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**THE SENATE
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February 11, 2020

Senator James Skoufis
Chairman, Committee on Investigations and Gov't Operations
Legislative Office Building, Room 815
Albany, NY 12247

Dear Chairman Skoufis:

I am writing to request an investigation into recent reports¹ in the Albany Times-Union that the New York State Police (NYSP) may have been improperly involved in a lobbying investigation.

The article calls into question NYSP's involvement into the JCOPE investigation of activist Kat Sullivan. Ms. Sullivan gained attention in 2018 for chartering a flight with a banner tow that advocated for the passage of the Child Victims Act. The flight took off from the South Albany Airport and flew over the NYS Capitol Building.

According to the article, NYSP contacted the owner of the South Albany Airport to inquire about the flight. NYSP claims the conversation was benign and held to assist JCOPE in their investigation of Ms. Sullivan, but details of the conversation remain unclear.

Ms. Sullivan chartered another flight towing a banner that criticized JCOPE, with a scheduled flight date of December 19, 2018. However, the flight never happened. The aerial advertising company Ms. Sullivan chartered to fly the banner was contacted by the South Albany Airport's owner, who informed the company that he would not allow the flight to take off, because the owner "wanted to preserve his relationship" with NYSP.

These revelations are troubling and are worthy of further investigation. While all NYSP employees I've met have been honorable public servants, I fear these reports may erode trust in NYSP if we don't get answers to the questions the reports raise. If an investigation finds no wrongdoing, then it confirms what we assume about the NYSP officials involved – that they are

¹ Chris Bragg, "State Police had role in lobbying investigation of rape survivor," *Albany Times-Union*, 3 Feb 2020.
<https://www.timesunion.com/news/article/Why-were-State-Police-involved-in-lobbying-15026184.php>

hardworking public servants dedicated to enforcing our state laws. But, if NYSP employees were attempting to silence Ms. Sullivan's advocacy by intimidating the Airport ownership, it would be a gross misuse of public resources that would erode trust in state government. The NYSP is an apolitical law enforcement body, and using NYSP to quell political dissent would be un-American and set a gravely dangerous precedent.

The public deserves answers regarding NYSP's full involvement in this situation. Specifically, it is worth investigating the following questions:

1. Why did the South Albany Airport owner feel he needed to cancel Ms. Sullivan's December flight to "preserve his relationship" with NYSP? In communications with the South Albany Airport, did NYSP indicate that allowing Ms. Sullivan's political messaging would damage the relationship between NYSP and the Airport?
2. What was the real purpose of NYSP's communications with the Airport – assisting JCOPE's inquiry, or policing the content of Ms. Sullivan's advocacy?
3. To what extent were Governor Cuomo or top NYSP officials involved in these communications or related decision-making?

I urge your Committee to investigate these reports as soon as possible. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert G. Ort", with a stylized flourish at the end.

Robert G. Ort
Senator, 62nd District

CC: Senator Chris Jacobs, Ranking Member