?

17 A. He didn't tell me that. Umm, we typically
18 work very closely, umm, but he didn't tell me that.

19 MR. TEITELBAUM: Did you ever find
20 out whether he had a communication with the District
21 Attorney's office concerning Senator Bruno?

22 A. I found out only, umm, around the time of
23 the Attorney General's report.

24 MR. TEITELBAUM: How did you find

1 (CHRISTINE ANDERSON)

2 that out?

3 A. I don't know. Umm, I don't know whether
4 it was him directly. I don't know.

5 MR. TEITELBAUM: What did you find
6 out?

7 A. It was even, it was even in the Attorney
8 General's report I believe. So I'm not sure. I'm
9 not sure how I know that.

10 MR. TEITELBAUM: Did you ever discuss
11 it with Mr. Larrabee?

12 A. Did I ever discuss it with Mr. Larrabee?
13 No. Since then I have asked him, you know, umm, and
14 my understanding was that he was just, you know,
15 serving sort of as a delivery person.

16 MR. TEITELBAUM: Did he explain to
17 you the context of his serving as a delivery person?

18 A. He didn't.

19 MR. TEITELBAUM: He just told you --

20 A. He said he was asked to deliver it and he
21 did.

22 MR. TEITELBAUM: Did he tell you who
23 asked him?

24 A. Darren.

1 (CHRISTINE ANDERSON)

2 MR. TEITELBAUM: Did you discuss that
3 subject with Darren?

4 A. I didn't. I think that was after the
5 point where Darren was already gone. Darren's last
6 day would have been, you know, the Friday before the
7 Attorney General's report or that morning. So we
8 wouldn't have discussed it.

9 MR. TEITELBAUM: You didn't ask
10 Larrabee or he didn't tell you what was going on in
11 connection with these delivery of documents to the
12 DA?

13 A. I don't remember hearing about it.

14 MR. TEITELBAUM: Since hearing about
15 it, have you discussed it with anybody in the
16 Executive Chamber?

17 A. The delivering of documents?

18 MR. TEITELBAUM: The delivery of
19 documents to the District Attorney concerning
20 Senator Bruno by Mr. Larrabee at the direction of
21 Mr. Dopp.

22 A. Only around the time when the Attorney
23 General's report came out and it was clear to me
24 that, umm, they were -- I believe they either

1 (CHRISTINE ANDERSON)

2 requested or were given documents, umm, you know,
3 that that was the origin of their review.

4 MR. TEITELBAUM: And in the normal
5 course of the functions of the Executive Chamber
6 would those documents, before going to the District
7 Attorney, have been reviewed by counsel?

8 A. I don't know.

9 MR. TEITELBAUM: Have you ever heard
10 -- go ahead, I'm sorry.

11 A. No, go ahead.

12 MR. TEITELBAUM: Have you ever heard
13 of an instance where somebody from the Executive
14 Chamber was providing documents to a law enforcement
15 authority in connection with an inquiry or
16 investigation that had been commenced by any
17 enforcement authority?

18 A. No.

19 MR. TEITELBAUM: Was it a surprise to
20 you when you found out that Dopp had directed the
21 documents be delivered to the DA by Larrabee?

22 A. Yes.

23 MR. TEITELBAUM: Why?

24 A. It was just something that I didn't know.

1 (CHRISTINE ANDERSON)

2 I didn't -- you know, it was one of the aspects of
3 the AG's report that was news to me.

4 MR. TEITELBAUM: Was it surprising
5 that it was done by people in your office as opposed
6 to people with other functions in the Executive
7 Chamber?

8 A. I didn't think that about that as much as
9 I just was dealing with the other aspects of the
10 report, which was, you know, a major communications,
11 you know, struggle for us. My boss was being
12 sanctioned. I don't know that I spent much time on
13 thinking about that specifically.

14 MR. TEITELBAUM: Had the subject of
15 the appropriateness of Mr. Dopp being involved in
16 communications with the District Attorney's office
17 come up?

18 A. Sorry, the subject of?

19 MR. TEITELBAUM: The appropriateness
20 of Mr. Dopp being in communication with the District
21 Attorney's office concerning an inquiry or
22 investigation of Senator Bruno, had that come up?

23 A. Has it come up since then?

24 MR. TEITELBAUM: No, did it come up

1 (CHRISTINE ANDERSON)

2 at the time or since then?

3 A. Since then, yes.

4 MR. TEITELBAUM: In the Executive
5 Chamber?

6 A. Yes.

7 MR. TEITELBAUM: Tell me about that.

8 A. Umm, that's, I mean that's I think the
9 subject of your inquiry is were proper procedures
10 followed, and, umm, I think that's one area where
11 even the Governor on the day of the Attorney
12 General's report said this is someone in the
13 communication shop. If you were trying to go above
14 and beyond in terms of following, you know,
15 procedures and, umm, you know, taking every
16 precaution because it was a political opponent, then
17 very likely it shouldn't have been someone in the
18 communication shop that should have been doing that.

19 MR. TEITELBAUM: Was that the
20 position of the Governor?

21 A. Yes.

22 MR. TEITELBAUM: And was that
23 conveyed to you?

24 A. Yes.

1 (CHRISTINE ANDERSON)

2 MR. TEITELBAUM: Did anybody else
3 convey that position to you within the Executive
4 Chamber that what Dopp had done in connection with
5 communications with the District Attorney was not
6 appropriate?

7 A. I mean again we've had conversations about
8 the Attorney General's report and our -- you know,
9 I, personally, would be more involved with our
10 handling of it, but, you know, it's clearly a
11 subject -- I won't say I remember specific
12 conversations, but that clearly proper procedures
13 were not followed and I think that includes a
14 communications person being the, you know, being
15 involved.

16 MR. TEITELBAUM: Do you have any
17 information that Mr. Dopp, in connection with his
18 providing documents to the District Attorney in
19 early July, was in communication with anybody else
20 at the Executive Chamber concerning that, other than
21 Mr. Larrabee?

22 A. Umm, I didn't know that he had had any
23 correspondence with anyone within the Chamber about
24 this subject until after the, until right around

1 (CHRISTINE ANDERSON)

2 when the Attorney General's report came out.

3 MR. TEITELBAUM: When you say
4 correspondence, tell me what you mean.

5 A. Conversations. You know, e-mails...

6 MR. TEITELBAUM: Do you know now that
7 he had communications with others in the Executive
8 Chamber concerning his delivery of documents to the
9 DA in early July, other than Mr. Larrabee?

10 MR. PUTZEL: "He" being Mr. Dopp?

11 MR. TEITELBAUM: Correct.

12 A. I believe it was detailed in the Attorney
13 General's report.

14 MR. TEITELBAUM: I'm asking what you
15 know.

16 A. I read the report.

17 MR. TEITELBAUM: And the report said
18 what, as far as you recollect about that subject?

19 A. It's been awhile since I have read it, but
20 it clearly said that Paul Larrabee had been
21 instructed to deliver these documents and that, and
22 that Darren was getting them to the DA. Umm, and
23 again I'm not sure whether they've been requested or
24 whether he was initiating that, but, umm, you know,

1 (CHRISTINE ANDERSON)

2 I was made -- I read the report.

3 MR. TEITELBAUM: My question is, do
4 you have any knowledge that Mr. Dopp was in
5 communication with anybody else in the Executive
6 Chamber concerning his delivery of documents to the
7 District Attorney at or around the time that he did,
8 other than Mr. Larrabee?

9 A. No.

10 MR. TEITELBAUM: And did you find out
11 afterwards that he had any communication with
12 anybody in the Executive Chamber other than Larrabee
13 concerning what he was doing regarding the District
14 Attorney?

15 A. Not until the Attorney General's report
16 came out.

17 MR. TEITELBAUM: Well, did the
18 Attorney General's report say, as far as you
19 understood it, that he had been in communication
20 with others in the Executive Chamber concerning the
21 delivery of documents?

22 A. Now I'm sort of confused by your question.

23 MR. TEITELBAUM: Let me see if I can
24 clarify it here. What I want to know is was Dopp

1 (CHRISTINE ANDERSON)
2 acting on his own or was he acting with the approval
3 and knowledge of others in the Executive Chamber
4 when he delivered the documents, as far as you know?

5 A. I don't know.

6 MR. TEITELBAUM: Did that subject
7 ever come up?

8 A. No.

9 (Commission Exhibit 99 marked
10 for identification.)

11 MR. TEITELBAUM: Miss Anderson,
12 before we get into this, are you certain that the
13 Attorney General's report mentions the delivery of
14 documents to the District Attorney by Paul Larrabee?

15 A. That's my recollection. I can go back and
16 look at it.

17 MR. TEITELBAUM: But you learned of
18 that fact you say as a result of having read the
19 Attorney General's report?

20 A. I said right around the time of the
21 Attorney General's report. I knew the report was
22 coming in the days prior, but that's when I would
23 have been made aware of Paul Larrabee's involvement
24 in this as, you know, a delivery guy.

1 (CHRISTINE ANDERSON)

2 MR. PUTZEL: It's your belief
3 that you learned it from the Attorney
4 General's report?

5 THE WITNESS: I said around the
6 time of the Attorney General's report,
7 but I thought -- I can be wrong, but I
8 think it was mentioned in there as
9 well.

10 MR. TEITELBAUM: But Larrabee
11 mentioned it to you around that time, you say?

12 A. He did. I don't know when, though, but it
13 would have been, you know, in the, very shortly
14 before the Attorney General's report.

15 MR. TEITELBAUM: Did Larrabee say
16 anything more than just he delivered documents?

17 A. Nothing more.

18 MR. TEITELBAUM: How did that come
19 up?

20 A. Umm, the Attorney General was doing his
21 investigation. Umm, we knew that was coming out in
22 the very near future. I don't know how it came up.

23 MR. TEITELBAUM: Did you discuss with
24 anybody the subject of Larrabee having delivered

1 (CHRISTINE ANDERSON)

2 documents to the District Attorney at Mr. Dopp's
3 direction?

4 A. Did I discuss that with him?

5 MR. TEITELBAUM: After you found out
6 about it.

7 A. No, not that I remember.

8 BY MS. TOOHER:

9 Q. I provided you with what's been marked
10 Commission's Exhibit 99 and I ask if you can
11 identify that document.

12 A. It's an e-mail from Darren to myself on
13 July 2nd.

14 Q. And there's apparently an attachment to
15 that e-mail, the Bruno referral document. Can you
16 tell me what that document is?

17 A. I was going to ask you if you have it. I
18 don't. I'm not sure what it is.

19 Q. Did Darren Dopp send you --

20 A. It's an e-mail from him to me on the 2nd,
21 so yes. Do you have a copy of it?

22 Q. Did Darren Dopp send you a referral
23 document concerning Senator Bruno on or about July
24 2nd?

1 (CHRISTINE ANDERSON)

2 A. The e-mail says he sent me a document
3 entitled Bruno Referral. I'm not sure what's in
4 that document.

5 MR. PUTZEL: The question is,
6 Do you recall receiving such a
7 document?

8 THE WITNESS: I don't.

9 BY MS. TOOHER:

10 Q. So you have no recollection of any
11 document concerning a referral of Senator Bruno
12 being sent to you?

13 A. None whatsoever, no.

14 Q. And have you ever seen this e-mail before?

15 A. This is the first time I'm looking at it.
16 It may have been in a batch I saw before. I don't
17 know, I don't know what that attachment, what that
18 attachment is.

19 MR. TEITELBAUM: Did you ever see a
20 document concerning Senator Bruno referring the
21 matter of his use of state aircraft --

22 A. Never saw it.

23 MR. TEITELBAUM: -- through an
24 enforcement agency?

1 (CHRISTINE ANDERSON)

2 A. Never saw a referral. Never saw any sort
3 of referral of information to any entity, umm, and I
4 don't want to speculate. I assume this would be a Q
5 and A or statement or something. I was never,
6 absolutely never shown a referral document.

7 BY MS. TOOHER:

8 Q. Did you have discussions in the press
9 office around the time of July 1st, 2nd, and 3rd
10 about what the aviation policy was?

11 A. None that I can remember specifically, but
12 around ever since this has, the TU story has come
13 out, it has been a subject of conversation. I don't
14 know if immediately in those days or not we did.

15 Q. But you were getting a number of inquiries
16 at that time, I would assume, about the aviation
17 policy?

18 A. Right, and as I described before my answer
19 to those would have been related to some degree
20 about our own use and as you probably studied, we
21 have gone and tried to go above and beyond what was
22 the existing state law with respect to the use of
23 the state aircraft.

24 Q. And did you provide information to

1 (CHRISTINE ANDERSON)

2 reporters in response to their inquiries about the
3 state aviation policy?

4 A. Umm, I don't know of one specifically off
5 the top of my head. It's possible.

6 Q. Was there any discussion within the
7 Executive Chamber about what those responses should
8 be?

9 A. Umm, I would have -- I usually always
10 check my responses on issues, especially something
11 as significant as this. So I would have certainly,
12 you know, conferred with others on my answers.

13 Q. Who would you have conferred with?

14 A. Depends on the questions and, umm, and,
15 you know, what was asked.

16 Q. Well, like if the questions were
17 concerning the aviation policy and what was
18 authorized versus unauthorized use of the policy,
19 who would you have conferred with on that?

20 A. It's the same answer if I was asked today
21 would be a combination of people from the counsel's
22 office.

23 Q. And who would you speak to at counsel's
24 office?

1 (CHRISTINE ANDERSON)

2 A. David Nocenti, Richard Rivkin. Probably
3 those two.

4 Q. Did you speak to Richard Rivkin in the
5 days following the article?

6 A. I don't remember that I did.

7 Q. Have you had conversations with Mr. Rivkin
8 about the aviation policy?

9 A. We did around the time when your report
10 came out and, you know...

11 Q. I'm not clear. Our report?

12 A. Your -- the ethic travel guidelines.

13 Q. The opinion?

14 A. Or...

15 Q. You had a conversation with Mr. Rivkin and
16 others when the travel guidelines came out?

17 A. I believe we did.

18 Q. And what was the nature of that
19 conversation?

20 A. My interest in it was more, you know,
21 taking questions from reporters about what we
22 thought about it. And so I would have been asking
23 them to help me answer questions as to what our
24 opinion of your guidelines were. I think at the

1 (CHRISTINE ANDERSON)

2 time we said that we were reviewing it.

3 Q. And prior to the release of the travel
4 opinion by the Ethics Commission had you had
5 discussions concerning the use of the aircraft and
6 what your responses should be to the press?

7 A. I don't know.

8 (Commission Exhibit 100 marked
9 for identification.)

10 BY MS. TOOHER:

11 Q. I handed you what's been marked as
12 Commission's Exhibit 100. Can you identify this
13 document?

14 A. It's an e-mail from myself to Marcia
15 Kramer on July 2nd of this year.

16 Q. And who is Marcia Kramer?

17 A. She's a reporter with CBS News.

18 Q. And have you seen this document before?

19 A. I have.

20 Q. And when did you see it?

21 A. I sent it July 2nd.

22 Q. So you remember sending this document?

23 A. Not specifically to Marcia, but clearly as
24 I said before it would have been the day after the

1 (CHRISTINE ANDERSON)

2 TU story was in the paper. I would have been
3 responsible for answering questions that came to me
4 and clearly this was, you know, this was an answer
5 to her questions about our take on the story.

6 Q. When you were answering these questions,
7 who were you discussing your answers with at that
8 time?

9 A. Primarily Darren.

10 Q. Was there anyone else?

11 A. I don't remember.

12 Q. Were you speaking to counsel's office
13 about your responses at that time?

14 A. On that day, in those couple of days right
15 after the TU story, I don't remember that I was.

16 Q. Were you discussing with the Governor
17 whether or not what your responses were?

18 A. I don't remember doing that, but it was
19 over -- it was right over the 4th of July holiday
20 weekend of which I'm sure I talked to him a few
21 times. We would have, you know, we would have most
22 likely, as you say, I forgot we were mentioning the
23 TU story, but we would have discussed, you know,
24 probably that, as well as the Time story that I was

1 (CHRISTINE ANDERSON)

2 more worried about.

3 So naturally we would have discussed on
4 any given day what, you know, what I was saying to
5 various things, but not necessarily every specific
6 response.

7 Q. Did you discuss with Mr. Dopp the aviation
8 policy prior to sending this e-mail to Miss Kramer?

9 A. Umm, I don't know. Umm, again, when you
10 look at the amended, the state aviation policy,
11 that's an answer I would have given, you know,
12 probably multiple times before that, even before the
13 TU story came out because we did, we amended the
14 travel policy to ensure that people had to sign
15 their name to verify that they were using the, using
16 the plane for predominantly public business.

17 Q. And what did you know about the amendment
18 to the travel policy? How did that come about?

19 A. Umm, how did it come about? That I don't
20 know. Umm, I just know that for years, umm, you
21 know, press have been very interested in sort of the
22 state's travel policy on the lax state law that
23 allowed for significant amount of mixed use and
24 predominantly even personal or political use, and

1 (CHRISTINE ANDERSON)

2 that that was a concern to the Governor coming in
3 that we make sure that we, as it related to us, very
4 much went above and beyond to follow -- to probably
5 go above and beyond the policy to make sure that we
6 used resources appropriately and accounted for it.
7 So that was more of our concern.

8 And you know, that was, you know, more of
9 what I would have been, what I would have followed
10 at that time, is how we were implementing it.

11 Q. How did you become aware of the change?

12 A. I don't know. I don't know if it was back
13 in January or -- I just don't know.

14 Q. And in the e-mail of Commission's 100 in
15 the third paragraph, you indicate that there's been
16 recent media reports concerning Senator Bruno and
17 "we are forwarding documents to appropriate
18 authorities for their review."

19 Who were the documents being forwarded to
20 at that time?

21 A. Again, it's some combination of, you know,
22 DA, IG, AG. I'm not quite sure.

23 Q. So you were aware that documents were
24 being forwarded to the authorities at the time you

1 (CHRISTINE ANDERSON)

2 sent this e-mail?

3 A. Umm, I don't remember that because my
4 recollection is that I wasn't certain -- I wasn't
5 certain that they were -- umm, I wasn't certain
6 whether they had been asked for or whether we were
7 sending them, but I knew that those entities were in
8 fact looking into the matter.

9 Q. But if you -- at the time you wrote this
10 e-mail, if you made that representation to Miss
11 Kramer, would that have been based upon your
12 knowledge at that time?

13 A. My understanding, yes.

14 Q. And where would you have gotten that
15 information from?

16 A. Umm, in the days following the TU story,
17 it would have been from Darren.

18 Q. In the days immediately following the TU
19 story, would you have discussed that issue, the
20 provision of documents with anyone else at the
21 Chamber?

22 A. Umm, I don't remember -- I don't remember
23 having that conversation. I remember having it with
24 Darren.

1 (CHRISTINE ANDERSON)

2 Q. In the final paragraph of Commission's
3 100, you discuss Senator Bruno's claim concerning
4 death threats. Did you have discussions concerning
5 Senator Bruno and possible death threats following
6 the article?

7 A. He had made that -- that was Bruno's
8 allegation that he had received them and, you know,
9 it was up to the State Police as I said to determine
10 whether or not that was the case and how they
11 respond to that and that's not our business to
12 determine how, you know, how those should be
13 handled.

14 Q. Did you get any inquiries about death
15 threats concerning Senator Bruno during the days
16 following the article?

17 A. I may have and that's probably, you know,
18 that -- again, I don't know whether there was ever a
19 threat assessment done, umm, but that would have
20 been with respect to whether or not there was one
21 and what it said.

22 Q. And did you have any conversations with
23 the State Police at that time?

24 A. I didn't.

1 (CHRISTINE ANDERSON)

2 Q. Do you know if anyone was conversing with
3 the State Police at that time?

4 A. I don't.

5 Q. Did you discuss the issue of death threats
6 with Darren?

7 A. I would have discussed this response with
8 Darren, so I'm sure it came up. I don't remember
9 specifically talking about it.

10 MR. TEITELBAUM: You said previously
11 that Dopp's becoming involved in communications with
12 the District Attorney's office was viewed as
13 inappropriate. Do you remember that testimony?

14 A. Yes.

15 MR. TEITELBAUM: Now, on 100, you say
16 that "We are forwarding documents regarding use of
17 state aircraft to appropriate authorities for their
18 review."

19 A. "We" meaning the Chamber.

20 MR. TEITELBAUM: What was your
21 understanding of who the "we" was?

22 A. The Chamber.

23 MR. TEITELBAUM: You didn't have an
24 understanding at the time you sent 100 to Miss

1 (CHRISTINE ANDERSON)

2 Kramer on July 2nd that Dopp was the person who
3 would be forwarding the documents?

4 A. Or Larrabee, no.

5 MR. TEITELBAUM: Did you have an
6 understanding of who the people were going to be who
7 were going to be forwarding the documents at that
8 time?

9 A. At that time, no.

10 BY MS. TOOHER:

11 Q. And you indicated that there was some
12 confusion about the whole referral process in the
13 days following the article. Can you explain that a
14 little more?

15 A. I was answering questions about, about
16 where it had been referred, if and where it had been
17 referred, and I was relying on Darren to let me
18 know -- to know about that and was given the
19 impression that they had either, that they -- they
20 had asked for documents.

21 Q. "They" being?

22 A. Again, I wish I knew. It's two of those
23 three - AG, IG or DA. Umm, I think that's right.
24 Sorry, I just lost my train of thought. I'm sorry,

1 (CHRISTINE ANDERSON)
2 can you just read back what I said right before
3 that?

4 MR. PUTZEL: Why don't you
5 listen to the question and just
6 answer the question?

7 (Whereupon, the question was
8 read back by the court reporter.)

9 A. Thank you. Yeah, I was trying to answer
10 questions of reporters who were asking me whether or
11 not the DA's office for one was really looking into
12 this and I had conferred with Darren who said that
13 they are.

14 The reporters had come back to me and
15 said, at least one reporter I remember come back to
16 me and saying, you know, they say they have nothing
17 to say on this. I asked Darren about that and he
18 said, you know, I believe that, that the press
19 person there was just out of the loop and that it
20 was being looked into and sure enough later in the
21 day they either put out a statement or commented or
22 did something to signify that they were in fact
23 looking into it.

24 (Commission Exhibit 101 marked

1 (CHRISTINE ANDERSON)

2 for identification.)

3 BY MS. TOOHER:

4 Q. I have provided you a document that's been
5 marked as Commission's Exhibit 101. Can you
6 identify this document?

7 A. It's a July 2nd document from myself to
8 Rick Karlin at the Times Union.

9 Q. Can you explain the content of this
10 e-mail?

11 A. It starts with an e-mail from Rick to
12 myself saying that the Governor's Office has asked
13 the Attorney General and the DA to review the
14 Bruno's aircraft use. He's asking me if I have
15 heard that and what specific records do they want
16 reviewed.

17 Q. And your response is?

18 A. Is that the AG wire was wrong and that
19 we've been asked for the documents rather than us
20 making the referral, I believe?

21 Q. Specifically you say, "We did not make the
22 request or refer the matter."

23 A. We did not make the request or refer the
24 matter, and so he tries to confirm no referral has

1 (CHRISTINE ANDERSON)

2 yet been made and I say, no, we didn't make the
3 referral, but directing State Police to commence a
4 formal threat assessment.

5 Q. And these responses to the inquiry from
6 Mr. Karlin, what was the basis for your providing
7 this information?

8 A. It would have been based on information
9 Darren was giving me.

10 Q. So you spoke to Mr. Dopp specifically
11 about these inquiries?

12 A. In the day, day and days following the TU
13 story we absolutely conversed about answers to
14 questions raised by reporters.

15 Q. And it was your understanding from
16 Mr. Dopp that there was a request from the AG and
17 the DA's office?

18 A. Correct.

19 Q. Did you confirm that with anyone else in
20 the Chamber?

21 A. I didn't.

22 Q. Did you speak to Mr. Larrabee at that
23 time?

24 A. To the extent that maybe he was taking

1 (CHRISTINE ANDERSON)
2 calls and getting the same questions, we would have
3 conferred on giving the same answer.

4 MR. PUTZEL: The question is
5 confirmed, I think, not conferred;
6 wasn't it?

7 MS. TOOHER: Confer.

8 MR. PUTZEL: Oh, you did say
9 confer? I'm sorry, I misheard.

10 Did you confer with Mr. Larrabee
11 about this?

12 A. Again, only if we were conferring on, you
13 know, giving -- making sure that we were both giving
14 the same answer. But typically he would write me or
15 to Darren if he had gotten a question, but I don't
16 remember specifically talking about it with Paul.

17 BY MS. TOOHER:

18 Q. So you don't remember discussing with
19 him --

20 A. With Paul, no.

21 Q. -- with Mr. Larrabee about the referral to
22 the DA or the AG?

23 A. No, and I specifically think if I had
24 talked to him, he might have mentioned that he was

1 (CHRISTINE ANDERSON)

2 actually bringing the documents over.

3 (Commission Exhibit 102 marked
4 for identification.)

5 BY MS. TOOHER:

6 Q. I'm showing you what has been marked
7 Commission's Exhibit 102 and ask if you can identify
8 this document.

9 A. E-mail from myself to Darren Dopp on July
10 2nd.

11 Q. And the subject matter of this please call
12 and then you indicate the spokeswoman says they
13 haven't requested documents. Can you explain that?

14 A. This goes to what I mentioned to you which
15 is I understood at the time that the DA office had,
16 had requested the documents, upon reading the TU
17 story had requested the documents of us, but clearly
18 the DA's office was not confirming that.

19 Q. Did you reach out to Heather Orth
20 directly?

21 A. I didn't.

22 Q. Who did?

23 A. I don't know.

24 Q. Is it Paul Larrabee responsible for police

1 (CHRISTINE ANDERSON)

2 and law enforcement areas in the press office?

3 A. He is to some degree, but again on a
4 matter like this, I don't know if he did reach out
5 to her.

6 Q. Where did you get the information that
7 Heather Orth had indicated that they had requested
8 documents?

9 A. From the reporter.

10 Q. And did you do any follow-up on this?

11 A. I sent Darren an e-mail asking him to call
12 me and clarify for me what I worried was, you know,
13 factually inaccurate information that I was giving
14 to reporters.

15 Q. And did he call you?

16 A. He did.

17 Q. And what did he say?

18 A. He explained to me that they were, in
19 fact, making -- that they were, in fact, requesting
20 documents and that I think Heather must have just
21 been, you know, not informed yet.

22 Q. Did anyone reach out to Paul Larrabee at
23 this time?

24 A. Not that I know of.

1 (CHRISTINE ANDERSON)

2 Q. And did you discuss this issue with anyone
3 else besides reporters, the issue of the referral
4 and the confusion?

5 A. I discussed it with Darren.

6 MR. TEITELBAUM: Did you ever find
7 out whether in fact the District Attorney's office
8 had initiated a request for documents?

9 A. Did I ever find out? Umm, I remember
10 reading about it in the District Attorney's report.

11 MR. TEITELBAUM: The DA had initiated
12 it?

13 A. Had or I remember reading that they had
14 not, I believe they had not initiated -- I believe
15 that's how I came to realize that that wasn't the
16 case.

17 MR. TEITELBAUM: Did you ever, did
18 you ever seek out an explanation as to why Mr. Dopp
19 told you that they had initiated it?

20 A. I took him at his word. If he said that
21 they were requesting documents, then I had no reason
22 to doubt him.

23 MR. TEITELBAUM: Was there any
24 conversation that you know of in the Executive

1 (CHRISTINE ANDERSON)

2 Chamber given the -- regarding the fact that the
3 request did not come from the DA for documents, but
4 that Mr. Dopp said the DA had made that request?

5 A. Am I aware of any conversations about
6 that?

7 MR. TEITELBAUM: Yes, on that subject
8 that Mr. Dopp said one thing and the DA said
9 another.

10 A. Not at that time, no. I mean, again, I
11 took Darren for his word.

12 MR. TEITELBAUM: At any time did that
13 subject come up in the Executive Chamber?

14 A. I'm sure it's come up since then around
15 the Attorney General's report, but not at that time.

16 MR. TEITELBAUM: How did the subject
17 come up? With whom?

18 MR. PUTZEL: You mean subsequently?

19 MR. TEITELBAUM: Yeah.

20 A. In the content of the Attorney General's
21 report that was coming out. I don't remember who
22 specifically I would have talked about it with. I
23 just remember, again as I mentioned before, finding
24 out that Paul had delivered documents. That we had

1 (CHRISTINE ANDERSON)

2 been sending these over, that was news to me.

3 MR. TEITELBAUM: Was it a conversation
4 with the Executive Chamber before or after the
5 Attorney General's report expressing dismay over the
6 fact that communications with the District
7 Attorney's office had been initiated by Mr. Dopp and
8 not by the District Attorney's office?

9 A. No.

10 (Commission Exhibit 103 marked
11 for identification.)

12 BY MS. TOOHER:

13 Q. Let me show you what's been marked
14 Commission's Exhibit 103. Again, this is an e-mail
15 from you to Darren Dopp on July 2nd, 2007. Can you
16 identify this document?

17 A. This is the document we were just
18 referring to two documents ago with respect to
19 document 101, where I reference something is
20 incorrect and that I called Mike.

21 This is an e-mail I sent to Mike Gormley
22 of the Associated Press making a point of
23 clarification as I understood it that the DA and
24 Attorney General's office had asked us for documents

1 (CHRISTINE ANDERSON)

2 and that we had not referred or made this request.

3 Q. And Mr. Gormley seems to indicate there
4 appears to be "cross signals here." Is that an
5 accurate characterization?

6 A. From reading this e-mail, yes.

7 Q. And you said you forwarded this e-mail to
8 Darren Dopp?

9 A. Uh-huh.

10 Q. Did you discuss the confusion with him?

11 A. I'm clearly pointing out that we've gotten
12 different stories here. From prior conversations
13 where I think right here the document 102 where I
14 said, you know, the DA's office was not confirming
15 this fact.

16 I let him know that I was letting Mike
17 Gormley know that we were informed earlier today
18 that they were both investigating and we're not sure
19 why there's been confusion about our referral.
20 Unless I'm missing a piece of this chain, he didn't
21 tell me I was inaccurate and my impression at the
22 time was absolutely that we had not made the
23 referral.

24 Q. When the subject of Mr. Larrabee

1 (CHRISTINE ANDERSON)
2 delivering documents to the DA's office came up, did
3 you advise anyone in the Executive Chamber of the
4 confusion that had occurred on July 2nd concerning
5 these documents?

6 A. No.

7 Q. Did you advise anyone in the Executive
8 Chamber about the referral to the DA's office or the
9 Attorney General in the days following the article?

10 A. Did I alert anyone to the confusion?

11 Q. No, did you alert anyone that there had
12 actually been a referral to the DA's office?

13 A. I didn't. I still didn't know that there
14 had been.

15 Q. Did you tell anyone in the Executive
16 Chamber about this correspondence?

17 A. I assumed this was confusion.

18 Q. 103 was a confusion?

19 A. No, the piece were he says I could have
20 sworn Darren said we passed it along. My assumption
21 was that Darren had just said, yeah, yeah, we gave
22 it to them, not being specific enough and saying
23 that they had requested it. I assumed this was just
24 miscommunication on Darren's part. I still assumed

1 (CHRISTINE ANDERSON)

2 at that time that these documents had been requested
3 of us.

4 Q. Did you advise anyone in the Executive
5 Chamber that the request had been made in those days
6 immediately following the article from the AG's
7 office or the DA's office?

8 A. I don't know exactly what the answer is to
9 that because again, it was, the source of media
10 stories, there was, you know, Associated Press
11 stories popping up. I assumed -- well, I don't want
12 to say I assumed, but I was, I was merely like
13 carrying out the answers that I was given. I
14 didn't, I didn't at the time think to make some, you
15 know, to go let anyone know that there were some
16 referrals. I assume they knew that.

17 Q. Did you ever discuss that with the DA's
18 office?

19 A. To the DA's office? The District
20 Attorney's Office.

21 BY MS. TOOHER:

22 Q. Yes.

23 A. When I was interviewed?

24 Q. Yes.

1 (CHRISTINE ANDERSON)

2 A. Did I discuss with them whether there had
3 been a referral?

4 Q. The earlier referral issue.

5 A. I don't know.

6 MR. PUTZEL: Do you recall
7 what you said to the DA's office on
8 this subject?

9 A. It would be the same -- if they asked me,
10 which they may have, it would be the same thing
11 which I'm telling you that I assumed at the time
12 that these documents had been requested of us and I
13 assumed that based on my conversations with Darren.

14 (Commission Exhibit 104 marked
15 for identification.)

16 BY MS. TOOHER:

17 Q. Miss Anderson, I'm showing you an e-mail
18 dated July 3rd, 2007, from you to Darren Dopp that's
19 been marked as Commission's 104. Can you identify
20 this document?

21 A. It's an e-mail from myself to Darren Dopp
22 on July 3rd.

23 Q. And you've apparently forwarded a request
24 from Karen DeWitt. Who is Karen DeWitt?

1 (CHRISTINE ANDERSON)

2 A. She's with a radio station.

3 Q. And you indicate, "Do you want to handle
4 this one?" On this request. Why would you forward
5 that request to Mr. Dopp?

6 A. Around the time the TU story came out,
7 because it had been a story that he worked on, this
8 probably wasn't the only, only request I forwarded
9 to him since he knew more of the details than I did.

10 Q. But you hadn't forwarded the earlier
11 requests to him?

12 A. Again, I'm the chief spokesperson
13 day-to-day. I try to handle most of the inquiries
14 that I can. And in these, you know, in these days
15 right after the TU story we were both handling quite
16 a few media requests and I, you know, not just in
17 this instance, but with, you know, frequently
18 forwarding him things that I thought best for him to
19 handle.

20 Q. The inquiry that Miss DeWitt makes was
21 anybody given any rules on attending fundraisers
22 while using the aircraft for state business.

23 Do you know the answer to that inquiry?

24 A. I don't.

1 (CHRISTINE ANDERSON)

2 Q. So you don't know if there were any rules
3 provided?

4 A. As far as I'm aware it was a simple policy
5 change we made to signing your name, you know, for
6 public officials using the plane signing their name
7 to certify the use was predominantly public
8 business.

9 What I don't know is whether or not there
10 was some notification that went along with that to
11 alert public officials to the change. I just -- I
12 still don't know.

13 Q. Do you know her letter of inquiry whether
14 Senator Bruno was ever advised that he be subjected
15 to stricter scrutiny?

16 A. I don't know.

17 Q. Did you ever inquire further as to whether
18 or not he had been advised?

19 A. Back up one second. In terms of stricter
20 scrutiny, we don't, you know, our policy as I would
21 have explained it to you at the time would have been
22 universal not just specific to one individual or
23 another.

24 Q. I don't think it was that Senator Bruno

1 (CHRISTINE ANDERSON)
2 was being subjected to stricter scrutiny, but that
3 the use of the aircraft was being subjected to
4 stricter scrutiny --

5 MR. PUTZEL: No.

6 BY MS. TOOHER:

7 Q. -- and that because he was using the
8 aircraft, he'd be subject to stricter scrutiny.

9 A. That's not what I took it to mean.

10 Q. And your interpretation is?

11 A. That we were somehow -- she was asking if
12 we had --

13 MR. PUTZEL: Miss Tooher, I have to
14 interject here. Your interpretation
15 here is not consistent with the
16 specific statement --

17 MR. TEITELBAUM: It doesn't
18 matter. There's a question pending
19 and let the witness answer the
20 question.

21 MR. PUTZEL: It's a confusing
22 question because she's misstating
23 what's in the document.

24 MR. TEITELBAUM: She's asking

1 (CHRISTINE ANDERSON)

2 Miss Anderson's interpretation.

3 That's the pending question.

4 MR. PUTZEL: But she's asking
5 for a -- she's making a general
6 misstatement?

7 MR. TEITELBAUM: Can you read
8 back the question.

9 (Whereupon, the prior question
10 was read back by the court reporter.)

11 A. For what it's worth, I think the question
12 is related to were we somehow putting Senator Bruno
13 under stricter scrutiny than others and my answer to
14 that -- I'm asking my own question, which you
15 wouldn't love (addressing Mr. Putzel) -- but there
16 was a policy change that went into effect. It would
17 have been across the board.

18 BY MS. TOOHER:

19 Q. And was Senator Bruno ever advised of that
20 policy change?

21 A. I don't know. I don't know.

22 Q. Did Mr. Dopp ever indicate to you that he
23 had responded to this inquiry?

24 A. Not that I remember. He may have.

1 (CHRISTINE ANDERSON)

2 Q. Were you aware of a statement that was
3 issued in response to some of the turmoil about the
4 July 1 Times Union article?

5 A. There was something put out in the first
6 week or so of July.

7 Q. I'm going to show you what's been marked
8 as Commission's 9 and ask you to look to the second
9 page.

10 MR. PUTZEL: I have two of these.

11 MS. TOOHER: I'm sorry, it looked
12 like you were looking for...

13 BY MS. TOOHER:

14 Q. The second page of Commission's 9
15 statement by Darren Dopp concerning the New York
16 Post article on State Police security coverage of
17 Majority Leader Bruno. Are you familiar with this
18 statement?

19 A. I'm.

20 Q. Were you provided a copy of this statement
21 before it was released?

22 A. Yes, I would have seen it before it went
23 out.

24 Q. Did it go through your review process?

1 (CHRISTINE ANDERSON)

2 A. Every document that we put out goes
3 through our review process.

4 Q. And what is that review process?

5 A. Again just insuring that the people that
6 need to see it before it goes out the door know that
7 it's going out and has checked it for accuracy and
8 for, you know, any edits they may have and know when
9 we're planning to put it out.

10 Q. And who would have checked this statement
11 for accuracy as of July 5th?

12 A. It was a, it was the day after the 4th of
13 July. I was not in that office that day. It would
14 have been -- I don't know who -- we kind of had
15 staff all over the place at that point, but I don't
16 know who would have hit send on it, but it's a
17 statement from Darren and he would have likely
18 handled the approvals for that.

19 Q. But what does that mean from Darren's
20 approval process? What was that process? Who would
21 it have gone to?

22 A. The same folks -- it would have been David
23 Nocenti, Rich Baum, maybe Richard Rivkin. I'm not
24 certain.

1 (CHRISTINE ANDERSON)

2 Q. So he would have passed it through
3 counsel's office before releasing this statement?

4 A. Typically everything that goes out the
5 door, yes, goes through that process.

6 Q. And you were the contact person on this
7 particular statement?

8 A. That's a form at the top of every
9 statement that goes out.

10 Q. Were you contacted following this
11 statement?

12 A. Definitely received calls over the holiday
13 weekend on the July 1st Times Union story,
14 subsequent stories, and I don't know if I was
15 contacted specifically on this statement, but
16 absolutely would have received media requests
17 related to the recent news.

18 Q. Do you remember the July 5th Post article?

19 A. July 5th?

20 Q. Yes, the Post article on State Police
21 security coverage of Majority Leader Bruno?

22 A. I don't. I mean if you show it to me, I'm
23 sure I will.

24 (Break taken.)

1 (CHRISTINE ANDERSON)

2 BY MS. TOOHER:

3 Q. I'm going to show you what's been marked
4 as Commission's Exhibit 53. Now that you reviewed
5 the article, do you recall the July 5 New York Post
6 article?

7 A. I do.

8 Q. And this statement was issued in response
9 to that article. It indicates it's in response to
10 the New York Post article on State Police security
11 coverage of Majority Leader Bruno.

12 A. Umm, yeah, it must have been, yeah.

13 Q. Did you discuss this statement with anyone
14 else in the Chamber at the time that it was
15 released?

16 A. I don't remember any other conversations.

17 Q. And did you discuss the New York Post
18 article with anyone else in the Chamber at the time?

19 A. It was the day after the 4th of July. I
20 probably had a few calls with my office. I don't
21 remember having extensive conversations about it.

22 Q. Well, the New York Post article raises the
23 issue of the Chamber utilizing the State Police to
24 track Senator Bruno. Was that issue discussed

1 (CHRISTINE ANDERSON)

2 immediately following the issuance of the article?

3 A. The New York Post today has a story about
4 us retaliating against, you know, Jim Tedesco for
5 something. I mean it's the Post. You always have
6 to take it with a grain of salt because I think that
7 they are -- if you followed it, it's not always
8 entirely factual, so...

9 Q. Did you discuss this article with members
10 of the Chamber immediately after its release?

11 A. I may have. I may have.

12 MR. PUTZEL: Do you recall
13 whether you did or not?

14 THE WITNESS: Not specifically.

15 BY MS. TOOHER:

16 Q. And the allegations that the Chamber was
17 engaging in utilizing the State Police to track
18 Senator Bruno, were those issues discussed following
19 the article?

20 A. Were those issues discussed of when the
21 issue of surveillance was raised? I didn't see that
22 word used here, but that became Fred Dicker's
23 storyline after that, that we were surveilling him.

24 That was absolutely a source of

1 (CHRISTINE ANDERSON)

2 conversation because when we -- we assumed every
3 proper procedure was being followed with respect to
4 answering a FOIL and pulling records that State
5 Police was keeping.

6 Q. And when did you learn that those proper
7 procedures were not followed?

8 A. Umm, I don't know exactly when. Between
9 mid-July and the Attorney General's report. I don't
10 know exactly when I became aware of that, but my
11 understanding initially was that, you know, all we
12 were doing was pulling documents that existed that
13 related to the use of that travel.

14 Q. And at that point that understanding
15 changed?

16 A. It did.

17 Q. And what was your understanding after?

18 A. Simply that some of the documents didn't
19 exist and needed to be pulled together and, you
20 know, recreated; umm, that they weren't kept; and I
21 believe the DA's office mentions that they -- or the
22 DA's report mentions those documents had been kept
23 up until, you know, four and five and then some
24 things were not kept anymore and that's information

1 (CHRISTINE ANDERSON)

2 I learned much later.

3 But at the time my understanding was that
4 every proper procedure was being done in terms of
5 requesting information that existed previously.

6 Q. But you said a moment ago that your
7 understanding changed prior to the issuance of the
8 Attorney General's report.

9 A. I'm saying that at some point I understood
10 that it wasn't that, that, that it wasn't exactly
11 every proper procedure, but that in fact -- in fact
12 this -- these were documents that needed to be
13 generated they weren't there, and that was probably
14 right around the time of the AG's report.

15 Again, I can't put a specific -- I don't
16 want to be inaccurate, I can't put a specific time
17 on it, but...

18 Q. How did you get that information?

19 A. How did I get that information? Umm, I
20 just don't know. Umm, I -- all I really remember
21 is, you know, when I initially got the questions
22 about, umm, you know, about surveillance and what
23 our response was in terms of every proper procedure
24 being followed. Beyond that it's very hard for me

1 (CHRISTINE ANDERSON)

2 to determine what I know from reading reports and
3 from handling questions since then. I just don't
4 remember having a conversation where all of a sudden
5 I realized, oh, something, something did or didn't
6 happen. I just remember what I remember.

7 Q. When you got the question about
8 surveillance, these questions were from?

9 A. Reporters?

10 Q. Who did you go to on that issue?

11 A. I would still have been going to Darren
12 about how we were answering these questions because
13 my earlier e-mail shows from around two days prior
14 he was handling most of the calls on this and I was
15 helping with some, but he certainly was quoted
16 throughout this article and was taking most of the
17 press calls on it at the time.

18 Q. And did you go to anyone else about this
19 surveillance issue?

20 A. No, not that I remember.

21 Q. Were you aware that there was a subsequent
22 FOIL request?

23 A. A subsequent?

24 Q. From Jim Odatto.

1 (CHRISTINE ANDERSON)

2 A. Subsequent meaning?

3 MR. TEITELBAUM: The second one.

4 BY MS. TOOHER:

5 Q. The second FOIL request after the June
6 27th FOIL request.

7 A. What second request?

8 Q. So no, you were not aware that there was a
9 second FOIL request after the June 27 request?

10 A. I'm asking if you can refresh my memory.
11 Not that I'm aware of right now.

12 Q. I'm showing you what has been marked
13 Commission's 88 and I'm asking if you've ever seen
14 this document before?

15 A. I haven't.

16 Q. Were you advised that there was a
17 subsequent FOIL request?

18 A. No.

19 Q. What was your understanding as to the need
20 for a FOIL request in terms of the request for
21 documents concerning travel?

22 A. My understanding of the need for a FOIL?

23 Q. Yeah. You indicated that the reporters
24 would commonly ask for documents, but in this

1 (CHRISTINE ANDERSON)

2 instance a FOIL request came in.

3 A. Like if you think to the Paterson request,
4 that wasn't a FOIL. That was, you know - What was
5 he doing in that meeting? What was his schedule?
6 Not something that's -- I think that's information
7 that the public has a right to know. The Lieutenant
8 Governor is using the state plane for a day, that's
9 information that would be entirely appropriate to
10 make available without requesting a FOIL.

11 Q. When you say the Paterson request --

12 A. The document, umm, 98. This is the e-mail
13 to Mari related to the Howard Dean meeting.

14 Q. Okay. So you didn't think a FOIL request
15 was necessary for that type of information?

16 A. Correct.

17 Q. So what was your understanding as to why
18 there was a FOIL request in this instance from
19 Odatto?

20 MR. PUTZEL: She didn't know
21 that there was a FOIL request, that
22 was her testimony.

23 MS. TOOMER: Not this second
24 FOIL request.

1 (CHRISTINE ANDERSON)

2 MR. PUTZEL: Oh, I thought you
3 were referring to the Exhibit 88.

4 MS. TOOHER: No, I apologize.

5 BY MS. TOOHER:

6 Q. What was your understanding as to why
7 there was a FOIL request from Odatto in the June 27th
8 instance?

9 A. Senator Bruno doesn't really schedule like
10 we do. You can't call us up and say, Can I get the
11 Governor's schedule for the last three years? You
12 can't do that with Senator Bruno. He doesn't make
13 his schedules available.

14 So my understanding is Jim Odatto went to
15 the State Police because they had kept records, in
16 the absence of a schedule that Senator Bruno wasn't
17 making available, the records themselves would show
18 what he was doing on those days.

19 Q. So your understanding was that Jim Odatto
20 FOIL'd the State Police?

21 A. He had FOIL'd for the information.
22 Actually I don't think I thought where the FOIL
23 went. He FOIL'd the state government. I'm not sure
24 it went to -- I'm not sure I knew. I just knew it

1 (CHRISTINE ANDERSON)

2 was a FOIL. I didn't know actually. It was just a
3 FOIL request, as far as I knew.

4 MS. SULLIVAN: When you said
5 that Darren Dopp was working on the
6 FOIL request around the time of the
7 story, was it your understanding that
8 it was an Executive Chamber FOIL?

9 A. I didn't spend time thinking about it. It
10 just was not something I was involved with. Looking
11 back, I would have guessed it was a FOIL to the
12 Chamber because, umm, we have a role to play in the
13 access to the plane. Again, that's, you know,
14 purely looking back. That's not...

15 At the time I genuinely didn't spend time
16 thinking about this. This was not something -- I
17 was working on other things at the time and this was
18 something I was aware of, but simply that.

19 MR. TEITELBAUM: Miss Anderson, in
20 Exhibit 53, which is a copy of the Dicker article,
21 it quotes Mr. Dopp in the article. As I read it,
22 quote, According to Dopp -- I'm sorry, "According to
23 Dicker, Dopp said that documents concerning Senator
24 Bruno's travels" -- and I'm paraphrasing now -- to

1 (CHRISTINE ANDERSON)

2 be collected in connection with a complaint by Mike
3 Long.

4 Do you see that? It then says that,
5 according to this Dicker article, Long's response to
6 that was that it was a "bold face lie," and I'm
7 quoting.

8 Was there any discussion that you were
9 aware of in the Executive Chamber concerning what
10 had triggered the collection of documents by the
11 State Police concerning Senator Bruno's travel?

12 A. No.

13 MR. TEITELBAUM: Any conversation
14 about the quotations that are attributed to Mr. Dopp
15 in this Exhibit 53?

16 A. Again, I asked -- I asked about whether or
17 not we discussed the story. It would have been
18 common that we would have discussed, you know,
19 stories that were breaking; questions we were
20 getting. I don't remember specific conversation
21 about this article, but it would not have been
22 uncommon.

23 MR. TEITELBAUM: Did you, in fact,
24 ever learn that Mr. Dopp attributed the collection

1 (CHRISTINE ANDERSON)
2 of documents by the State Police concerning Senator
3 Bruno's use of aircraft to a complaint by Joe Long?

4 A. Did I ever?

5 MR. TEITELBAUM: No, Joe Long --
6 Mike Long, I'm sorry. Did you ever learn whether,
7 in fact, Mr. Dopp said that to Dicker?

8 A. I don't know.

9 MR. TEITELBAUM: Was this the first
10 time when you read 53 that you learned that there
11 was a claim that Bruno-related documents were being
12 assembled by the State Police?

13 A. I knew there was a FOIL request related to
14 documents related to his travel and nothing more.

15 BY MS. TOOHER:

16 Q. I believe you testified a moment ago that
17 you were aware that Senator Bruno did not provide
18 his schedules publicly; is that correct?

19 A. Yes.

20 Q. How did you know that?

21 A. Reporters complain about it all the time.

22 Q. And was it your understanding that the
23 requests coming from Jim Odatto were looking for
24 Senator Bruno's schedules?

1 (CHRISTINE ANDERSON)

2 A. I only knew that he was looking for
3 information related to his use of the state plane.

4 Q. Senator Bruno's use of the state plane?

5 A. Use of the state plane, which is
6 intricately linked to his schedule and you're trying
7 to figure out what he did during the days when he
8 traveled.

9 Q. Was it your understanding that the Chamber
10 had those documents concerning Senator Bruno's
11 schedule?

12 A. Again, I didn't think about who the FOIL
13 had gone to at the time or exactly, you know, where
14 -- I just assumed Darren was answering it. I didn't
15 think anything further than that.

16 Q. But was it your understanding that the
17 Chamber was in possession of copies of Senator
18 Bruno's schedules?

19 A. No. I still don't know if we have
20 anything like that. We have to keep certification
21 about people saying that they're travelling for
22 predominantly official business. I don't know that
23 we keep anything further than that.

24 Q. And when you provide the schedules to the

1 (CHRISTINE ANDERSON)

2 press, are there --

3 A. Our schedules?

4 Q. Yes.

5 A. Okay.

6 Q. When you provide the schedules of the
7 Governor, did you also provide the schedules of the
8 Lieutenant Governor?

9 A. If asked for them. I mean if that e-mail
10 from myself to Mari with respect to a, I think an
11 Odatto question -- I'm sorry, I just want to make
12 sure I'm saying that right -- umm, yes, with respect
13 to an Odatto question, again you can see from that
14 that we were trying to get him the relevant
15 information about the schedule and how that was
16 impacted by the policy.

17 Q. And are those schedules redacted? Do they
18 not have certain information in them?

19 A. What I would probably provide is something
20 a little less formal. Something that's going at the
21 root of their specific question. Well, you know,
22 what did he do on a specific day? Who did he meet
23 with? I see a private meeting. He may have FOIL'd
24 for the full schedule already. I see a private

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2 meeting at 2:30. Who is that with? That would be
3 more of the nature of my interaction in terms of
4 providing information related to the schedule.

5 But the FOIL officer would have to answer
6 what's redacted when an official schedule that's
7 been FOIL'd for is provided.

8 (Commission Exhibit 105 marked
9 for identification.)

10 BY MS. TOOHER:

11 Q. I'm showing you what has been changed
12 Commission Exhibit 105 and this is an e-mail from
13 you from Jim Odatto dated 7/11/2007 and in this
14 Mr. Odatto indicates that the information he's been
15 provided concerns private meetings.

16 And would it be pretty standard for a
17 reporter to come back to you on those private
18 meetings?

19 A. Not standard as in regular, but it
20 occasionally happened and this is exactly what I was
21 just referencing in terms of a schedule that had
22 been FOIL'd for and he's clearly trying to fill in
23 details of information that clearly wasn't clear
24 enough in the schedule.

1 (CHRISTINE ANDERSON)

2 Q. And what was your understanding as to the
3 FOIL he's referring to here?

4 A. I just didn't think. Again, there's
5 probably countless FOILs that sits with Mariya
6 Treisman on any given time. Schedules are very
7 commonly FOIL'd for.

8 Q. And the information that is not provided
9 concerning private meetings, do you provide that
10 information separately to reporters when they
11 inquire?

12 A. If they ask me about it and it's something
13 I can detail for them, I usually check. Again,
14 check with our scheduler to see what the information
15 is and if it's information I can provide, if it's
16 not some, you know, personal business or something
17 that I don't feel comfortable providing, but if it's
18 valid information that they should have, then
19 absolutely.

20 MR. TEITELBAUM: Do you make
21 that call yourself?

22 A. Do I make that call myself?

23 MR. TEITELBAUM: In other words,
24 after you get the information from the scheduling

1 (CHRISTINE ANDERSON)

2 person, do you make the call whether it's
3 discoverable?

4 A. Some of it's a judgment -- some of it's,
5 you know, you have to see what these, what these
6 meetings were. You know, I have a sense that this
7 is all related to were these, you know, what was he
8 doing? Was he doing public business on a day that
9 he was using state resources?

10 So I know answering that question that
11 he's just trying to figure out, you know, were there
12 private meetings and who were they with? Was it
13 state business? Not state business? So that's
14 would have been what I knew he was after and what I
15 would have tried to provide.

16 MR. TEITELBAUM: My question is,
17 After you confer with the scheduling person to find
18 out the information that you get from the scheduling
19 person concerning who, in fact, the Governor was
20 meeting with and perhaps the subject matter of the
21 meeting, do you make the call yourself as to whether
22 to release that or do you confer with somebody else?

23 A. Again, it depends on the nature of it. I
24 guess on something like this, I might have checked

1 (CHRISTINE ANDERSON)
2 with my -- with Darren. Or, you know, again, it
3 could depend on what these meetings actually were.
4 You know, for example, I remember one of these, I
5 don't know which day it was, there was a meeting
6 with the President of the United States. You know,
7 something that was in the newspaper, something
8 widely reported on, and Jim asked about it because
9 it appeared as a private meeting, which it was,
10 there was no press coverage of it or no press at the
11 meeting, and yet he was asking what it was. It was
12 already public.

13 I made that call on my own that I could
14 tell him that he met with the President of the
15 United States. It's no state secret. That's why I
16 say there's a little bit of judgment to it.

17 MR. PUTZEL: So the answer is,
18 it depends on the context?

19 MR. TEITELBAUM: What does a private
20 meeting mean to you?

21 A. A private meeting means a meeting with the
22 Governor and whoever it might be. Not open to the
23 public.

24 MR. TEITELBAUM: It's not the public

1 (CHRISTINE ANDERSON)

2 that's invited; is that the idea?

3 A. Yeah, it's not an event like we have this
4 morning where you invite, where you open it to the
5 public and to the media.

6 MR. TEITELBAUM: So a private meeting
7 is anything other than a meeting in which the public
8 is invited?

9 A. Correct. Yeah.

10 BY MS. TOOHER:

11 Q. And when the Attorney General's report
12 came out following these articles in the paper were
13 you involved in the response to that?

14 A. When the Attorney General's report came
15 out on the 23rd?

16 Q. Yes.

17 A. I was.

18 Q. And what was your involvement?

19 A. I was brought in the weekend before the
20 report came out to assist in what was going to be a
21 major communications challenge for the Governor,
22 both in answering questions, you know, both the
23 Chamber and the Governor answering questions related
24 to it, but also our ability to try to get other work

1 (CHRISTINE ANDERSON)

2 done and communicate during that time. So that was
3 my involvement.

4 MS. SULLIVAN: You said a week before
5 the report came out?

6 A. No, the weekend before.

7 BY MS. TOOHER:

8 Q. What was your understanding during that
9 weekend as to what was going to be in the report?

10 A. In the AG's report?

11 Q. Yes.

12 A. Essentially, you know, we had I think a
13 fair enough sense by Sunday for it's, you know, it's
14 recommendations and findings.

15 Q. Were you aware that Mr. Baum was going to
16 be giving a written statement?

17 A. I believe I knew that Sunday night.

18 Q. And did you review that statement at all?

19 A. I didn't. I never -- I didn't see either
20 of the -- What do you call those? Statements,
21 either statements until, until I saw the report.

22 Q. And did you provide any press release on
23 those statements?

24 A. On those statements?

1 (CHRISTINE ANDERSON)

2 Q. Yes, on the statement by Mr. Baum.

3 A. No, I mean we did a statement by the
4 Governor that morning when the report came out and
5 certainly addressed it in questions that we were
6 getting, and Rich was certainly getting questions,
7 that day. I had to sit down with media in the
8 days -- not probably that day, but in the days
9 following and he certainly had, you know, his
10 response that he was giving to every single reporter
11 and had formulated that, but I don't believe that
12 was a statement that we ever released. In fact, I'm
13 quite sure about that.

14 (Commission Exhibit 106 marked
15 for identification.)

16 BY MS. TOOHER:

17 Q. I'm showing you what's been identified as
18 Commission's 106, an e-mail to you from Rich Baum
19 dated 7/23/2007. Subject is draft. Can you explain
20 to me what this is?

21 A. This is Rich was doing a series of
22 interviews with reporters who had some questions
23 about the report and his involvement in the matter
24 and these were his comments that he was giving to

1 (CHRISTINE ANDERSON)

2 reporters.

3 Q. And why was he forwarding this to you?

4 A. Again, he was giving these answers. I'm
5 the press secretary. I typically try to know what
6 our members of the administration are saying to
7 reporters. I mean that's what I do day to day.

8 Q. The subject says draft. Did you revise
9 this statement at all?

10 A. Not that I remember, no.

11 Q. And did you discuss with him the content
12 of the statement?

13 A. I had heard him being interviewed by
14 reporters, but other than that, no.

15 Q. And did you discuss the accuracy of the
16 statement with him at all?

17 A. I didn't.

18 Q. Do you know if anyone else reviewed the
19 statement?

20 A. I don't.

21 Q. Did you discuss this statement with anyone
22 else in the Executive Chamber?

23 A. Remember, this wasn't a statement, but
24 merely his, you know, more...

1 (CHRISTINE ANDERSON)

2 Q. Commission's 106, did you discuss
3 Commission's 106 with anyone else in the Chamber?

4 A. Not that I remember, no.

5 Q. Is this the type of document that you
6 would discuss with other people in the Chamber
7 before it would go out?

8 A. A set of four talking points that a member
9 of the administration was using to answer media
10 questions? Not traditionally. You know, again it
11 all depends. It's case by case. But, you know,
12 this is my -- this is where his four talking points
13 when he was talking to the media and I sat in on
14 some of those interviews.

15 Q. Did Mr. Odatto come back to you after the
16 release of the Attorney General's response?

17 A. We did have some back and forth. But I
18 have back and forth with him, you know, several days
19 a week.

20 Q. On the subject of Senator Bruno's travel.

21 A. Again from the e-mail here, whatever
22 number this was, he had come back to me on our use
23 of the plane and what was, you know, what was --

24 MR. PUTZEL: The question was,

1 (CHRISTINE ANDERSON)

2 After the Attorney General's report,
3 did he come back to you?

4 THE WITNESS: That's earlier.

5 He very may well have.

6 MR. PUTZEL: Do you know?

7 THE WITNESS: Not for sure,
8 sorry.

9 (Commission Exhibit 107 marked
10 for identification.)

11 BY MS. TOOHER:

12 Q. I show you a copy of what's been marked
13 Commission's Exhibit 107. It appears to be an
14 e-mail from you to Jim Odatto dated 7/23/2007. Can
15 you identify this document?

16 A. It's an e-mail from Jim to myself on the
17 23rd, the day the Attorney General's report came
18 out.

19 Q. Can you explain what it is?

20 A. It's my responses to two of his questions.

21 Q. And you're confirming -- he had a question
22 concerning whether or not the material created by
23 the State Police was in response to his request?

24 A. Uh-huh.

1 (CHRISTINE ANDERSON)

2 Q. Mr. Odatto's request?

3 A. Uh-huh.

4 MR. PUTZEL: The answer is yes?

5 BY MS. TOOHER:

6 Q. You have to speak so she can...

7 A. Yes.

8 Q. What did you do in determining how to
9 respond to that?

10 A. I worked with counsel's office.

11 Q. And who did you speak with?

12 A. During the day of the report and the
13 immediate days after, the legal team that was taking
14 the questions and dealing with this was David
15 Nocenti, Peter Pope, Sean Maloney and Roy
16 Constantine.

17 Q. And did you ascertain whether the material
18 was created in response to Odatto's request?

19 A. Did I ascertain? Did I ask him about it?
20 Yes.

21 Q. And what was their response?

22 A. We cannot confirm that. There may have
23 been requests that came in verbally of which we have
24 no clear record.

1 (CHRISTINE ANDERSON)

2 Q. Is that what they told you or is that the
3 response you were given?

4 A. That is our understanding and therefore
5 the response I gave.

6 Q. And if there were other verbal requests,
7 how would you know that?

8 A. How would I know that?

9 Q. How would anyone determine that?

10 A. I wouldn't.

11 Q. So there was no way of determining how the
12 State Police documents were created?

13 A. At that point? There was no way to know
14 whether there had been other previous media
15 requests.

16 Q. Did you receive inquiries from Mr. Dicker
17 following the issuance of the Attorney General's
18 response report?

19 A. I did.

20 Q. And did you receive requests from
21 Mr. Dicker for specific questions and answers for
22 members of the Executive Chamber?

23 A. I did.

24 Q. And from whom did you receive those?

1 (CHRISTINE ANDERSON)

2 A. It would have been for Rich, Eliot. Maybe
3 Darren, I'm not sure.

4 Q. And did you provide responses?

5 A. I did.

6 Q. And how did you prepare those responses?

7 A. Same way I just explained through working
8 with the counsel's office.

9 Q. So did you speak with Mr. Baum directly in
10 preparing his responses?

11 A. I would have spoke with counsel's office,
12 who was speaking with Mr. Baum.

13 Q. So you did not speak with Mr. Baum
14 directly?

15 A. I don't believe I spoke to him directly
16 about the Fred Dicker response. I had let him know
17 it came in. I made sure he was aware of it. But in
18 terms of crafting the responses, I was working with
19 counsel's office.

20 Q. So counsel's office actually prepared the
21 responses to Mr. Dicker's questions?

22 A. They probably would have worked with Rich
23 on it, but as you can understand, we're trying to
24 make sure we were very precise about our answers.

1 (CHRISTINE ANDERSON)

2 Q. How did you logistically do this? Did you
3 provide counsel's office with a list of the
4 questions?

5 A. I would provide them with questions either
6 verbally, e-mail or written, and sometimes I would
7 craft answers. Typically, they would craft them for
8 me and we would get them into a form that was
9 usable, and then go back to reporters as quickly as
10 possible.

11 Q. In the Dicker requests --

12 A. The letters.

13 Q. The Dicker list of questions that he
14 provided to you concerning Mr. Baum, did you craft
15 answers and present them to counsel?

16 A. I don't remember. On any given day this
17 is a big piece of my function is crafting answers
18 and making sure that they're accurate and that would
19 be no different on that day except for the fact that
20 I was working more closely with counsel's office.

21 (Commission's Exhibit 108 marked
22 for identification.)

23 BY MS. TOOHER:

24 Q. I'm showing you what has been marked as

1 (CHRISTINE ANDERSON)

2 Commission's 108, an e-mail from you to Fred Dicker
3 and it appears to be answers -- We have the wrong
4 one -- Well, in this instance answers to questions
5 posed by the Governor, I apologize, but would your
6 process have been the same in processing the
7 Governor's answers?

8 A. Yes.

9 Q. And do you remember if you discussed with
10 counsel's office your responses to the Governor?

11 A. I did.

12 Q. And did you craft these responses or did
13 counsel's office craft the responses?

14 A. It would have been a collaborative effort.
15 I don't know if I proposed answers first. More
16 likely it was just a collaborative process of
17 talking them through.

18 Q. So you were present when the answers were
19 crafted?

20 A. Again it may have been on the phone. I
21 don't think it was in person. I think it was over
22 the phone or over e-mail, but I think it was over
23 the phone.

24 Q. And did you discuss these answers with the

1 (CHRISTINE ANDERSON)

2 Governor?

3 A. I don't know. I actually don't know. I
4 would have let him know that we were responding to a
5 Dicker request because I let him know about the
6 stories that were coming. I don't remember a
7 specific conversation with him about these answers.
8 But again working with counsel's office to make sure
9 that they were entirely accurate and, you know, it
10 wouldn't have been unlikely to at some point go
11 through them with him. But I don't remember, I
12 don't remember specifically doing that.

13 Q. Would it have been your practice to
14 provide the Governor with a copy before you provided
15 them to Mr. Dicker?

16 A. Or talk them through, maybe.

17 Q. So to go over the answers in some fashion?

18 A. It wouldn't have been uncommon, but I
19 don't specifically remember doing that in this case.

20 Q. But would it have been your practice to
21 review the Governor's answers to specific questions
22 prior to providing them to Mr. Dicker?

23 A. Review the Governor's answers with him
24 personally?

1 (CHRISTINE ANDERSON)

2 Q. Yes.

3 A. Again, I get a lot of questions daily
4 about the Governor's stance on things and sometimes
5 they're questions received previously that I don't
6 need to go back to him with the specific -- he
7 doesn't review everything that goes...

8 Q. I understand that, but in this instance we
9 have a list of seven questions that were provided by
10 Mr. Dicker that you indicated that you worked with
11 counsel's office in crafting the answers.

12 A. Yes.

13 Q. With this type of a request, specifically
14 enumerated questions that you had worked on with
15 counsel's office, would it have been your practice
16 to review those answers with the Governor prior to
17 providing them to Mr. Dicker?

18 A. Umm, potentially. I mean, you know, it's
19 not -- the practice is just a hard word to use here
20 because again it's day-to-day, this is what I deal
21 with. Many of these questions and I can read it
22 more closely, but may have been received before. We
23 may have already had answers to it. These may have
24 been discussed on the 23rd when the Governor took

1 (CHRISTINE ANDERSON)

2 most of, most of these questions.

3 Most of the questions that we were asked
4 in the days following were questions that we had
5 anticipated for the Governor on the 23rd; and
6 therefore, would have probably discussed our answers
7 leading up to that morning where he did a big press
8 conference taking, I don't know, 15, 20 questions on
9 this topic.

10 MR. TEITELBAUM: Go ahead, I'm sorry.

11 A. I just want to be specific about this.
12 The reason -- I'm not trying to be coy with you.
13 These are questions that -- again I get so many
14 questions every single day. I don't know whether
15 these were specific questions that I sat down with
16 him and said, Here's a letter from Fred Dicker.
17 These were -- we were in a crafting effort to any
18 number of questions from any number of sources and I
19 don't believe I let him know I had an extensive
20 letter, but would have been over the course of those
21 days of course discussing our responses, but I can't
22 say specific to this.

23 MR. TEITELBAUM: In the normal course
24 would steps have been taken to assure the

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2 truthfulness of the answers by the Governor --

3 A. Absolutely.

4 MR. TEITELBAUM: -- with respect to
5 this?

6 A. Absolutely.

7 MR. TEITELBAUM: Okay.

8 (Commission Exhibit 109 marked for
9 identification.)

10 BY MS. TOOHER:

11 Q. I'm showing you what's been marked as
12 Commission's Exhibit 109 and it's an e-mail from you
13 to Fred Dicker. Subject, Baum answers. Can you
14 explain what this document is.

15 A. Similar to what we just discussed in 108.
16 These were -- this was a letter sent by Fred
17 requesting answers from Richard Baum.

18 Q. And did you discuss these answers with
19 counsel's office prior to providing them?

20 A. I did, I did.

21 Q. Had you been advised by counsel's office
22 at this time that Mr. Baum was recused from these
23 matters, from matters involving the use of the
24 aircraft?

1 (CHRISTINE ANDERSON)

2 A. I don't know that I quite understand your
3 question. These were questions related to him
4 personally in his involvement and that's why I said
5 I work with counsel's office and I'm not certain I
6 actually spoke to Rich himself about it. Recuse
7 from -- I'm not...

8 Q. Did counsel's office advise you that
9 Mr. Baum had been recused from discussion of the
10 issue of the aircraft use and Senator Bruno?

11 A. He had been recused from the issue?

12 MR. PUTZEL: Did they tell
13 you that, tell you that he had been
14 recused at this time, if you recall?

15 THE WITNESS: I'm still confused
16 by that question, but I'm not certain
17 that they did.

18 BY MS. TOOHER:

19 Q. Were you advised that Mr. Baum was
20 recused from discussions concerning the use of the
21 aircraft and Senator Bruno at any time?

22 A. I'm not sure.

23 Q. Were you ever advised that Mr. Baum was no
24 longer participating in discussions concerning the

1 (CHRISTINE ANDERSON)

2 use of the aircraft?

3 A. No.

4 Q. Did you discuss with Mr. Baum his answers
5 to the questions posed by Mr. Dicker?

6 A. Can I confer with Pete for one second? Do
7 you mind?

8 (Break taken.)

9 THE WITNESS: Just to clarify,
10 it's not directly your question, but
11 I was aware that he was not a part of
12 some discussions about our handling of
13 the matter because he was part of the
14 story.

15 MR. TEITELBAUM: Are you talking
16 about Mr. Baum?

17 MR. PUTZEL: Baum.

18 A. Not asking me about related to the use of
19 the aircraft, that's not something I was ever told
20 or made aware of, but in terms of the, you know,
21 AG's report and our handling of it, I don't know if
22 there's a formal recusal, but it was largely not a
23 part of some of the discussions as to how we went
24 forward.

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2 BY MS. TOOHER:

3 Q. And in Commission's 109, the response to
4 question five concerning actions taken after July
5 5th, the last sentence on that page, "...both the
6 Governor and I had received incorrect information."
7 What was that incorrect information."

8 A. Related to proper procedures being
9 followed with respect to the, you know, response to
10 the FOIL and gathering of information, and to, you
11 know, record keeping related to, related to, you
12 know, state officials' use of state resources.

13 MR. TEITELBAUM: What was the proper
14 procedures that were not followed?

15 A. Again, I don't think there's any
16 procedural handbook, but it was --

17 MR. TEITELBAUM: I'm just using your
18 term.

19 A. Oh, yeah, that's fair. You know, just
20 that these were records again that we assumed had
21 been kept, should be kept, and were simply being
22 provided per a FOIL.

23 MR. TEITELBAUM: I understand, but
24 what were the procedures that were not followed?

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2 A. Again, I think my answer is the same.

3 MR. TEITELBAUM: You're telling me
4 what your understanding was -- "you" meaning the
5 Executive Chamber -- what the understanding was of
6 what was, of what you all thought was done. That's
7 not my question.

8 My question is, What were the proper
9 procedures that were not followed?

10 A. As I understand it, the procedure would
11 have been to request these documents that I assumed
12 had been kept and to turn them over per a FOIL
13 request. I was not aware that the documents had not
14 been kept. That there was a recreation. I simply
15 assumed the State Police kept these and Darren was
16 simply gathering them to hand over per a FOIL
17 request.

18 MR. TEITELBAUM: Did Mr. Dopp ever
19 explain to you how it happened that these documents
20 were created?

21 A. No, never had a conversation about that.

22 BY MS. TOOHER:

23 Q. And in the response to question one, the
24 last sentence, "I was unaware of the inappropriate

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2 actions taken with respect to the State Police."

3 What are the inappropriate actions that
4 were taken by the State Police?

5 A. Again it goes back to procedures being
6 followed with respect to, you know, asking of them
7 to gather information in a way that goes outside
8 their normal operating procedures.

9 MR. TEITELBAUM: Was there any
10 discussion in the Executive Chamber up through today
11 that in this whole episode the State Police had been
12 politicized?

13 A. Have there been any discussion whether or
14 not the State Police has been politicized?

15 MR. TEITELBAUM: In this episode.

16 A. There's been plenty of discussion about
17 our response to this umm and how, how -- and their
18 involvement in it. I mean it's been a regular
19 source of conversation, umm, and I think you know
20 the DA's report that came out more recently seems to
21 make clear that there was no -- that there was no
22 overt attempt to, you know, politicize them or use
23 them in a way that was, that was, you know, outside
24 the bounds of authority.

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2 MR. TEITELBAUM: I'm aware of what
3 the source said. My question is, Has there been any
4 discussion within the Executive Chamber as to
5 whether in this episode the State Police had been
6 politicized or to use the Governor's terminology
7 that the wall between politics and the State Police
8 had been breached?

9 A. Simply in the crafting of that statement.

10 Q. Simply in?

11 A. Simply in the crafting of the statement
12 that was put out, Eliot's comments the day of the
13 AG's report, and then with respect to how it related
14 to the findings of the District Attorney. Those.

15 Q. And as a result of the findings of the
16 District Attorney has the Executive Chamber changed
17 its mind concerning the breaching of the wall
18 between politics and the State Police?

19 A. Have we changed our minds?

20 MR. TEITELBAUM: Yes.

21 A. No.

22 MR. TEITELBAUM: It's still the view
23 of the Executive Chamber as far as you know that
24 that wall had been breached?

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2 A. That the wall had been breached?

3 MR. TEITELBAUM: Had been breached in
4 this episode.

5 A. Again, I think, you know, there's still --
6 we endeavored to really go above and beyond in terms
7 of our, umm, you know, the ethics and integrity of
8 our staff. It's something everyone takes very
9 seriously and I think the suggestion by the Attorney
10 General's report that some, umm, process, proper
11 process with respect to requests for information,
12 umm, were not followed appropriately and that there
13 was, you know, that that communication person should
14 not have been in that role simply because of, umm,
15 who it was related to, and the State Police's
16 involvement has absolutely been discussed and, umm,
17 I think we've seen more and more information come to
18 light about it, but, umm, I think it doesn't change
19 the fact that we still want to ensure that we hold
20 ourselves to the high standard and ensure that
21 every, you know, every effort is always taken to do
22 things in a proper and ethical way.

23 MR. TEITELBAUM: Does your answer
24 mean that yes, as of today the view of the Executive

1 (CHRISTINE ANDERSON)

2 Chamber that there was a breach of a wall that
3 should exist between politics and the State Police?

4 A. I think that's your decision to make, not
5 mine.

6 Q. I'm not asking you about your --

7 MR. PUTZEL: You're asking her
8 about --

9 MR. TEITELBAUM: Let me finish.
10 I'm not asking you about your perspective. I want
11 to know if that's the perspective of the Executive
12 Chamber as of today as you understand the
13 perspective of the Executive Chamber?

14 A. Umm, I think our perspective has changed
15 somewhat with new information being brought to
16 light. Umm, the DA had more time, interviews, umm,
17 more documents, and I think that that presented a
18 fuller story.

19 Umm, with that said, umm, we still, I
20 believe the Governor still believes that sanctions
21 were appropriate, umm, and stands by, you know, what
22 he said then in terms of, umm, you know, in terms of
23 the, umm, need to take that action.

24 With that said, umm, you know, I think,

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2 umm, I think that there's -- you know, continues to
3 be some new information that seems to come out with
4 the DA that suggests we may have gone a little bit
5 far in our sanctions and in our handling of the
6 matter. But again, it's not, it's now with you.

7 MR. TEITELBAUM: How has the
8 perspective changed? What is the change in the
9 perspective?

10 A. I think if you read the DA's report,
11 there's a fuller picture there.

12 MR. TEITELBAUM: That's not what I'm
13 asking. You said given more facts have come out,
14 there's a change in the perspective of the Executive
15 Chamber. I'm asking you what the change in
16 perspective is.

17 A. We weigh that with new information. A
18 second organization has said that there's, again, no
19 illegal conduct and that furthermore, individuals
20 were acting within their authority, which was not
21 the finding of the first report. So I think that
22 that does bring further clarity, umm.

23 Q. And the Executive Chamber agree now that
24 the people involved were acting within the scope of

1 (CHRISTINE ANDERSON)

2 their authority?

3 MR. PUTZEL: Are you asking her
4 for her own --

5 MR. TEITELBAUM: No, no, no,
6 no, of course not. I'm asking her
7 for her knowledge of the Executive
8 Chamber.

9 A. I know that the Executive Chamber is
10 respecting your process. Umm, we, umm, we took the
11 AG's report seriously. Umm, the DA has brought new
12 information to light and we respect your process and
13 we'll, umm, await your findings on the matter. We,
14 umm, have certainly, umm, thought about the matter
15 and, umm, and struggled to make sure we dealt with
16 it appropriately. Umm, it rests with you.

17 BY MS. TOOHER:

18 Q. Did you discuss your testimony here today
19 with anyone prior to coming --

20 A. With Peter.

21 Q. Besides your lawyer? With Peter?

22 MR. TEITELBAUM: Did anybody discuss
23 with you Mr. Larrabee's testimony that was given
24 yesterday?

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A. He told me it was three hours, but nothing more. We fully understand we are not to converse about our testimony.

MR. TEITELBAUM: Thank you very much for coming in.

MS. TOOHER: Thank you very much.

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(Whereupon, the hearing
was adjourned at 2:15 p.m.)

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(CHRISTINE ANDERSON)
(CHRISTINE ANDERSON)

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