

## Year in review: Corruption reigned in NY

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(Photo: Albany Bureau photo)

ALBANY — Last January, Gov. Andrew Cuomo said during his State of the State address that he would be leading trade missions with the legislative leaders, and he joked: “We are going to be our own version of the three amigos.”

Then a Photoshopped slide was shown of him, Assembly Speaker Sheldon Silver and Senate Leader Dean Skelos dressed as the “Three Amigos” from the 1980s comedy.

The crowd laughed. But what happened hours later would be no joking matter.

The next morning, on Jan. 22, Silver was indicted on corruption charges and forced from the leadership post he held for more than 20 years. [He was convicted Nov. 30 \(/story/news/crime/2015/11/30/former-new-york-assembly-speaker-silver-guilty-all-counts/76576840/\).](#)

On May 4, Skelos was arrested on his own set of corruption charges and forced from his powerful position. [He was convicted Dec. 11 \(/story/news/local/new-york/2015/12/11/skelos-guilty/77160140/\).](#)

The guilty verdicts against two former legislative leaders capped a year that was dominated by their tumultuous turns.

The cases were unprecedented in New York’s history — which since 2008 had a governor resign in disgrace, a comptroller jailed and [nearly 40 lawmakers in trouble since 2000. \(http://rocdocs.democratandchronicle.com/database/troubled-ny-lawmakers\)](#)

“The two top legislators in one year is an exceptional matter,” said Gerald Benjamin, a political science professor at SUNY New Paltz. “I can’t think of any other examples.”

### Year of tumult

Silver’s arrest led to chaos at the Capitol as Democratic lawmakers pondered whether to force Silver out as speaker. The Manhattan Democrat initially resisted, but ultimately stepped down as some legislators vowed to oust him.

The Democratic-led Assembly’s work was halted for a week.

Assemblyman Carl Heastie, D-Bronx, was elected in Silver’s place, beating Assembly Majority Leader Joseph Morelle, D-Irondequoit, Monroe County, who has stayed on as the chamber’s second in command.

“Carl and I have served together and have been close friends for 15 years. I have the utmost confidence in his ability to unite our members and move the institution forward. He will have my full support,” [Morelle said Jan. 31 as he conceded. \(/story/news/2015/01/30/joseph-morelle-speaker-carl-heastie-new-york-assembly/22589501/\)](#)

Four months later, it was Senate Republicans’ turn to deal with scandal among their ranks. Facing a similar situation, Skelos also vowed to weather the storm, but as calls for his resignation as leader grew, he eventually stepped down.

“This scrutiny was more real and more eye-opening than I could have ever imagined when I asked the members of our conference to stand by me last week,” [Skelos said in a statement May 11 as he left the post. \(/story/news/politics/albany-watch/2015/05/11/skelos-future-senate-republicans-meet/27116151/\)](#)

Losing their leadership post would turn out to be the least of their problems. The convictions meant Skelos and Silver had to vacate their legislative seats, and they each face 20 years in prison when they are sentenced as early as next March.

### Scandals galore

The scandals didn’t only involve Skelos and Silver. Skelos was convicted of using his influence to get his son jobs; Silver was found guilty of getting \$4 million in kickbacks that he disguised as legal fees from law firms that employed him.

The Senate’s second in command, Sen. Thomas Libous, R-Binghamton, [was found guilty July 22 \(/story/news/local/2015/07/22/libous-guilty/30531301/\)](#) for lying for the FBI over also using his power to get his son a job at a Westchester County law firm. He had to leave office and was [sentenced Nov. 24 \(/story/news/local/new-york/2015/11/24/libous-sentenced-house-arrest/76315590/\)](#) to six months of house arrest, two years of probation and a \$50,000 fine; Libous has since filed an appeal.

Also convicted in corruption cases in 2015 were two former Senate Democratic leaders: John Sampson of Brooklyn and Malcolm Smith of Queens. Assemblyman William Scarborough was sentenced to 13 months in prison in September after pleading guilty to illegal use of campaign funds and travel expenses.

Since 2000, there have been five legislative leaders and 33 legislators removed from office under an ethical cloud, according to Citizens Union, a good-government group.

“New York must no longer rely on federal prosecutors to do the lion’s share of ethics oversight for our state,” said Dick Dadey, the group’s executive director, in a statement.

### Reforms urged

The convictions led to a new round of calls for ethics reforms at the Capitol. But there have been plenty of changes before: Cuomo and lawmakers have approved four reform packages over the last five years.

And there will likely be another package approved next year when the 213-seat legislature returns to the Capitol for a six-month session.

The problems, critics say, is that none of improvements have been strong enough to root the troubles in Albany: Lawmakers can make outside income, and there's a lax enforcement structure and porous campaign-finance laws.

U.S. Attorney Preet Bharara has highlighted the problems in the courtroom: He's brought the bulk of the corruption cases, including the prosecution of Skelos and Silver.

He said the scandals have exposed systemic problems where some lawmakers put their own self interests above that of their constituents.

"You cannot engage in official action, time and time again, in exchange for getting something to line the pockets of yourself or a family member," Bharara said Dec. 14 on WNYC radio. "Nothing could more clear than that."

Bharara said the cases showed that Albany lacks its own self-policing and that rank-and-file lawmakers are afraid of retribution if they blow the whistle on the legislative leaders. The leaders control the perks, such as stipends for committee posts.

"I don't think there has ever been a time in the history of government, going back to the Greeks, where the inability to challenge the leadership in any way, shape or form without being completely banished has ever been good for government," he said.

#### Left undone

While the year started and ended with corruption cases, [other issues did take center stage.](#) ([/story/news/local/2015/06/26/legislative-session-ends-big-ugly-package/29371491/](#))

Cuomo installed a \$15 minimum wage ([/story/news/politics/2015/12/09/new-york-board-fast-food-wage/77045138/](#)) for fast-food and state workers as of 2021, and [he vowed to press](#) ([/story/news/politics/albany-watch/2015/09/10/cuomo-biden-minimum-wage/72000000/](#)) for a statewide \$15 wage for all workers next year — which would need legislative approval, and Senate Republicans are largely opposed.

A battle over tougher testing standards for students and stronger teacher evaluations [ultimately led this month](#) ([/story/news/education/2015/12/14/common-core/77322592/](#)) to a delay in counting Common Core-aligned tests toward performance for the next four years.

Cuomo and lawmakers were under pressure from parents, students and teachers to dump the exams, and [20 percent of students opted out](#) ([/story/news/local/new-york/2015/08/12/percent-ny-students-refused-standardized-tests/31532569/](#)) of them last April.

"New York must complete a transition into the modern education era and this transition must happen in a way that instills confidence and not anxiety in our students and parents," [Cuomo said in September.](#) ([/story/news/politics/blogs/vote-up/2015/09/28/cuomo-names-common-core-task-force/72991278/](#))

The higher minimum wage and ethics reform will likely dominate the legislative talks next year — when, in November, all lawmakers' seats will be on the ballot.

Assemblyman Bill Nojay, R-Pittsford, Monroe County, questioned whether substantial ethics reforms will take place, saying the problems have persisted for a century. Indeed, [a Siena College poll Monday showed](#) (<https://www.siena.edu/news-events/article/nearly-90-of-nyers-concerned-that-another-terrorist-attack-will-happen-in-n>) that while New Yorkers believe state government is a problem, just 22 percent expected it to change.

"If you read Teddy Roosevelt's diaries when he was a 20-something-year-old assemblyman and change the names and the dates, it's the same stuff that's been going on for over a 100 years," Nojay said.

Follow Joseph Spector on Twitter @gannettalbany.

#### New York corruption in 2015

Here's a timeline of the key corruption cases in New York this past year.

##### JANUARY

Jan. 5 — The trial for former Queens Democratic Sen. Malcolm Smith begins on charges of bribery, extortion, wire fraud and conspiracy. In 2013, Smith, a Democrat, was accused of a scheme to bribe officials in order to help try to secure the Republican nomination for mayor of New York City.

Jan. 22 — Former Assembly Speaker Sheldon Silver, D-Manhattan, arrested on federal corruption charges for directing state funds to a doctor who was referring patients to a law firm paying Silver referral fees. He was also accused of directing a real-estate company with business before the state to another firm that employed him.

Jan. 30 — Silver submits resignation as speaker; retains Assembly seat.

##### FEBRUARY

Feb. 5 — Smith, a former Senate majority leader, convicted in federal court on all of the corruption charges he faced.

##### APRIL

April 25 — Silver indicted on new charges of hiding illegal gains through investments.

##### MAY

May 4 — Former Senate Majority Leader Dean Skelos, R-Nassau County, arrested on corruption charges, along with his son Adam. The pair faced a six-count criminal complaint for a scheme in which he used his political power to secure no-show jobs for his son.

May 7 — Former Assemblyman William Scarborough, D-Queens, pleads guilty in federal court for charges of wire fraud and theft for falsifying travel

reimbursements from 2009 to 2012 while serving as a legislator.

May 28 — Skelos and his son Adam indicted by a grand jury on charges of extortion, wire fraud, bribe solicitation and conspiracy.

## JUNE

June 24 — The trial of former Brooklyn Democratic Sen. John Sampson begins at a federal court in Brooklyn for a case of political corruption, including embezzlement, in which he faced nine counts.

## JULY

July 1 — Smith sentenced in federal court to seven years in prison.

July 22 — The Senate's second in command, Sen. Thomas Libous, R-Binghamton, found guilty for lying to the FBI about using his influence to get his son a job at a Westchester County law firm.

July 24 — Sampson, who once served as Democratic leader in the Senate, convicted of making false statements and obstructing justice during his federal investigation of embezzling state funds.

## SEPTEMBER

Sept. 14 — Scarborough sentenced to 13 months in prison and two years of supervised release.

## NOVEMBER

Nov. 6 — Smith begins seven-year prison term at a Pennsylvania prison.

Nov. 17 — Federal trial begins for Dean and Adam Skelos.

Nov. 24 — Libous sentenced to six months of house arrest, two years of probation and a \$50,000 fine.

Nov. 30 — Silver found guilty on all counts in a federal courthouse in Manhattan. His sentencing date has not yet been set.

## DECEMBER

Dec. 11 — Dean and Adam Skelos found guilty on all counts. They will be sentenced in March.

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