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ATTORNEY GENERAL OF THE STATE OF NEW YORK

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In the Matter of Independent
Investigation Under New York State
Executive Law Section 63(8)

-----x

9:02 a.m.

June 15, 2021

VIRTUAL TESTIMONY of VINCENT STRAFACE, a
Witness in the above entitled matter, pursuant to
Subpoena, before Stephen J. Moore, a Registered
Professional Reporter, Certified Realtime Reporter
and Notary Public of the State of New York.

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VINCENT STRAFACE

A P P E A R A N C E S :

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BY: MORRIS FODERMAN, ESQ.
- and -
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VINCENT STRAFACE

EXAMINATION BY

PAGE

MR. KIM

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1 VINCENT STRAFACE

2 THE VIDEOGRAPHER: Good morning.

3 We are going on the record at
4 approximately 9:02 a.m. Eastern time on
5 June 15, 2021.

6 Please note that the microphones
7 are sensitive and may pick up whispering,
8 private conversations, cell interference.

9 Please turn off all cell phones or
10 place them away from the microphones, as
11 they can interfere with the deposition
12 audio.

13 Audio and video recording will
14 continue to take place unless all parties
15 agree to go off the record.

16 This is media unit 1 of the video
17 recorded deposition of Vincent Straface,
18 taken by the Office of the New York State
19 Attorney General in the Matter of
20 Independent Investigation under New York
21 State Executive Law Section 63(8).

22 This deposition is being held via
23 Veritext Virtual.

24 My name is Kevin Aspinwall from the
25 firm Veritext New York, and I am the

VINCENT STRAFACE

videographer. The court reporter is Stephen Moore, also from Veritext New York.

I am not related to any party in this action nor am I financially interested in the outcome.

Counsel and all present in the room and everyone attending remotely will now state their appearances, affiliations for the record.

If there are any objections to proceeding, please state them at the time of your appearance, beginning with the noticing attorney.

Thank you.

MR. KIM: Good morning. My name is Joon Kim. I'm with the law firm of Cleary, Gottlieb, Steen & Hamilton, appearing today in my role as a Special Deputy to the First Deputy Attorney General of the State of New York.

MS. LEE: Good morning, my name is Soo Jee Lee. I'm from Cleary Gottlieb, but for the purposes of today

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MR. KIM:

Q Good morning, Mr. Straface.

A Good morning, sir.

Q Thank you for joining us today.

As we have just introduced ourselves, I and Soo Jee Lee are appearing on behalf of the Attorney General's Office in connection with our independent investigation that we are doing under New York Executive Law Section 638 into allegations of sexual harassment against the Governor, as well as the surrounding circumstances, and you are here today pursuant to a subpoena issued in connection with this investigation.

I would like to first note at the outset that today's proceeding is being transcribed and recorded by Veritext.

You are under oath, and that means you must testify fully and truthfully, just as if you were in a court of law sitting before a judge and a jury, and your testimony is subject to the penalty of perjury.

Do you understand that?

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VINCENT STRAFACE

A Yes.

Q If you would like to make a brief sworn statement, we will give you an opportunity at the end of the testimony today to do so. That's up to you, of course.

There will be opportunities to answer, obviously you will be required to answer the questions that I ask, but we will also give you an opportunity at the end to put in a sworn statement, if you would like.

A Yes.

Q Okay?

Although this is a civil investigation, the New York Attorney's General Office has criminal enforcement powers.

As a result, you have the right to refuse to answer a question if you think doing so would incriminate you.

However, any failure to answer a question can be used against you in a court of law or in a civil non-criminal proceeding.

It cannot be used against you in a criminal proceeding, but in other contexts, in other proceedings, a refusal to answer based

1 VINCENT STRAFACE

2 on a fear that an answer will incriminate you
3 can be used against you.

4 Do you understand that?

5 A Yes.

6 Q You are appearing today with
7 your attorney present, and you may consult with
8 your attorney about matters of privilege.

9 As you can see, we have a court
10 reporter present with us virtually, and they
11 will need to take down my questions and your
12 answers to create a clean transcript.

13 So, it will be important that
14 you provide verbal answers to every question
15 that's asked.

16 And by that I mean um-hum or
17 nods or shakes of the head will not suffice.

18 So just to be clear, if you can
19 answer yes or no, instead of shaking your head
20 or using words or responses like um-hum, do you
21 understand that?

22 A Yes.

23 Q If you do not know the answer to
24 a question, please say you don't know.

25 However, some of the questions

1 VINCENT STRAFACE

2 that I'll be asking will ask for your
3 recollection of specific names, specific dates,
4 specific incidents.

5 If you remember those, the
6 specificity, you are obligated to provide
7 those.

8 If you don't remember the
9 specificity, but have a general recollection of
10 things, you are required to give that as well,
11 while making clear that you may not remember
12 the specifics, but you have a general
13 recollection.

14 That is also your obligation as
15 you testify under oath. Do you understand
16 that?

17 A Yes.

18 Q Just also, and I think we are
19 doing that, but just be mindful that to allow
20 me to finish my question before you start an
21 answer, and I will try not to start a question
22 before you answer -- your answer is finished to
23 make sure that the record is clear.

24 If you need a break at any
25 point, let us know, and we can go off the

1 VINCENT STRAFACE

2 record and you can use the restroom or take a
3 break.

4 And we will take a -- I think we
5 will get, we will be going through
6 lunchtime-ish, so we can take a quick break to
7 eat lunch as well, but we can be flexible on
8 that.

9 Can you confirm for us who is in
10 the room with you right now?

11 A My attorney, Moe, and Adam.

12 Q And no one else?

13 A And no one else.

14 Q And can you and your counsel
15 please confirm that no one is recording on your
16 end this proceeding?

17 A No one is recording.

18 MR. FODEMAN: Nobody is
19 recording.

20 Q Can you also confirm that no one
21 on your end is transmitting in any fashion what
22 we are talking about to anyone outside of the
23 room?

24 A Nobody is transmitting.

25 Q And please, can you also confirm

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that you will agree not to do so during breaks other than consult among yourselves, but that you won't be consulting outside of the three of you in breaks about anything that's going on during this testimony?

MR. FODEMAN: That's our expectation, yes.

Q Please noted that, Mr. Straface, you are protected from retaliation of any kind from participating in our investigation, and so we ask that you let us know if you have any concerns or if anything happens that you think may be potential retaliation by anyone for cooperating with or responding to our questions, we ask that you advise your lawyer and they can inform us.

A Okay.

Q [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

A [REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

18 MR. FODEMAN: Sorry to interrupt,
19 this is Moe Fodeman. Just one point
20 with respect to the last series of
21 questions and answers.

22 You and I have discussed the
23 possibility that this transcript and
24 recording may somehow be made public or
25 made available to third parties.

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I would ask that to the extent it is, that that last portion be redacted, given [REDACTED]

[REDACTED]

MR. KIM: Well, we will include a notation to that effect. We don't expect that full transcripts or things would get released publicly, but as you know, Moe, I don't know what happens after FOIA litigation and things, but we will note [REDACTED]

[REDACTED]

[REDACTED].

MR. FODEMAN: Thank you.

Q Mr. Straface, have you had any alcohol today?

A No.

Q [REDACTED]

[REDACTED] is there anything [REDACTED] that would prevent you from answering the questions that we ask today fully and truthfully.

Sorry, that wasn't picked up by audio. I don't know if it's just me.

A I don't think so, no.

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Q Have you ever given testimony before?

A Early on in my career, yes. It's been 20 -- it's been a long time.

Q And early on in your career as a trooper?

A Yes.

Q And were they in?

A Grand Jury testimony, et cetera.

Q Got it. In criminal investigations?

A Yes.

Q How about in any other type of case?

A No.

Q Have you ever testified at a trial?

A Just a Grand Jury.

Q Other than conversations with your attorneys, what did you do to prepare for this testimony today?

A Just conversation with my attorneys, really.

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I haven't really been thinking about what you're going to ask, I've been -- I know that the attorneys said you sent some documents, but we can't see the documents, so there really is no preparation, you know.

Q Who have you told that you are testifying today?

A Who have I told I'm testifying today? Just my family and just close friends, maybe, not many people, a handful of people.

Q Who are the handful of people, other than family that you have told?

A My friend, [REDACTED], knows I'm testifying today, my friend [REDACTED] and other people knew that I was testifying today.

I don't know where they found out from, but it's out there.

Q Who is that, who knew you were testifying today?

A No, there was an article in the newspaper that said that people were starting to come in to testify, and then they put my name in an article on Friday.

So I just assumed that people

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know that we're being called in.

Q Did anyone contact you about it?

A Did anyone contact me about it?

No.

Q So other than the fact that there was a reference to you in a newspaper article, who else, who specifically knew that you were testifying today?

And other than your family and the friends that you have identified so far?

A I'm not sure.

Q You're not sure who knows, who you know you're testifying today?

A It's a small group of people. My friend [REDACTED], that I saw yesterday, he knew I was coming today.

My friend [REDACTED], my friend [REDACTED], I think Dave Dively last week, I talked to Dave Dively last week, I told him I was going in sometime next week.

But other than that, I don't -- I don't recall specifically talking to anybody that I was coming in this week -- oh, actually [REDACTED], I congratulated him on becoming

1 VINCENT STRAFACE

2 the Superintendent.

3 We talked the other day and I
4 told him that I was called back in to come back
5 in next week from the state police.

6 And if there is anybody else I'm
7 not sure, I don't remember.

8 Q Did [REDACTED] specifically ask
9 you if you were testifying?

10 A Say that again.

11 Q Did the Superintendent
12 specifically ask you if you were testifying?

13 A No, I said that I was called in
14 to give testimony under oath.

15 Q Did you volunteer that to him?

16 A Yes.

17 Q Do you know if anyone within the
18 Executive Chamber knows that you are testifying
19 today?

20 A Not to my knowledge.

21 Q Did anyone who's currently or
22 formerly with the Executive Chamber communicate
23 with you in any way?

24 A You know, [REDACTED] is a
25 friend of mine. I'm not sure if I told him

1 VINCENT STRAFACE

2 that I was coming back in again, but he is
3 somebody that -- he's my neighbor, we have been
4 life long friends and we communicate.

5 He may have also known that I
6 was coming in sometime this week.

7 Q Is he somehow affiliated with or
8 know people in the Executive Chamber?

9 A He's the Emergency Management
10 Director for OEM, from the executive --
11 represents the Executive Chamber in emergency
12 management for the State of New York.

13 Q So did he say that he was
14 communicating with the Executive Chamber about
15 your testimony?

16 A No. The question was -- no, he
17 would not communicate with the Executive
18 Chamber.

19 Q So my question again is do you
20 know if anyone in the Executive Chamber is
21 aware of your testifying today?

22 A I don't know.

23 Q No one said anything to you
24 about that or said anything to you that might
25 indicate that they would know?

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MR. FODEMAN: That's not -- to the extent that answer doesn't call for privileged communication.

Q You can answer the question to the extent it doesn't call for privileged communication.

MR. FODEMAN: Aside from anything that I have told you, are you aware of -- Joon, you want to repeat the question exactly the way you did.

I don't want to mischaracterize it.

Q Do you have any reason to believe or know that people in the Executive Chamber knows that you're testifying today?

A Do they know that I am testifying today? I received a text message from -- who was that, Beth Garvey, asking for my attorney's information.

Q And when did you receive that text message?

A Last couple of days. What is today, Monday?

MR. FODEMAN: Today is Tuesday.

A I think it was last week, either

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1 Friday or Saturday. I think Friday.

2 I would have to check my phone,
3 but they asked for my attorney's information.
4 They know that we have received counsel and I
5 sent them Moe's information.
6

7 Q Okay, anything else you sent
8 them?

9 A No.

10 MR. KIM: Moe, we would ask for
11 the production of that text exchange.
12 If you -- we can issue a subpoena for
13 that if you need it.

14 MR. FODEMAN: Okay.

15 MR. KIM: And any --

16 MR. FODEMAN: We will certainly
17 preserve it and we will discuss how to
18 best get it to you.

19 Q Any other communications with
20 anyone else in the Executive Chamber?

21 A No.

22 Q Sorry, I don't think that was
23 caught in terms of --

24 A No.

25 Q And other than responding to

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Beth Garvey and giving Moe's contact information, did you say anything to Beth Garvey?

A No, I did not speak to Beth Garvey, I did not speak to Beth Garvey.

Q Or communicate in any way?

A The person that I did speak to, who called -- what happened, I get a text from a [REDACTED] number, this is Beth, I know you have counsel, can you send us your counsel information.

Then, I was in the shower at the time, I did not get the text or answer them quick enough, so then I missed a call from another [REDACTED] number.

And then I was followed up with a text from Judy Mogul asking for the same exact information.

And Judy Mogul, she says, I didn't read the text, but I guess apparently she put the wrong phone number in the text.

So she calls me, I answer the phone, she says hey Vinny, how are you? I know that you received counsel and you have given

1 VINCENT STRAFACE

2 counsel's name to me months ago, but I don't
3 have it anymore, can you resend it?

4 She asked me how I was. I told
5 her how miserable being -- dealing with this
6 thing that we are dealing with, you know, and
7 being -- having to be part of this.

8 And she said, you know,
9 unfortunately I can't talk to you, and I know
10 as much as I do want to talk to you, we can't
11 talk, but we are all feeling the same way, and
12 that's it.

13 And then the conversation ended,
14 I gave her the information for Moe, and that
15 was the end of it.

16 Q And that was a telephone
17 conversation?

18 A That was a telephone
19 conversation.

20 Q And that was also on Friday?

21 A It was Friday, I think it was
22 Friday or Saturday. If I can look at my phone
23 I will tell you what exact date it was.

24 Q Could you?

25 A It was Saturday at 1:58. "Judy

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Mogul: Can you send me contact information for your attorney?"

Q And what date and time was the Beth Garvey text?

A 1:37. "Hey Vinny, it's Beth Garvey. Did you retain an attorney that I can speak with?"

Q And that was both on Saturday?

A Yeah.

So I returned Beth's text at 1:54 and Judy -- Judy texted me at 1:58.

Q Did -- so you didn't speak with Beth Garvey, but you spoke with Judy Mogul?

A Yes.

Q And did Judy Mogul say anything to you about what you should or should not say to us in your testimony?

A No, no.

Q Did you tell Judy Mogul anything about the questions we had asked you previously?

A No.

Q Did you tell Judy Mogul about -- what did you tell Judy Mogul, to the best of

1 VINCENT STRAFACE

2 your recollection?

3 This was the Saturday, right?

4 So what do you remember telling here?

5 A Yeah, she asked me how I was
6 feeling, I said we are feeling horrible. She
7 said we are all in the same boat, we all feel
8 horrible.

9 I am trying to deal with [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED], and I don't want
13 anything to do with this.

14 MR. FODEMAN: I think the
15 question, though, just to be clear, was
16 what --

17 THE WITNESS: What did you tell
18 Judy.

19 A Those are my feelings. I just
20 basically said I don't want anything to do with
21 this, you know.

22 And we all feel the same way,
23 she basically said, and she goes good luck, and
24 that was the end of the conversation.

25 Q You said that Judy Mogul's text,

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she referenced that you had previously informed her that you had counsel, is that right?

A Yes.

Q When did you do that?

A Oh, I don't know, a while back. I think there was a story or a FOIL request that they got and about an Israel trip, so she had called me, if I had any recollection about an Israel trip.

I didn't really have any information that would be helpful to her, and then I said to her, I said Judy, just so you know, I have an attorney.

And she goes I'm sorry, I didn't know you had an opportunity. She goes, give me your attorney's name, and any time I have any further questions or I need to get to you, I will contact your attorney.

Q And at the time did you give Judy Mogul any information about the Israel trip?

A She asked me some specific questions about room assignments, and I didn't have any recollection of who was in what room

1 VINCENT STRAFACE

2 or where people were in what room at that
3 specific time, and there was nothing that I
4 could offer her.

5 And we don't handle their room
6 assignments. That's something that's handled
7 by the Chamber.

8 Q Any other communications with
9 Judy Mogul other than that call and then this
10 most recent text this year, in 2021?

11 A No. Maybe prior, before I
12 retired, you know, but other than that, no.

13 Q How about Beth Garvey?

14 A No.

15 Q How about anyone else in the
16 Executive Chamber?

17 A No.

18 Q Mr. Straface, can you walk
19 through us your employment history at the New
20 York State Police, when you joined and then the
21 different units that you were part of?

22 A I joined the New York State
23 Police May 10, 1999.

24 From there, upon graduation of
25 the Academy, I went to State Police, Somers,

VINCENT STRAFACE

1 which is in Westchester County.

2 Then I went to SP Pound Ridge,
3 and then from SP Pound Ridge I went out to the
4 New York State Thruway Authority, and I worked
5 out of Tarrytown.
6

7 From Tarrytown I went to the
8 Executive Services Detail, the PSU.

9 At the time it was called the
10 Executive Services Detail, that was at the end
11 of 2004, 2005.

12 When I was there I worked on the
13 house in Garrison for the Patakis, and then I
14 went to Mrs. Pataki's detail, and then from
15 there, there was a transition to Governor
16 Spitzer. From Governor Spitzer, I was on his
17 travel team.

18 Then I became a driver and there
19 was a transition from -- and I was made an
20 investigator in 2006 or 2007, and then I stayed
21 the driver through the transition.

22 Not only, even though that
23 transition, I was very helpful to the detail
24 commanders and the executive committee for the
25 detail on putting the SOPs together, helping

VINCENT STRAFACE

1 with emergency evacuation plans.

2 We transitioned to LATS at the
3 time. I handled the implementation of LATS,
4 which is a like a scheduling -- scheduling
5 program that the state uses.
6

7 Then Patterson became Governor,
8 I still continued to -- I still continued to be
9 the driver for Patterson, I still continued to
10 be proactive in any area that I could be
11 beneficial to the detail.

12 They gave me the responsibility
13 for being the lead for the Presidential
14 inaugurations, they gave me the lead for the
15 Democratic National Convention in Denver, which
16 were all big responsibilities.

17 And they all went off very well,
18 and all the events were a success.

19 Because of that experience
20 through the years thereafter, you know, most of
21 these large scale events, you know, I was
22 directly put in charge of putting these details
23 together for these events.

24 And then 2011 I still continued
25 to be the driver during the transition for

VINCENT STRAFACE

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2 Cuomo, and then I stayed the driver for about a
3 year and a half, two years.

4 I don't know the exact timing,
5 but [REDACTED] was my boss, he was the Senior
6 Investigator who was in charge, he wanted to
7 leave the detail for his own reasons and, you
8 know, he was trying to leave, but he couldn't
9 leave, they wouldn't transfer him right away,
10 and then they made me acting Senior
11 Investigator.

12 Q When was that?

13 A They made me acting Senior
14 Investigator once [REDACTED] got his transfer.

15 Q Sorry, and when was that?

16 A 2012; maybe 2012.

17 It was the springtime, I think
18 it was springtime of 2012 or the springtime of
19 2013, but I want to say 2012.

20 Q Okay. Then can you continue?

21 So you became acting Senior Investigator in
22 2012?

23 A I became acting Senior
24 Investigator for about a year or more than a
25 year until I got my permanent appointment to

1 VINCENT STRAFACE

2 Senior Investigator.

3 And then when I was appointed
4 Senior Investigator, I was appointed to a team,
5 a travel team, a New York City travel team.

6 And I want to say, I'm not sure
7 of the dates and the times, to be clear, but
8 just the progression, at some point I was moved
9 from the travel team to an operations position.

10 In the operations position I was
11 in charge of the administration, I was in
12 charge of Chamber operations, I was the liaison
13 to the Chamber, the liaison to our aviation
14 unit.

15 I was the liaison to all outside
16 agencies and the liaison to outside troops,
17 where I coordinated the Governor's schedule,
18 the Governor's movements, and then fed all the
19 information to the travel team, so they could
20 perform their jobs.

21 Q When did you assume the role of
22 being the liaison to these different groups?

23 A 2000 -- probably either 2014 or
24 2015.

25 I'm not sure of exact dates, but

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1
2 either the end of 2014 to the beginning of
3 2015.

4 Q And then did your title ever
5 change from Senior Investigator to something
6 else?

7 A Yeah, in 2017, the end of 2017
8 when Captain [REDACTED] retired, so from 2016 to 2017
9 we didn't have a Lieutenant who was assigned to
10 New York City, so basically I took on -- I was
11 delegated the responsibility to oversee and
12 handle the New York City duties of the New York
13 City Lieutenant.

14 And that was just internally,
15 that's something that [REDACTED] did.

16 And when [REDACTED] retired, so
17 his last day of work was maybe November 2017,
18 and his last day was a Thursday, and then on
19 Friday a teletype came out promoting me to
20 Technical Lieutenant and Acting Detail
21 Commander, I believe.

22 I believe it was all done at the
23 same day, I was promoted to Tech Lieutenant and
24 Acting Detail Commander.

25 Q And does Acting Detail Commander

1 VINCENT STRAFACE

2 mean that you are the most senior trooper in
3 the PSU?

4 A Well, the Acting Detail
5 Commander means that you are -- you've been
6 designated by the Superintendent to be the man
7 in charge of the detail.

8 Q And so --

9 A You are in charge of the detail.

10 Q So as Acting Detail Commander,
11 who did you report to?

12 A I reported to the First Deputy
13 Superintendent.

14 Q Who was that?

15 A That was [REDACTED].

16 Q And prior to becoming Acting
17 Detail Commander, who did you report to?

18 A [REDACTED].

19 Q He was the Acting Detail
20 Commander or, was he the Detail Commander or
21 Acting Detail Commander?

22 A He was the Detail Commander. I
23 think he was the Detail Commander.

24 I think he got the official
25 title Detail Commander, but things were so

VINCENT STRAFACE

1
2 convoluted, I could be misspeaking that he
3 actually had the title Detail Commander, but I
4 believe he did have the title of Detail
5 Commander.

6 Q We will go through a little bit,
7 in a little bit more detail the different roles
8 later, I just wanted to get through your
9 history first.

10 So you became Acting Detail
11 Commander and Technical Lieutenant in you think
12 late 2017, November?

13 A November.

14 Q And then --

15 A Okay, go ahead.

16 Q And then what happened in terms
17 of your role and titles since 2017?

18 A 2017 I get the Technical
19 Lieutenant's position and Acting Detail
20 Commander, and I am the only basically
21 commissioned officer that is on the detail.

22 So, the detail is supposed to be
23 comprised of a Major, a Captain, two
24 Lieutenants, so you have help to manage the
25 detail.

VINCENT STRAFACE

1
2 At this particular moment in
3 time [REDACTED], which is [REDACTED], wasn't able to get
4 the help that he needed to fill the vacant
5 positions of the commissioned officer spots,
6 and then [REDACTED] decides he's going to retire.
7 Now it's just left with me.

8 So I am running this entire
9 detail with just myself and senior
10 investigators that are in charge of the teams,
11 which was a very, very difficult and stressful
12 feat.

13 You know, not easy, not easy at
14 all.

15 It's something that I had to be
16 very diligent, I had to be on top of my game, I
17 had to worry about everything, I had to handle
18 everything.

19 It wasn't the optimal position
20 or place for me or the detail.

21 And I had expressed that to the
22 Superintendent, and I expressed that to the
23 First Deputy Superintendent, that I need help,
24 I need proper structure if you're going to make
25 me the person who is in charge.

1 VINCENT STRAFACE

2 And I necessarily don't even
3 want to be the person in charge, but if you
4 want to make me the person in charge, I will
5 give you the 150 percent, I will do what is
6 needed to operate the detail, but you need to
7 give me help.

8 And it took a very long time for
9 them to give me help, and I can't honestly, for
10 me it feels like it was forever, but I know
11 eventually at some point they did give me help,
12 but it was not an easy task.

13 And then in 2019 -- let me just
14 work backwards.

15 This is 2021, 2020, May 2020, so
16 that would be May 2019.

17 So May 2019, so from the end of
18 2017, all of '18 and probably six months of
19 '19, I was the Technical Lieutenant.

20 And then in 2019 they gave me
21 the title of Captain, Detail Commander, and
22 then they gave me two more Technical
23 Lieutenants to help me, so now I have -- I had
24 a structure.

25 And then in May of 2020

VINCENT STRAFACE

1
2 Superintendent [REDACTED] called me and he's the
3 Superintendent is the one who promotes people,
4 he says you've been doing an outstanding job
5 you've been doing the role of a Detail
6 Commander which is a major's position since
7 2017, it's now 2019, I want to give you the
8 help, I want to give you the support that you
9 need to run this detail and I know that you
10 deserve the position.

11 It's something that's long
12 overdue for you, because you've been doing the
13 job and I want to promote you to major.

14 But at the time there was no --
15 there was like a budget freeze because of COVID
16 and everything else going on.

17 So he was only able to make the
18 promotions as acting Majors, so a teletype came
19 out I think sometime in May where I was
20 appointed Acting Major.

21 By the time the -- November, I
22 think November or early December, budget sent
23 the waivers, I don't know how it goes, the
24 budget sends the waivers to the Governor, the
25 Governor sends the waivers to budget, I don't

VINCENT STRAFACE

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know how it goes.

But at the end of the day the budget signs off, the Governor signs off on the waivers for the positions to be actually filled or funded, however they are funded through budget.

And once those line numbers are released, you know, the State Police is able to make those permanent positions versus acting positions.

And on thereabouts, at the end of November or December, the teletype came out making me a Major.

Q And sorry, that was December of 2020?

A December, November or December of 2020.

Q Making you a full formal Major, not acting?

A Yes.

Q Okay. Let me back up a little bit.

I think you had said earlier that you thought in November of 2017 you became

VINCENT STRAFACE

1
2 Technical Lieutenant and Acting Detail
3 Commander?

4 Then I think you also said you
5 became Acting Detail Commander in May of 2019.

6 I just want to clarify what --

7 A Yes, I still remained Acting
8 Detail Commander. The Division of State Police
9 never gave me or sent any official information,
10 letter out naming me the Detail Commander until
11 May of '20.

12 Q 2019?

13 A No, '20, or no, maybe '19. I
14 don't remember how the teletype read.

15 I don't know how the teletype
16 read for when I made Captain, but maybe when I
17 made Captain they made me the Detail Commander,
18 but when the Superintendent sent the teletype
19 out for my Acting Major role, I believe it said
20 Acting Major and Detail Commander, PSU.

21 Q So I think what you're saying is
22 from November of 2017 when [REDACTED] retired,
23 you essentially functioned as the Detail
24 Commander after that point?

25 A As an Acting.

VINCENT STRAFACE

1
2 Q There was no one more senior to
3 you in the PSU?

4 A That's correct.

5 MR. FODEMAN: Just a remainder to
6 make sure to let Joon finish his
7 questions before you start to answer.

8 Q Just to repeat that, so from the
9 point [REDACTED] retired, you were serving in
10 effect as the Detail Commander, whether in an
11 acting capacity or formal or whatever your
12 title was, you were the head of the PSU for
13 functional purposes?

14 A Correct.

15 Q I think your audio is going in
16 and out a little bit.

17 And then when did you put in for
18 retirement?

19 A I let both the Superintendent
20 and the Governor know in August of -- August of
21 1920 -- 2020, August of 2020 that I would be
22 retiring probably in September, and the
23 Superintendent was not happy with that.

24 And he's like, can you please
25 give me to the end of the year, you know,

VINCENT STRAFACE

1 that's too soon.

2 I spoke with my family, I spoke
3 with my wife, they said fine, you can stay to
4 the end of the year.
5

6 I took off -- you know, after I
7 told them I needed time, [REDACTED], I
8 needed [REDACTED]
9 [REDACTED].

10 I took a couple of weeks off in
11 September, the end of August and September, and
12 then I continued to work.

13 But at that point I don't want
14 to say that I was checked out, but I was giving
15 most of the responsibilities to David Dively at
16 that point.

17 And then I kept continuing to
18 expand to when I finally left on my last --
19 made my last day January 22nd.

20 I took most of December off, the
21 end of December off. I told them, particularly
22 my guys, and the Superintendent wanted me to be
23 around for the beginning of the year to help
24 with the smooth transition to deal with the
25 State of the State Address, potential

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VINCENT STRAFACE

Presidential inauguration, and we did go through all the motions with the team to set them up for success for the future.

And my last day was the 22nd.

Q Your last day at work was the 22nd. Did you remain on the books with the State Troopers until more recently?

A Yes, I remained on the books burning time, vacation time and earned days off until May 22nd was my official last day.

I would say the May 22nd is the first day of retirement, the close of business on the 21st was my official last day.

Q Got it.

And so what was the reason why in August of last year you told the Governor and Superintendent you intended to retire?

A Because I needed a change, I needed to [REDACTED].

I had been under a lot of pressure both at work, both at home, and [REDACTED].

It got to the point where [REDACTED]
[REDACTED] [REDACTED]

VINCENT STRAFACE

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[REDACTED]

[REDACTED]

I would take my frustrations home with me [REDACTED], [REDACTED]. The job that I held was very demanding. I'm sitting at a dinner table and I am on the phone, I'm not there with them.

So, it was either -- and the other part, too, was [REDACTED] [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED].

And I said that's like an eye opener, [REDACTED]

[REDACTED]

[REDACTED]

I coach five baseball teams, I'm very active in the community, and I needed to be home, I needed to be home.

I want to just expand my wings, I want to invest in real estate and I want to be happy with my family, and I wanted to retire January of 2021 -- January of 2020.

That's when I really wanted to

VINCENT STRAFACE

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to retire?

A Yes.

Q Who did you mention that to?

A [REDACTED].

So in December,
November-December of 2018 I was talking that I
was probably going to leave in January.

And he left me to go work with
the D.A.s office in Queens, he got an
opportunity there, but he said to me I'm only
leaving because you told me you intend to
leave.

And I said [REDACTED], I am going to
leave, but if this opportunity is right for
you, you live in Queens, it's near your place,
you know, pursue your career, go for it.

And I said that's something that
you always wanted to. He worked in the D.A.s
office prior, so he had a relationship with the
people there, so it was like him going back to
home again.

Q Did you mention your desire to
retire in January 2020 to anyone else?

A My wife. I kept it quiet. I

VINCENT STRAFACE

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2 may have mentioned it to [REDACTED], because
3 [REDACTED] and I became very close, and maybe
4 [REDACTED].

5 And I didn't want the rumors to
6 be out there that I was going to retire, but I
7 think some rumors did get out there that I was
8 going to retire, or people were saying, they
9 would ask me, I would say I'm not going
10 anywhere.

11 But the rumor did spread a
12 little bit that I was going to go in January of
13 2020.

14 Q Did anyone in the Executive
15 Chamber speak to you about it?

16 A No, I didn't tell anybody in the
17 Executive Chamber.

18 MR. FODEMAN: When you get to a
19 good breaking point, if we could just
20 have a three to five minute break, that
21 would be great.

22 MR. KIM: Yes, can we go like
23 five more minutes, because then we will
24 hit a natural point.

25 MR. FODEMAN: Perfect.

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VINCENT STRAFACE

Q In August of 2020 when you told people of your intention to retire you said the Superintendent was not happy.

What did he say to you?

A I won't say that he was not happy, he was disappointed that I wanted to leave, right?

And he wanted me to stay. Can you stay to the end of the year?

And both him and the Governor, you know, you love the New York State Police, you love what you do, is that something that you've really thought about and do you think it's in the best interest of you and your family that you leave?

You know, you have a great career, you are doing well, you're an asset to the Division of State Police, you're an asset to the detail, and we don't want to lose you.

Then later on, as time went on, you know, they kept on asking, me did you change your mind yet, did you change your mind yet?

Even to this day, when I talk to

VINCENT STRAFACE

1
2 him he's like yeah, I made Superintendent, but
3 I don't have my Major. I don't have my Major.

4 It's just --

5 Q Who are you referring to right
6 now, who's saying this?

7 A That's the Superintendent.

8 Q The Superintendent or the
9 Governor?

10 A No, the Superintendent.

11 Q Got it.

12 A The Superintendent.

13 Q So how about the Governor when
14 you mentioned, when you told him, what was his
15 reaction?

16 A He listened to me, and he didn't
17 really say anything.

18 He said, other than the reasons
19 that I gave him why I was leaving, he said to
20 me I understand, I understand, and then he
21 didn't say much from that point.

22 Q And then did he or anyone else
23 in the Executive Chamber try to get you to
24 stay?

25 A Just the Superintendent.

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VINCENT STRAFACE

And then later on, as we got closer into when I was going to leave Melissa DeRosa had called me and asked me to stay as well.

And the answer was I'm not staying.

Q And when was that when Melissa DeRosa asked you to stay?

A It was later on. It was later on, December, January.

Q And it sounds like the date that you became formally a Major was late last year, right, so after you had informed people of your intent to retire, is that right?

A Yes.

Q And is there anything unusual about that or not, in terms of knowing you are about to retire and getting a promotion? How did that work?

A I was already in the Acting role, and to me it didn't make a difference if I got the official appointment or not.

But I was already in the Acting -- appointed as the Acting Major of the

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VINCENT STRAFACE

New York State Police Protective Services Unit.

Q Do you know how that came about?
Were there discussions about the promotion or
the change from acting To formal Major?

A Well, the waivers needed to be
signed, and I think everybody was waiting for
the waivers to be signed.

And then once the waivers were
signed, the official teletype came out.

Q Who signs the waivers?

A I'm not sure who signs the
waivers, I'm not part of the administration,
but I'm led to believe it's either the Director
of Budget or the Governor.

Q And since your retirement, or
your formal retirement in May, and then since
not actually reporting to work in January, have
you been working?

A I have -- I belong to, or I
joined a partnership, a real estate
partnership. We own investment properties and
I manage the properties.

Q Is that just something you do by
yourself or with others?

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VINCENT STRAFACE

A No, it's a partnership that I have with a friend of mine and his nephew.

Q What's it called? Sorry?

A [REDACTED].

Q [REDACTED]. [REDACTED]

[REDACTED]?

A Yes.

Q And it invests in real estate?

A Yes.

Q Anything else?

A Not really. I've been helping -- I wanted to start a consulting firm, sort of made some steps to start a consulting firm based on real estate management, but I haven't got it off the ground completely yet, but I'm working on that.

Q Is that -- what's your intent going forward in terms of professional work?

A I think my intent is to really build up the real estate business with my partners, and that's where I think I want to stay.

Q Have you had any discussions with anyone within the Executive Chamber about

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VINCENT STRAFACE

your future business plans?

A No.

Q How about the Governor?

A No.

I know -- I told them what my plans were, when I told them I was going to retire, and I said I want to go do real estate.

I said I know that I can be successful about it, and his response to me, he said you'll be successful at whatever you do.

But that was the extent of that.

MR. KIM: Okay, we can take a short break now, if it's a good time.

MR. FODEMAN: Great, thank you. Five minutes?

MR. KIM: Yes.

THE VIDEOGRAPHER: This concludes media number one going off the record, 1003 a.m.

(At this point in the proceedings there was a recess, after which the examination continued as follows:)

THE VIDEOGRAPHER: We are back on record. This marks the beginning of

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VINCENT STRAFACE

media number 2, 10:11 a.m. Thank you.

Q Mr. Straface, how many Troopers are there in the PSU?

A There are roughly, on a full slate, there is about 75 troopers, or thereabouts.

Q How are they organized?

A The organizational chart starts with the Major up top, then there is a Captain, there is supposed to be a Captain, two Lieutenants.

The two Lieutenants respectively have a New York City component and the other Lieutenant has the Albany component.

Then under each Lieutenant, both sides are set up identical, where you have a travel team, there are two travel teams on both sides with two senior investigators who run each travel team.

Under each respective travel team you have troopers and investigators who handle the protective operation for the Governor's travel and movements.

And then you have the uniform

1 VINCENT STRAFACE

2 side of that on both sides. That's overseen
3 either by a zone -- there is a Zone Sergeant.
4 Each station has a Sergeant and a Station
5 Commander that are the first line supervisors.

6 And then under there you have
7 the uniformed personnel who handle the uniform
8 operations of the detail. And that's pretty
9 much infrastructure protection.

10 No, there are two locations that
11 we protect, it was the Governor's residence in
12 Mt. Kisco, and then the New York City office at
13 633 Third Avenue.

14 And Albany is the mansion, and
15 the uniformed troopers are assigned to the
16 mansion.

17 Q Okay. And within the travel
18 teams, are there different roles that troopers
19 play?

20 A In the travel team, any
21 protective detail you have a driver, you have a
22 person who drives the tail. There are times we
23 have, we call it a tail com.

24 A tail com is a person who sits
25 in the passenger seat of the tail car.

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VINCENT STRAFACE

I call it the second body,
because I think that's more of an appropriate
name for that tail com.

So you have the driver, the tail
driver, the tail com or second body, if we have
enough people for that position, and then you
have advanced personnel.

And the advanced personnel are
the people who go out to the sites in advance
of the Governor to do their advance work in
preparation for the Governor's visit.

Q You said the tail com is like
the second body, but in the tail car.

Is there a first body as well?

A Oh, in the Senior Investigator;
the Senior Investigator is the body.

Q And what does the body do?

A We call it the body, he's in
charge of the principal, he's the person who is
closest to the principal.

He walks off his right or left
shoulder, he's responsible for the -- he's
basically the detail leader for that team, and
he's responsible for the security and the

VINCENT STRAFACE

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2 movements of the Governor for that particular
3 shift.

4 Q And the body travels in the same
5 vehicle as the Governor?

6 A Yes.

7 Q But it's different from the
8 driver, so the driver drives, and then there is
9 a body in that vehicle?

10 A The driver drives, obviously, in
11 the driver's seat, the Governor drives in the
12 front passenger seat, and then the body is in
13 the back, one of the two back seats.

14 Q And that --

15 A It's a whole different story.
16 Sometime in March the Governor decided he's
17 going to drive himself.

18 So we haven't been in the car,
19 I'm not sure if it's changed now or not, but
20 from the time that, from like March, mid-March,
21 during the pandemic to the time I left, the
22 Governor was driving himself, so we had no
23 interaction with him in a vehicle.

24 Q And over the years that you
25 served on the PSU for Governor Cuomo, what

VINCENT STRAFACE

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different positions or roles did you play?

A I pretty much did every -- just for Cuomo?

Q Yes, just with Governor Cuomo.

A I was the driver, I was an advance, I was a Senior Investigator body, I was the Senior Investigator for operations liaison.

And I also, during that time also fell, underneath me was the visiting dignitary squad, so I supervised the visiting dignitary squad, where we handled the visiting dignitaries who come into the State of New York.

Then, as a Senior Investigator with no Lieutenant, I was given the responsibility to oversee the New York City operation, Captain [REDACTED] at the time.

And then from there I became detective -- the Desk Lieutenant, and I did administration, I did advance work when I was a driver.

Q Yes.

So, you said the Senior

VINCENT STRAFACE

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2 Investigator is the body. Is there just one
3 Senior Investigator in the PSU or more, more
4 than one?

5 A No, each, like I described in
6 the organizational chart, there are two senior
7 investigators for New York, and there are two
8 senior investigators for Albany that oversee
9 the travel teams for the protective operations.

10 And I did not mention there are
11 other senior investigators that fall in that
12 organizational chart.

13 We have a Senior Investigator
14 who is in charge of Intel, and Division of
15 State Police Administration, and there could be
16 a Senior Investigator of admin, the job that I
17 did.

18 Q Go ahead.

19 A And the visiting dignitary.

20 Q So each travel team, there are
21 two teams each for New York and Albany, has a
22 Senior Investigator, and that person is the
23 body for that team?

24 A Yes.

25 Q So if it's that team that's

VINCENT STRAFACE

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2 covering the Governor, that Senior Investigator
3 will be the body?

4 A Correct.

5 Q And each team will have a
6 driver, advance people, tail people?

7 A Yes.

8 Q When were you the driver for the
9 Governor?

10 A From I think 2011 to 2012-ish,
11 middle 2012, until I became the acting Senior
12 Investigator.

13 Q Okay.

14 When did you become the Senior
15 Investigator/body for the Governor?

16 A Middle of 2012, I believe.

17 Q How long did you serve as the
18 Senior Investigator who was a body?

19 A I served in that role for a
20 year, so probably from 2012 to, mid 2012 to mid
21 2013, then I got the permanent role.

22 So that's one year, '13 to '14,
23 and then maybe another year or half a year in
24 that role. So anywhere from a year and a half
25 to two years in that role.

VINCENT STRAFACE

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Q 2012 to 2013?

A Let me just look at the numbers here, 2011 the Governor was elected, that was January.

█ left in 2012 in the middle of the year, May, April, May.

I became the acting senior sometime at that point.

So if you say April, which I'm not 100 percent sure which month it was, I know that I was an acting senior for a year or more, so that would take us to 2013, April.

And then sometime either six to eight months after that I moved from that role to the administrative role, so maybe 2014.

So if you are looking for exact, it's one and a half to two years, somewhere in between that.

Q And then after 2014, were there times when you were the body for the Governor?

A Very rare.

You know, I don't remember any instances, but if I had to fill in someplace here and there, you know, I would fill in.

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VINCENT STRAFACE

But it was very rare that I was the body for the Governor once I took over the administration part.

Q Once you took over the administration part, did you travel with the Governor?

A I did not travel, you know, with the Governor. I traveled to his events because I was the coordinator for the events. So I would be at the events versus traveling with him.

So I would work with the Executive Chamber staff, and I would be at the events.

So I was more -- could there have been occasions that I did fill in, yes, but mainly site advance work and preparation for the events.

Q How about when flying with the Governor?

A Flying with the Governor, I didn't start flying with the Governor until [REDACTED] took over, and that was in 2017, and when he made me in charge of New York City.

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VINCENT STRAFACE

And it was just him and I, him and I would split. I was the Senior Investigator at the time, him and I would split the time of traveling.

Q So, after 2017, if the Governor was traveling, it would either be either you or [REDACTED] ?

A Yes.

Q And then what does that mean, traveling from, so --

A So I don't know why it became this way, but it did. The commissioned officers or the people who were in charge would always just fly.

So if the Governor was flying to Buffalo or he was taking a flight to New York City, a commissioned officer or the most senior person designated by the Detail Commander would fly.

Q I see.

And so you would fly, but then would you also accompany the Governor in the car going to the airport and coming back on that day?

VINCENT STRAFACE

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2 A Yes. There are certain
3 circumstances where you would just show up, so
4 say if the Governor had an office day all day
5 long in New York City, and he was flying to --
6 he was flying to Washington, D.C. at 3:00 in
7 the afternoon, the Senior Investigator would
8 have started the day with the Governor.

9 At 2:15, when we left the office
10 to go to the airport, I would jump in at 2:15,
11 drive to the airport, take the flight down to
12 Washington, handle the Washington trip, come
13 back, and then we would end the day back home.

14 Q And then, you would then be the
15 body, meaning you would be in the car with the
16 Governor, the driver?

17 A I would be in the car with him
18 and the driver will be driving.

19 Q Where would the Senior
20 Investigator who was part of that travel team
21 that day go, where would they be?

22 Because they would normally sit
23 in the car, right?

24 A They would normally sit in the
25 car -- no, they stay back here in New York with

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1 their team and they wait for us to return.

2
3 And there are some other things
4 that happen, too, not as -- I would say
5 probably you have -- when we come back, if we
6 land back in New York, the Senior Investigator
7 would stay with the trucks and the cars and
8 ready to go, and then they would have my car at
9 the airport, or they would have [REDACTED]'s car at
10 the airport, they would have [REDACTED]' car at the
11 airport, whoever was flying that day.

12 So as soon as the aircraft came
13 in, we would basically turn the Governor over
14 to them, we would get in our cars, because we
15 end our day, because most of the time it was a
16 long day, for the travel, for travel, or
17 wherever we have been.

18 And we would turn it over to the
19 Senior Investigator, who would finish the day
20 with the Governor.

21 Q You mentioned earlier that when
22 you became Tech Lieutenant and Acting Detail
23 Commander that there wasn't a lot of the other
24 positions filled, and it took a while for the
25 different positions to get filled.

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What was the reason for that?

A I think it was -- I'm not sure of the exact reason, but this was something that was building up over a period of time that led up to that point.

The detail had suffered from attrition and people transferring.

So like, I believe when [REDACTED] left and retired, say, the detail was at full capacity of 75 people or 78 people or thereabouts.

When [REDACTED] took over, I think we were down to 65 people or 64 people.

We were down a substantial amount of people, and the stress was all on the detail.

And that was a period from 2016, all of 2016 and all of 2017, trying to be able to build up a detail that, to be honest with you, wasn't getting built up.

I'm not sure if it was a lack of support from the Division of State Police not wanting to give us the bodies or what.

Q And was there a reason for the

1 VINCENT STRAFACE

2 decline in numbers, meaning people leaving and
3 being transferred?

4 A No. I think some people
5 transferred out to go to New York City, some
6 people retired, people went all over the place.

7 And I'm not really sure of the
8 specifics, because I wasn't watching or
9 handling transfers at the time to be able to
10 articulate on why people were exactly leaving
11 during that period.

12 But it wasn't like all the
13 people left at once, it was one person retires,
14 another person gets transferred.

15 Q Okay.

16 What are the requirements for
17 joining the PSU?

18 A You have to have a satisfactory
19 performance evaluation from your Trooper Detail
20 Commander, your station where you're at.

21 There is -- you have to be on
22 the State Police for a certain amount of time,
23 and you have to submit an abstract, it's
24 called, which is basically like a resume of
25 your -- what you have done and where you have

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been and what training that you have.

You submit that to your current Station Commander, then it gets endorsed, and you have to get a recommendation from your current boss where you currently work to give you the recommendation for you to be considered for interview.

Once -- and those have to be submitted to the First Deputy Superintendent's office.

Once they are received by the First Deputy Superintendent's office, they are forwarded to us, and then we go through their names, and then we set up interviews for the candidates that we interview.

Q You mentioned that one of the requirements is that you have to be in the State Police for a certain number of years?

A Yes.

Q How many years is that?

A It's either two or three years.

I know early on it was changed, and I don't remember the exact years that it was changed to, I don't know if it was more and

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they reduced it to less or if it was less and increased to more.

But it's either two or three years that you need to be on the State Police.

Q And you said it changed at some point. When did it change?

A I think it was changed in 2011, when the Governor first took office.

But I'm not sure if it was the Governor who changed it or if it was the State Police who changed it.

Q Between 2011 and now, are you aware of the number of years requirement ever changing?

A Between 2011 and now?

Q Yes.

A I just said I think the requirements did change, but I'm not 100 percent sure, if they changed for more or for less.

Q And when do you think it changed, about when?

A 2011 maybe.

Q I said between 2011 and now,

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which is 2021.

A Yes.

Q It was 2021 when you left, any other times when you understand the number of years requirement to have changed?

A No.

Q You are not aware of any?

A Between -- I'm confused, it's like the same question.

MR. FODEMAN: You said there might have been a change in 2011 where it changed to two or three.

After that, between that time and now, do you know of any other times it changed again?

Q Is that a no, you are not aware of --

A I don't believe that it changed from what it was when it was originally changed.

Q By originally, you are saying 2011, 2012?

A 2011, 2012.

Q Are you aware of any trooper --

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go ahead.

A No, okay, I'm sorry.

Q Are you aware of any trooper who did not meet the requirements in terms of number of years of service who was able to join PSU?

A We had two troopers that missed the cutoff by a month or two, and we still considered them, despite the -- despite the shortfall, we still considered them for the detail.

Q And who are those two?

A Oh, man, [REDACTED] and Trooper #1 [REDACTED].

Q Tell us the circumstances of how -- tell us the circumstances of how Trooper #1 [REDACTED] was hired for the PSU?

A Trooper #1 [REDACTED] was assigned to help the Protective Services Unit for an event at the Robert F. Kennedy Bridge, and I don't recall what the event was exactly for, it could have been for the -- I think it was for an increased security for either recent bombing, suicide attack in New York City,

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2 terrorist attack, or it was for the marathon,
3 I'm not sure what it was, but I think it was
4 for an increased security event.

5 And that day that we went down
6 there, Senior Investigator #1 ,
7 it wasn't even on -- it wasn't a scheduled
8 event, it was one of these events that they
9 just put together last minute, so we all
10 scrambled.

11 So, I told SI #1 , I said SI #1 ,
12 you go do handle the event, I'll go and body
13 the Governor down to New York City from Mt.
14 Kisco.

15 So there was an interaction
16 where Trooper #1 was partnered up with
17 Senior Investigator #1 , and their role
18 was basically to lead the motorcade to the
19 event and we staged under the bridge and held
20 up there until they were all set for the event

21 So we get to the event, the
22 trooper car with Senior Investigator #1 in it leads us up
23 to the hold spot, which was under the bridge,
24 SI #1 exits the vehicle, Trooper #1 exits the
25 vehicle, myself, the Governor, and I believe

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2 the Governor's daughter, one of the Governor's
3 daughters I think was with us that day, too.

4 The Governor gets out of the
5 car, says hello to SI #1 . SI #1 introduces the
6 Governor to Trooper #1 .

7 Governor says hello to Trooper #1 ,
8 a conversation ensued amongst them. I don't
9 know what the conversation was, I didn't hear
10 the conversation.

11 After that, Governor gets back
12 into the truck, the troopers and SI #1 get back
13 into the car, and off we went and we did the
14 event.

15 After the event I get a call
16 from Senior Investigator #1 , who said that Trooper #1
17 Trooper #1 was squared away, super squared away,
18 you had to see how she handled the interaction
19 with the Governor. Most people are very timid,
20 she wasn't timid, she was very direct.

21 He asked her if she was
22 interested in coming to the detail or if she
23 would want to come to the detail, and she said
24 maybe, possibly, I don't know the exact words,
25 conversations that they had.

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2 But it was directed towards me
3 from SI #1 that Trooper #1 could be a very good
4 candidate for PSU.

5 And plus at the time the unit
6 was hurting for females, the unit was hurting
7 for members, just plain members. We weren't
8 getting the volume of people coming into the
9 detail.

10 And that's how Trooper #1
11 became -- got put on our radar as a potential
12 candidate for PSU.

13 Q Did you have any conversations
14 with the Governor about Trooper #1 ?

15 A No.

16 Q Did you have -- did Senior Investigator #1
17 to your knowledge have any conversations with
18 the Governor about Trooper #1 ?

19 A I can't speak on SI #1 's behalf,
20 but to -- I believe that SI #1 was having
21 conversations with the Governor about Trooper #1 .

22 Because he was the one who was
23 communicating with me that she was a squared
24 away trooper, and I'm not sure, my assumption
25 is he probably had a conversation in the truck

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that she was a squared away trooper, she was interested in coming to the detail.

And again, this is all speculation, and I don't want to speculate.

MR. FODEMAN: Just to be clear, so there is a clear record, did SI #1 tell you that or is that what you gathered?

THE WITNESS: No, that's just me gathering and assuming.

But I assume that SI #1 had a direct conversation with the Governor about Trooper #1 .

Q You did not -- you say you assume, but you do -- do you remember the conversations you had with Senior Investigator #1 about Trooper #1 ?

A I recollect basically everything that I just told you.

I know SI #1 did his own research on Trooper #1 , I know that he called her supervisors in New York City to learn more about her, and if she would be a good fit and candidate for PSU.

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He reported back to me that he called the supervisors and she came highly recommended by all her supervisors as being squared away and a good potential candidate for PSU.

Q Did he report to you whether he had any conversations with the Governor about Trooper #1 ?

A It's possible, it's possible. I don't recall -- just repeat the question one more time? If you don't mind.

Q Did Senior Investigator #1 tell you that he had any conversations with the Governor about Trooper #1 ?

A I don't know if he specifically told me that he had conversations with the Governor.

Q How about generally?

A Generally I would say yes. It seemed like he was having a conversation that she would be a good fit for here, and that if SI #1 believed that she was a good fit for here, she should come here.

Q That's what the Governor said to

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him?

A Yeah, that's basically the gist that I got from SI #1 and the whole situation.

And then we, again, she had to apply, she had to go through the process, submit the abstract, submit her abstract and go through the interview process.

Q Let me back up.

So, on that day, were you the body for the Governor, or who was?

A SI #1 was the designated body for the Governor that day, but like I said, that day they threw on a last minute a press conference in the middle of the bridge, the Triboro Bridge, RFK Bridge, so it was a scramble.

So, I ended up turning into the body that day, and SI #1 went to the event to advance, because SI #1 lives in [REDACTED], he was coming up from [REDACTED], I live in [REDACTED].

I said SI #1, I'll go to Mt. Kisco, you go to the event, and get the event squared away.

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Q Okay, so you accompanied the Governor to the event?

A I accompanied the Governor to the event.

Q And Senior Investigator #1 went ahead and was at the event ahead of time?

A And Senior Investigator #1 was at the event, ahead of the event -- ahead of us, and he was assigned or partnered up with Trooper #1 Trooper #1 .

Q When you say he was partnered up, did they --

A They were --

Q -- is it your understanding that they traveled there together to the event?

A No. SI #1 drove his car to the event, there was a uniformed trooper there with a uniformed trooper car, he got into her patrol car, he has the radios that communicate with us.

So she was the driver of the uniformed car, and we -- and they led us into the event.

Q So what's your understanding of

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Trooper #1 's role at that event?

A She was an escort, really.

Q She was not a part of the PSU, obviously?

A No; she was assigned to assist the PSU in an escort role.

Q So she was already at the bridge when Senior Investigator #1 got there?

A Well, I don't know if she was at the bridge or SI #1 had to wait for her to get there, but SI #1 called Troop New York City, which is the troop where she worked out of, to get assistance for the event.

I think the Superintendent -- this was a big event where you had the Superintendent, you had the Secretary of Homeland Security, you had the Commissioners of all the Authorities that were there, because it was a safety -- an increase in security plan for the City of New York announcement.

Q Um-hum.

So you arrived, you are with the Governor, you exit the vehicle with the Governor, and then where is Senior Investigator #1 when

1 VINCENT STRAFACE

2 you exit the vehicle?

3 A So I just want to clarify this,
4 just so you understand, where this interaction
5 takes place.

6 The event is on top of the
7 bridge that goes into Manhattan.

8 The uniformed car met us on the
9 Bronx side of the bridge, where we went down
10 and around, because at that point I believe it
11 was all under construction.

12 So we went, we followed the
13 uniformed car to one of these exits, I'm not
14 sure which exit, but we didn't go where the
15 event was, we went to another exit, we went
16 around, and then we held underneath the bridge
17 where the ball fields were on the bottom of the
18 Randall's Island, and we held there until they
19 were ready for us at the event.

20 And that's where the first
21 interaction with SI #1 , Trooper #1 and the
22 Governor took place.

23 Q Okay. So you were held in
24 Randall's Island before you head up on to the
25 bridge?

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A Yes.

Q You are in the vehicle with -- I think you referred to it as the truck, right, where the Governor is?

A Yes.

Q Is that what you call the vehicle where the Governor is sometimes?

A The truck; the truck, the limo.

Q So you are in the truck with the Governor. Who was the driver that day?

A Oh, I don't remember who the driver was. It could have been [REDACTED], if it was SI #1's team it was [REDACTED] or [REDACTED], but I don't recall exactly who the driver was that particular day.

Q Okay, so you are in the vehicle, you are in the truck with the Governor, you are down in the staging area and near the ball fields at Randall's Island.

What happens?

A We get to the holding spot, both vehicles stop, SI #1 exited his vehicle, Trooper #1 exits her vehicle, they come to the back of the troop car, the Governor gets out of

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2 his car, shakes SI #1 's hand, SI #1
3 introduces -- introduces him to Trooper #1 , they
4 shake hands, I don't even remember if they
5 shook hands. But I would imagine she shook
6 hands.

7 And then a conversation ensued.

8 Q And where were you when the
9 Governor was having this interaction with
10 Trooper #1 ?

11 A I did get out of the vehicle but
12 I did not -- I did not approach -- I did not
13 approach them. I just stayed by my door.

14 Q I see. Could you hear what they
15 were talking about?

16 A I could not hear what they were
17 talking about.

18 Q And by the way, I think the
19 audio cut out a little bit for me, but you did
20 not hear what they were talking about?

21 A No, I did not hear what they
22 were talking about.

23 Q And how long did they talk?

24 A I don't think it was more than a
25 minute, but I'm not sure.

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2 It wasn't very long. It wasn't
3 very long. It seemed like a very short
4 interaction, but more than a hi and goodbye
5 type thing.

6 Q And then what happened?

7 A Then we got back in the car, we
8 drove up and we did the event.

9 Q Okay.

10 When you were -- and then did
11 you ever see Trooper #1 again that day?

12 A No, I did not.

13 Q When you got back in the car, or
14 the truck, did the Governor say anything to
15 you?

16 A No.

17 Q Did he mention --

18 MR. FODEMAN: About Trooper #1 or
19 just generally?

20 Q I will start generally.

21 A Generally back in the truck
22 after the event, I can't recall if he talked to
23 me generally, but I'm not 100 percent sure.

24 Q Did he -- did he say anything
25 about Trooper #1 ?

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A No.

Q Sorry, the audio cut out again.

A Not to me in the car, sir.

Q How about at any point, ever?

A Not to my recollection. In terms of -- the only issue, like I had, not an issue, but it's something that I handled, because he didn't -- when she became on the travel team, she is a very confident, confident individual, competent and confident.

And when she would drive in New York City as the driver, she would, from the Governor's perspective, and I saw it once or twice while I was in the back seat, is she takes a risk that could possibly cause an accident.

And what does that mean?

She trusts the other driver, thinking that the other driver sees her or like -- not making the eye contact that you would need to maintain control or to feel like you are in control.

And I think there was a couple of close calls where yellow cabs almost hit the

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1 truck, because there was no, I don't know how
2 to describe it, but you guys, when you drive in
3 New York City, you have to be in control of the
4 intersection, you have to be looking at the
5 other driver, you have to make sure that the
6 other driver sees you, you have to drive
7 defensively.
8

9 And I think that's probably the
10 correct word to use, drive defensively.

11 And there were instances where
12 she wasn't driving as defensively as --
13 especially in the New York City atmosphere,
14 where the Governor thought that we were going
15 to get into an accident.

16 So, he called me in and had a
17 conversation with me about her and her driving,
18 that she's going to get us into an accident,
19 and I knew exactly what he was talking about,
20 because I witnessed it while I was in the
21 truck.

22 So I would have the
23 conversations with -- I would have the
24 conversations with the Senior Investigators, to
25 coach her, take her out driving, making sure

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2 that she is confident in the move that she's
3 about to make prior to making the move.

4 Making sure that she has control
5 where the taxicab or the person -- or the car,
6 whoever is driving that car, actually sees her.

7 And then it happened again, and
8 he talked to me again about it, and he's like
9 you're going to have big trouble here because
10 we are going to get into an accident.

11 So I started to limit her from
12 driving in the New York City atmosphere, and we
13 are short on drivers, there are not many people
14 that can -- people can drive, but it's
15 different driving the car when he's in the car,
16 it's just a different pressure that you are
17 under.

18 So we have her drive events from
19 Long Island, from the airport to the event
20 versus being in the metropolitan city area
21 atmosphere.

22 Q When was that that you had these
23 conversations with the Governor?

24 A I can't recall exactly when they
25 were, like specific dates, times.

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2 Q No, approximately.

3 A I don't know, it had to be 2019,
4 I'm just trying to think of her projection of
5 when she got to the detail.

6 She came to the detail I think
7 maybe in 2018. so this has to be 2019, sometime
8 in 2019.

9 Q How many conversations did you
10 have with the Governor about Trooper #1 ?

11 A I can't recall how many
12 conversations we had specifically.

13 But most of them -- all of them
14 were basically about, you know, her driving
15 abilities.

16 Q And who -- was there anyone with
17 you or within earshot when you had these
18 conversations with the Governor about Trooper #1
19 Trooper #1 ?

20 A I don't recall.

21 I think they could have been
22 just one-on-one conversations I had with the
23 Governor.

24 Q And did you ever end up
25 reassigning Trooper #1 from -- or taking

1 VINCENT STRAFACE

2 steps to move her from driving the Governor,
3 move her out from driving the Governor?

4 A No, I talked with the senior and
5 I did tell him that it's probably in our best
6 interests right now she doesn't drive in New
7 York City and we just use her for stuff that is
8 outside of New York City.

9 Q And who was the senior?

10 A She was on Senior Investigator #2 ,
11 Senior Investigator #2 's team.

12 Q And what did SI #2 say?

13 A No, he understood.

14 He's not -- I don't think he
15 became defensive or anything like that. I just
16 said you just can't have her in the truck right
17 now until she gets better, she's just overly
18 confident, and that confidence I think is just
19 going to get us in trouble, so let's just keep
20 her for Long Island things.

21 He would call, is it okay for me
22 to put her in the truck out in Long Island for
23 this event and that event, and I would say yes,
24 okay.

25 Q You were going to add something?

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A No.

Q Did she continue to drive the Governor outside of New York City?

A Yes.

Q Where?

A Long Island, Westchester.

Q Was she part of any travel team where she was the designated driver?

A She was the second -- I believe she was the secondary driver for the travel team.

Q For one of the teams?

A Yes.

I think she was on SI #2's team.

Q Who was the primary driver after that?

A [REDACTED], if my memory serves me correctly.

Q When I asked you earlier about anyone else who did not meet the technical requirements of years in service, but joined PSU, you mentioned [REDACTED]?

A That's correct.

Q How did [REDACTED]'s

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hiring take place?

A He submitted a memorandum for consideration to PSU, went to the First Deputy Superintendent, and then came down to us, and we set up interviews and we interviewed the candidates that were presented to us.

Q How was his hiring process? Did you interview him?

A I don't recall if I was in his interview or not, but it's possible that I was in his interview.

But I can recall that either because I was in the interview or because the Sergeant briefed me because if I was not -- either if I was in the interview or I wasn't in an interview, the Sergeants would put together a nice like memo of pros and cons for individuals.

And [REDACTED], and [REDACTED] was a guy who stood out as being squared away, he was in the Armed Services, I believe the Coast Guard, where he had some dignitary protection experience.

He plays the part very well,

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very tight, very well dressed, great mannerisms, and he impressed us.

Q Had the Governor ever met him before he was hired?

A No, I don't believe so.

Q Was he after or before Trooper #1 Trooper #1 ?

A No, I think they were the same.

Q Exactly the same time?

A I'm not sure -- they came on in the same -- they came in the same time, I'm not sure if [redacted] put his papers in first or how that went.

Q So is it your testimony that your recollection --

MR. KIM: Strike that.

Q Is it your testimony that Trooper #1 [redacted] was hired without any change in the requirements for joining PSU?

A Yes, there was no change to the requirements for PSU.

Q You are not aware of a notice, an e-mail going around to all troops and stations with a new requirement, minimum

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1 requirement of two years changed from three
2 years?
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4 MR. FODEMAN: Do you have a date
5 on that, Mr. Kim?

6 MR. KIM: November of 2017.

7 A Who sent the e-mail?

8 Q I am just asking if you remember
9 any e-mail like that?

10 A I don't recall. I don't recall.
11 And that was in November of 2017?

12 Q Correct.

13 A And there was a manual change?

14 Q A change in the requirements.

15 A I know that it was discussed,
16 because we had two qualified candidates for the
17 job, but I don't believe -- I don't recall that
18 we changed the requirements or that even that
19 e-mail was sent out, because they were just
20 short, I know both of them were just short by a
21 few months for the -- and they were both very
22 well qualified.

23 In terms of the way they
24 interviewed, and PSU also needed, we needed
25 people, we didn't have people, we were in a

VINCENT STRAFACE

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pickle.

Q Who did you discuss the hiring of Trooper #1 with?

A Who I have discussed the hiring of Trooper #1? You know, at the time I would have discussed the hiring with [REDACTED], who was the First Deputy Superintendent.

And also at that time I probably would have discussed it with Letizia Tagliafierro.

I don't know what her position was, she was like a liaison between the State Police and the Superintendent.

Q And SI #1?

A And SI #1.

Q Anyone else?

A Not that I can recollect, no.

Q What did you tell [REDACTED] about Trooper #1?

A I am just trying to think.

My -- I hate it when I say my assumption, but I believe I told [REDACTED], and I'm not even sure if I had this conversation with him, but I know that she was

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2 impressed, the Governor was impressed by her, I
3 know that SI #1 had pushed for her, and I
4 probably would have told him those
5 circumstances.

6 That the Governor had an
7 interaction with her at the RFK Bridge, was
8 very impressed with how she handled herself,
9 Senior Investigator #1 did some background,
10 she also comes very highly recommended, and
11 SI #1 feels that she would be a good fit for
12 PSU.

13 Q How did you know that the
14 Governor was impressed by her?

15 A Because SI #1 told me the
16 Governor was impressed by her.

17 Q So SI #1 did tell you that,
18 right? Earlier you said you assumed that he
19 did.

20 A Yes.

21 Q Yes, you were told by SI #1
22 SI #1 that the Governor said he was impressed
23 by her?

24 A Yes; yes, I believe so; that's
25 correct.

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VINCENT STRAFACE

Q You believe so or you --

A Sir, you are asking circumstances that are so far, and I am trying my best to be as articulate as I possibly can.

Q You clearly remembered, you clearly remembered that Senior Investigator #1 said he did his homework, that you remember clearly, that he did his homework, he looked into her qualifications?

A But I don't want to speculate on something that I am not 100 percent sure of, but it is my understanding and my feelings that the Governor was also impressed by her, and if SI #1 felt that she was a good candidate and that she interviewed well to be a good candidate here, she would make a good fit.

Q I'm asking you very factual questions, not about conclusions, and as I said at the beginning, part of testifying under oath is saying even if you have a general recollection, giving that general recollection, if you have a specific recollection, giving that specific recollection.

No one has 100 percent

VINCENT STRAFACE

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2 recollection of everything that happened in
3 their lives, that's not what we are seeking
4 from you.

5 We are seeking your honest and
6 truthful and full testimony about what you
7 remember.

8 If you don't remember certain
9 things well or you are not sure, you can say
10 that, but you still have to testify truthfully.

11 If you have a general
12 recollection of a conversation, you have to say
13 that and not describe it as I assume, because
14 assumption is different from a general
15 recollection.

16 A Yes.

17 Q Let me ask you again, what do
18 you remember first telling [REDACTED] about
19 Trooper #1 [REDACTED] ?

20 A Sir, I don't specifically
21 remember talking to [REDACTED] about Trooper #1
22 Trooper #1, I don't have any recollection of that
23 conversation.

24 My --

25 MR. FODEMAN: That's it, that's

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VINCENT STRAFACE

the answer. That's your answer.

A If I did talk to him.

Q You don't remember talking to [REDACTED] about Trooper #1 [REDACTED] ?

A I don't remember talking to [REDACTED] about Trooper #1 [REDACTED] .

But I probably had a conversation with him at some point about it, because he's the boss, right?

Q He would have to approve -- would he have to approve all hires?

A Yeah, he would have to approve all hires.

Q And did he approve Trooper #1 [REDACTED] Trooper #1 [REDACTED] , to your recollection?

A Yes.

Q And you spoke with -- well, did you speak to Letizia Tagliafierro about Trooper #1 [REDACTED] ?

A Yes.

Q What did she say to you?

A I think I told Letizia that we were -- she knew that we needed people and she was working to help get people for [REDACTED] before

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██████ departed.

And ██████ had just departed at this particular time, and we were short so many people. And I said we are in a pickle, I said we have, out of the candidates that we have, they are all young troopers.

We didn't get many people that had much time on the job to put in for this detail because they are all in places that they wanted to be.

So we have a lot of young troopers that applied.

I expressed my concerns to her that you have two individuals that are short by months, I'm not sure how many months, but they were short, they were just short, just shy of the minimum, either two years or three years minimum.

And then she said she would discuss that with the Superintendent, and that's where we left that.

Q Did you discuss with her at all the Governor's view of Trooper #1 ██████ ?

A I do not recall if I discussed

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the Governor's view of Trooper #1 with her, no.

Q Did she seem to be aware of the Governor's interactions with Trooper #1 when you spoke to her?

A I can say that I probably told her that Trooper #1 was somebody that the Governor had met, had interacted with, and the Governor did -- was impressed with Trooper #1 .

Q Let me go back. And the Governor never mentioned Trooper #1 to you or being impressed by her?

A No, no, everything that came from -- I think came from the Governor, came from SI #1 to me.

Q You didn't mention it to him at all?

A Not to my recollection. I did, if I did mention anything to him, it would be at the point where I would let him know who got onto the detail, the new members that are coming in, and either he will give me okay or not okay or whatever answer he

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VINCENT STRAFACE

gives, and that's it.

Q By the way, what was Letizia Tagliafierro's title at the time?

A I am not sure what her title was at the time.

Q She was not a State Trooper?

A No, she was not a State Trooper, she was an Executive Chamber employee. She was a liaison or she acted as a liaison position. I don't know what her exact title per se was.

Q So why were you talking to her about the hiring of State Troopers?

A Because she was the -- she had taken on the role of the liaison.

I'm not sure how -- I wasn't -- before I took over, she worked hand in hand with [REDACTED] every day about the detail, about changes, about getting people, about moving the detail forward, and then [REDACTED] leaves.

And now it's -- now I am left with this.

So Letizia is somebody that I went to to say this is -- these are the needs of the detail and this is what we want to do,

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2 these are the people that we need, this is, the
3 detail is hurting, it can't continue to be this
4 way people, can't have days off, et cetera, et
5 cetera.

6 And she would facilitate it.

7 Q What role did the Executive
8 Chamber have in the hiring of State Troopers?

9 A They really didn't have much
10 role.

11 Other than I guess me or [REDACTED]
12 or whoever putting forth the list to the
13 Chamber, just letting them know that the moves
14 that were going to make, basically either
15 transfers or promotions or people that we would
16 bring in.

17 Q And did you let them know, did
18 they have a say on who would come in and who
19 would not?

20 A Did they have a say?

21 I wouldn't say they have a say.

22 But they give the final sign-off
23 I guess with the Superintendent, that I send to
24 the Superintendent.

25 Maybe he checks and says are you

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okay with what Vinny wants to do, and maybe they get the final sign-off from there, but I'm not 100 percent sure on that.

Q So is it your understanding that the Executive Chamber has the final sign-off authority on which State Troopers are in the PSU or not?

A I think that the -- I wouldn't say that, I would say the Superintendent of the New York State Police has the final sign-off.

Q So why were you talking to Letizia Tagliafierro about Trooper #1 ?

A Because at that point she was acting as the intermediate person between us and the Superintendent.

Q So she was -- she was the intermediary between you and the Superintendent of the New York State Troopers?

A Yes.

Q And you didn't have a direct line of communication with the Superintendent?

A No, I did, both.

And Letizia's time, especially for me, was very short, because I'm not sure

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2 how long she was in that role while I -- when I
3 became -- I know she was there for a year for
4 [REDACTED], but I was -- [REDACTED] retired and I took
5 over for her about a month or two.

6 That month or two I think she
7 was around, and then Letizia left from there.

8 Q Who was the Superintendent at
9 the time?

10 A In 2017?

11 Q Yes.

12 A That was maybe [REDACTED].

13 Q Sorry?

14 A [REDACTED].

15 Q So for you to communicate to the
16 Superintendent you went through Letizia
17 Tagliafierro?

18 A No, my direct communication
19 wasn't to the Superintendent, it was to the
20 First Deputy Superintendent, who was [REDACTED]
21 [REDACTED].

22 Q But for you to communicate --
23 I'm trying to understand what you meant by the
24 reason you talked to Letizia Tagliafierro was
25 because she was the intermediary between you

1 VINCENT STRAFACE

2 and the Superintendent?

3 A I just don't know how to explain
4 it.

5 It was the way the dynamic was
6 at the time when [REDACTED] left and I was left
7 over, and what I saw [REDACTED] deal with and what I
8 saw the Superintendent deal with.

9 Letizia oversaw, I'm not sure if
10 she oversaw the whole State Police and -- she
11 oversaw all the State Police and she reported
12 with the Superintendent and she had dealings
13 with PSU and she had dealings with I know every
14 other entity, not just PSU.

15 I am not sure how to explain it,
16 because I don't know what exactly her role was.

17 Q And who had that role before
18 her?

19 A I don't believe anybody had that
20 role before her.

21 Q So before her were there no --
22 was there no need for an intermediary to
23 communicate with the Superintendent?

24 A I'm not sure, sir.

25 Q How about after, after Letizia

VINCENT STRAFACE

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2 left?

3 A No, nobody assumed that role.

4 Q So --

5 A That I know of.

6 Q So after Letizia Tagliafierro
7 left, who did you communicate with about these
8 types of issues?

9 A Just the First Deputy
10 Superintendent.

11 Q So you didn't -- after Letizia
12 Tagliafierro left you didn't run questions
13 about hiring through the Executive Chamber?

14 A I deal directly with the First
15 Deputy Superintendent, and then I always let
16 the Executive Chamber know, either the Governor
17 or Melissa DeRosa know what my plans are so
18 they would understand what's happening with the
19 detail.

20 Q And do they have a say in who is
21 brought onto the detail and who is not and what
22 roles they play?

23 A No, they really don't have a
24 say.

25 Could they offer an opinion?

1 VINCENT STRAFACE

2 But I have not -- maybe a couple of times,
3 especially for promotions and stuff like that
4 they have offered an opinion.

5 But for the most part my --
6 during my tenure I guess, if you want to say, I
7 basically have picken and chosen the people
8 that are on the detail that have been promoted
9 without any -- anybody telling me different,
10 and I've gotten the full support of the
11 Superintendent.

12 If there is somebody that we
13 think that we are going to hire, I don't even
14 think it has happened to us where we vet them
15 and something comes back from Internal Affairs
16 where we don't take them, but that has not
17 happened.

18 Q Okay, so then other than
19 Trooper #1 [REDACTED], have you ever consulted with
20 the Executive Chamber about someone being
21 transferred into the PSU?

22 A When you say this, you know, if
23 I am transferring people into the PSU, I will
24 send an e-mail, a message or a conversation
25 about who the people are who are coming, and a

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brief background on the people that are coming in.

So, in essence I am having a conversation about it.

And then I send it off to the -- I discuss the same thing with the First Deputy Superintendent, and again, we go through the whole vetting process, and if everything meets the criteria, and passes vetting, and passes the interview and is seen to be a good candidate, you know, they are transferred to the detail.

Q And how about with respect to Trooper #1, was the conversation before or after the decision to transfer her in?

A No, I think the way the whole transaction went down, it was not customary, right?

It's not -- it wasn't a customary -- and I'm not saying that it hasn't happened, it has happened when -- and that's how we get people to come to the detail, right?

We have members on the detail who know people and say this guy is going to be

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2 or gal is going to be a good fit for the
3 detail.

4 This particular incident with
5 Trooper #1 happened after an interaction
6 with the Governor.

7 A Senior Investigator was also
8 very impressed, he did his own homework, he
9 communicated with the Governor, he communicated
10 with me saying this is somebody that we want.

11 We needed diversity on the unit,
12 we needed bodies on the unit at that particular
13 time.

14 And I'm not sure if I am
15 answering the question, but --

16 Q The question was did you have
17 conversations with Letizia Tagliafierro before
18 the decision was made for her to be hired or
19 before she was formally hired?

20 A I believe so. I believe that I
21 had conversations with her, that the Governor
22 had an interaction with Trooper #1, she had again
23 left an impression on the Governor, she left an
24 impression on SI #1, both things, and she was
25 somebody that we wanted to have on the detail.

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Q And what did Letizia say in response?

A I'm not -- I don't recall exactly what she said in response. I imagine she was supportive to my suggestion to have her come to the detail.

Q Did you have a conversation with Letizia Tagliafierro about [REDACTED] before the decision was made to hire him?

A Yes, I told her, because we had two people who fell short of the requirement, the minimum, and there was both [REDACTED] and Trooper #1 .

Q You remember that?

A I'm sorry?

Q You remember that, having that conversation with Letizia Tagliafierro?

A Yes, we had two people short, and Letizia is the one who had the conversation with [REDACTED] or [REDACTED], I'm not sure who she had the conversation with.

Q Did you have a conversation with [REDACTED] about [REDACTED] ?

A Again, I don't recall if I had a

VINCENT STRAFACE

1 conversation directly about [REDACTED].

2 Q Did you have a conversation with
3 Senior Investigator #1 about [REDACTED] ?

4 A I don't believe so.

5 Q Other than Trooper #1 [REDACTED] is
6 there anyone else who had an interaction with
7 the Governor and then was asked to be put on
8 the PSU?
9

10 A Not to my recollection, but I
11 have to -- I'm thinking.

12 Not to my recollection.

13 MR. KIM: Okay, is this a good
14 time for a quick break? I could use a
15 restroom break.

16 MR. FODEMAN: Absolutely.

17 MR. KIM: Just five minutes, then
18 maybe next time at the next break we can
19 break for lunch.

20 MR. FODEMAN: Sounds good.

21 THE VIDEOGRAPHER: This concludes
22 media number 2. Going off the record
23 11:27. Thank you.

24 (At this point in the proceedings
25 there was a recess, after which the

VINCENT STRAFACE

deposition continued as follows:)

THE VIDEOGRAPHER: We are back on record. This marks the beginning of media unit 3, 11:40 a.m. Thank you.

Q So Mr. Straface, we were talking a little bit about the process by which troopers were hired or brought into the PSU.

Let me ask you some questions about the promotion process within it, going from trooper to investigator to Senior Investigator and then the more senior positions.

How did that process work?

A The process, it's based on merit, it's based on work ethic, it's based on the ability to do the job, the experience, the ability to handle the diverse environment, to be able to think quick on your feet, to be able to multi-task.

So in the unit, you know, you still have the uniformed side of the unit, and you have the BCI side of the unit.

So the BCI side of the unit are appointments, and on the uniformed side of the

VINCENT STRAFACE

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2 unit are promotion exams for Sergeant and
3 uniformed Lieutenants.

4 So, under my watch, I had a
5 couple of Senior Investigator openings, I had
6 the Lieutenant positions open that were empty
7 while I was still here by myself, and I
8 identified two of the hardest working most
9 squared away guys that worked for me to take
10 those roles, that I knew that could handle
11 those roles, be good role models and
12 supervisors of their peers.

13 They both were respected, were
14 competent, who could do the job and do the job
15 well.

16 I make those recommendations to
17 the Superintendent and then -- the First Deputy
18 Superintendent. The First Deputy
19 Superintendent takes it to the Superintendent
20 who approves them or denies them.

21 Usually the progression with the
22 Senior Investigator is the -- for instance,
23 I've been on the detail from the beginning, and
24 still leading to this day the progression to
25 the Senior Investigator, who becomes the body,

1 VINCENT STRAFACE

2 usually comes out of the driver seat.

3 So whoever is the driver usually
4 becomes the body, because they become well
5 versed in the operations, the daily operations,
6 they spend the most time with the body senior,
7 they help the body senior with organizing the
8 day, understanding how the detail moves,
9 understanding how we need people.

10 So they become the most well
11 versed at being as close to the operation than,
12 say, the advance person.

13 So, it's usually the person who
14 really cultivates to become the next body
15 senior, usually comes out of the driver seat,
16 and then, they have to meet all the -- all the
17 things that we want them to meet.

18 Again, that's competency, that's
19 thinking on their feet, making good
20 decision-making, ability to work and also to be
21 available.

22 You know, and I think being
23 available is a key responsibility, it's very
24 unique to the Protective Services Unit, because
25 it's a nonstop operation.

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Even on your days off you're scheduling for the next day. It's a lot of personal sacrifice and personal time that you put into it.

And you need those, you need to select those people that have that drive or are able to dedicate the way they dedicate to become a good supervisor and Senior Investigator on the unit.

Q What role has the Governor played in decisions of promotions within the PSU?

A I know that the Governor has -- he identifies who is talented, who has the ability to do the job.

I know that the Governor has believed in me, has given me confidence in knowing that I can handle the job and do the job and make sure that the operation runs smoothly.

I know a guy like Dave Dively, the Governor thought very highly of Dave Dively, he knows that Dave, and it was his recommendation to send -- I'm not even sure if

VINCENT STRAFACE

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2 it was him recommending, because I wasn't part
3 of it, but it was the assumption that it was
4 his recommendation collectively with maybe
5 [REDACTED] and whoever else was the boss at the
6 time to send Dave to Albany to be the Senior
7 Investigator up in Albany when there was a
8 vacancy.

9 You know, Dave is very squared
10 away, very sharp, very diligent, very good at
11 what he does, and to go up there and be
12 basically a change agent for Albany.

13 And again, I think most of the
14 promotions that happen, I do -- that I have
15 done, I have sent to him my recommendations for
16 who I believe should be promoted with my
17 details on why I think they should be promoted
18 and the job that they have done for us.

19 And their work ethic and their
20 ability to think quick on their feet and get
21 the job done and who have worked hard.

22 Q So you say you send a list of
23 people you are going to promote. Do you send,
24 before any promotions are made within the PSU,
25 send the decisions to the Governor?

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VINCENT STRAFACE

A Do I send before the decisions are made?

Q Yes.

A Yes; and I think I do that out of courtesy, and it's something that I have learned from all previous administrations that I have worked for.

You know, I think there is a certain comfort level that the principals have and expect for the people that are going to be around them, and want to be aware of changes that are going to be made or promotions that are going to be made or people who are coming in or people who are going out.

So I do it more as a courtesy.

Have I gotten feedback from the Governor at times, do you really think that this person can handle it?

I don't believe that he can handle that particular position or job.

And sometimes I have to relook at it and think about it and think more outside the box or wordly and see what he's seeing or not seeing.

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VINCENT STRAFACE

Or I go back to him and say I think he or she is the right person for that particular position.

Q Have you made any promotions within the PSU that the Governor did not agree with?

A Um, no, not the promotions, per se, not the promotions, per se.

Q -- how about other things, then?

A No, he -- what sticks in my head, there is like this one guy, his name was [REDACTED], he's an investigator, he was somebody I had promoted, but over time, you know, sometimes he acts, quote unquote, like a -- he's not performing his duties to -- he's not performing his duties to the highest level at times, and it shows.

And then, when that shows, the Governor recognizes it, they have a conversation with me that, you know, what is this guy still doing here? We promoted him or you promoted him and he's not performing the job.

So things like that.

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Q So what did you do with [REDACTED]
[REDACTED]?

A [REDACTED], I have counseled [REDACTED] and I have -- listen, the way I manage is our people are only as good as we are, and it's my job to mentor him and his supervisor's job to mentor him, and I use the phrase we have to bring people along.

And I stuck with him and I brought him along.

Q And where is he now?

A He's still on the detail.
As far as I know he's on the detail.

Q How about other than the Governor, others in the Executive Chamber, who did you consult with on promotions?

A Mainly just the Governor.
And occasionally Melissa DeRosa, but I tried to stay away from Melissa DeRosa.

Q Why is that?

A Um, Melissa is just a very -- she has a -- she wears a lot of hats, she doesn't always understand what our needs are

VINCENT STRAFACE

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2 and what direction we are heading and how
3 things are in the detail, especially when we
4 are not getting the support from the division
5 or from whoever it may be to get more people,
6 et cetera.

7 How we suffer and how the unit
8 suffers in terms of morale, in terms of working
9 people to death, in terms of, for example, ■
10 ■ and working 24 hours
11 a day, seven days a week.

12 And I just felt that being the
13 Detail Commander, if there was going to be
14 changes or there were going to be things, I
15 wanted the ability to work with the
16 Superintendent, work with the Governor to make
17 the positive changes needed for the detail
18 without having that extra interference.

19 I wouldn't even call it
20 interference, it's like extra -- like an extra
21 piece that's not really needed.

22 Q So when you communicated about
23 promotions, you did it directly with the
24 Governor?

25 A Yes.

VINCENT STRAFACE

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2 When I -- when promotions came
3 up or we had an opening, myself and my team and
4 my supervisors would collectively communicate,
5 we would talk to see who was going to be the
6 best fit for these particular positions, and
7 then I would make the recommendation to the
8 Governor based on my recommendations, which is
9 to make sure he's good and comfortable with the
10 decisions that are being made.

11 Q And how did you communicate
12 these, orally or by e-mail or text?

13 A Both -- both by orally and by
14 PIN.

15 Q Did you communicate with the
16 Governor before or after or at the same time
17 that you communicated to your own supervisors
18 and troopers about these promotional decisions?

19 A No, we would talk about them
20 amongst ourselves, and there are times, too,
21 that I conferred with the Superintendent, the
22 First Deputy Superintendent about the
23 promotions and what we were thinking.

24 And then, before I went back to
25 the First Deputy Superintendent with anything

VINCENT STRAFACE

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2 finalized, I would communicate it with the
3 Governor, this is what the detail changes were
4 going to be.

5 Q Was it your understanding that
6 before you became Detail Commander that your
7 predecessors were doing the same thing,
8 consulting with the Governor about promotional
9 decisions?

10 A I believe so.

11 Q And why do you believe so?

12 A Because I know that my
13 predecessors had difficult times at times when
14 they made moves without giving the courtesy to
15 the Executive Chamber, and when new people just
16 show up or people come on or people are moved
17 and they don't know about it, it's kind of -- I
18 feel, it's -- they feel like it's a disrespect.
19 And it caused a lot of tension and a lot of
20 problems.

21 And I didn't want, me
22 personally, I didn't want those problems, and
23 what I took away from it is that if I
24 communicate with the principal, so that he's
25 aware of the decisions that I am making for the

VINCENT STRAFACE

1 unit, in the unit's best interest, he knows,
2 and then we can move forward.

3 Q What are some of the problems
4 that had occurred with your predecessors in
5 that regard?
6

7 A You know, I don't know all the
8 problems, but just from observation, they kind
9 of lost contact with the Governor and the unit.

10 And then for every little thing
11 that went wrong, because there is a lot of
12 moving parts, obviously, as you know what we do
13 in a day, and any time there was an issue or a
14 problem it became a big problem.

15 And most of it had to do with
16 attention to detail. Guys are missing or the
17 gals were missing something, or there was an
18 issue at an event, and everything was just
19 compounded to be a bigger issue in a bigger
20 picture.

21 Q So can you give me an example of
22 a decision that resulted in a big problem like
23 that?

24 A I don't know necessarily that
25 any specific -- again, any specific instances,

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I don't know any specific instances.

And even myself, I was a problem, you know. When I was made Acting Senior Investigator, that was a problem.

██████████ didn't want me to be the Acting Senior Investigator.

And I know that my Senior Investigator, who is in charge of my detail, ██████████, was like a big advocate for me to get, to be his successor, in that role, but Major ██████████ at the time did not want me in that role.

██████████ -- I was only supposed to be here short term, myself and the leftovers were only supposed to be here short term.

So, I was called up to ██████████ ██████████ office one particular afternoon with ██████████ and I was asked by him why I was in his office.

I said I don't know why I'm in your office, sir.

And he goes well, I received a phone call from the Superintendent of the New

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York State Police telling me that you're going to be the next Senior Investigator for [REDACTED], and [REDACTED] is getting his transfer.

So it was a very uncomfortable experience, as this is a very uncomfortable experience, and by the end of the conversation with him he said you just do what you have to do as a Senior Investigator, and I assumed the role and I stayed there in an acting role for 12 months or better, and I performed the job and I did the job.

But I know that -- and when I left that meeting, I talked to [REDACTED] on my way home.

I said [REDACTED], I don't even want this position.

MR. FODEMAN: Mr. Kim what was the question? I have lost track of the question.

MR. KIM: I have, too.

MR. FODEMAN: I'm objecting to my own client's answer. How about that?

MR. KIM: Your objection can be noted.

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VINCENT STRAFACE

MR. FODEMAN: Thank you.

Q We were talking about the role that, I think we were talking about the process of promotions within the PSU.

Why don't we talk a bit more about your promotion to Senior Investigator.

You said you didn't know about it, and [REDACTED] brought you into his office and said the Superintendent wants you to be the next Senior Investigator?

MR. FODEMAN: [REDACTED].

Q [REDACTED] brought you in?

A Yeah.

Q What's your understanding of how that came about?

A I don't know how it came about.

Q Did [REDACTED] or anyone tell you whether the Executive Chamber had played any role?

A [REDACTED] never indicated that to me.

Q How about anyone else?

A No, I think it was the assumption, everyone's assumption that the

1 VINCENT STRAFACE

2 Executive Chamber played a role.

3 Q And who, anyone in particular in
4 the Executive Chamber?

5 A Me personally, I would say the
6 Governor.

7 But people are saying Joe
8 Percoco, but --

9 Q What was your relationship with
10 Joe Percoco?

11 A I really didn't have a
12 relationship with him, other than, you know,
13 business.

14 Q What was your business
15 relationship with Joe Percoco?

16 A Just detail dealings, Chamber
17 dealings, with whatever pertained to the
18 Governor's schedule, whatever information he
19 had he would share, nothing --

20 Q Was there -- did you have any
21 other relationship with Joe Percoco?

22 A I mean --

23 Q Any relationship with Joe
24 Percoco other than in your official capacity?

25 A No.

VINCENT STRAFACE

1
2 Q Does your -- do members of your
3 family own a construction business?

4 A My brother does.

5 Q What's it called?

6 A [REDACTED].

7 Q Any other members of your family
8 with any construction related business?

9 A My brother, my other brother is
10 in heating and air conditioning.

11 Q Any others?

12 A No.

13 Q Do you know if any of them did
14 any work for Joe Percoco?

15 A No.

16 MR. FODEMAN: Mr. Kim, it is
17 getting harder to envision how this
18 comports with your -- the contours of
19 your investigation.

20 I will let it go, obviously, but it
21 seems like you haven't really gotten to
22 the allegations yet, and it's 12:00, and
23 we are talking about family members with a
24 construction company, so --

25 MR. KIM: Well, your objection is

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noted.

MR. FODEMAN: Thank you.

Q Are you aware of anyone in your family doing any work for Joe Percoco?

A No.

Q Renovation work?

A No.

Q What happened after you were -- was there anyone else who was competing for the position of Senior Investigator when you got it, or in the running?

A When I got it I think [REDACTED] [REDACTED] told me that he either wanted [REDACTED] [REDACTED] or Former Trooper #2.

Q He, [REDACTED] did?

A Yes.

Q And did he tell you why you were being given that role over the other two?

A No, he just said he was told by the Superintendent to give me the role.

Q But that was not -- that was not his view? That was being imposed on him by the Superintendent?

A Yes.

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VINCENT STRAFACE

Q But he didn't tell you who had -- how the Superintendent had reached his decision?

A No.

Q And do you know how other members of the PSU reacted to your promotion to Senior Investigator at the time?

A My promotion to Senior Investigator was not well received by members of PSU, especially the downstate.

They were angry, I think disappointed. It was not good.

Q Do you know why, did anyone express why they were angry or disappointed?

A Well, most of them were selfish reasons because, in my opinion, I don't know if I should give my opinion --

MR. FODEMAN: Do you want his opinion?

MR. KIM: Yes, sure.

A Mostly everybody that came to PSU was promised promotions.

Once I got the promotion, it was people felt that [REDACTED] didn't have control,

VINCENT STRAFACE

1
2 and the Superintendent was dictating what was
3 happening.

4 And if [REDACTED] didn't have
5 control, their promotions would be in jeopardy.

6 And that's what caused a lot of
7 the stir, and a lot of people, even, I think a
8 lot of people, I'm not sure how many people,
9 but a lot of people put their papers in to
10 leave the detail and show support for Major

11 [REDACTED].

12 And like I was going to say
13 before, this was not an easy or good time for
14 me, being in a place that I worked for so long
15 and enjoyed doing the work that I have done, to
16 be in this kind of situation, being promoted to
17 a position that I felt number one, I deserved,
18 and to have this type of backlash.

19 Q Did you have an understanding
20 that at least some of the anger and
21 disappointment related to the view that the
22 Executive Chamber was influencing internal
23 promotional decisions?

24 A I had -- I only assumed and can
25 guess that the Governor was probably pushing

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for me.

I know, like I said earlier, the Senior Investigator, [REDACTED], who was my boss, was pushing for me, because I think the Governor had asked them who should replace him, and I know that he was advocating for me when [REDACTED] wanted to leave.

And again, [REDACTED] wanted to leave and the Governor didn't want to see [REDACTED] leave. [REDACTED] is a great guy.

But [REDACTED], again, he chose his family over -- over the detail, and I commend him for that.

Q The question was whether you had a view that some of the anger or disappointment related to the perception that the Executive Chamber or the Governor had influenced the internal promotional decisions?

A Did the Governor influence the --

MR. FODEMAN: The question is, I will try it again, but Mr. Kim, tell me if I have it wrong.

I think what Mr. Kim is trying to

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get at is was there any -- were people upset in the detail in part because they perceived that the Governor was influencing promotions when he shouldn't be?

Were people mad about that?

THE WITNESS: Yes, yes.

MR. FODEMAN: Did I have it right, or the gist of it right?

MR. KIM: Yes, yes.

Q Sorry, was that a yes?

MR. FODEMAN: Sounds like you got a yes, or I got a yes.

Q Okay.

A That's what I said earlier, I said yes, and I said mostly because I feel -- I don't want to relive these moments because they were not very good moments.

90 percent of it was all selfish, you know, because they felt that [REDACTED] didn't have control of the detail.

Q So 90 percent of the reaction within the PSU was selfish is your perspective?

A Because of the reasons that I

1 VINCENT STRAFACE

2 have observed and heard.

3 Q Did those troopers end up
4 staying in the PSU, those who had put in
5 memos --

6 A Yes.

7 Q -- saying they will leave?

8 A Yes.

9 [REDACTED] had asked them, I
10 appreciate the support, but we can't do this,
11 or I don't even know what he said, but everyone
12 submitted a memo to him and it didn't go any
13 further than that.

14 Q During your time as a -- as part
15 of the PSU, did you undergo any sexual
16 harassment training?

17 A Yes.

18 Q What kind of sexual harassment
19 training did you undergo?

20 A Well, I think every year we go
21 through sexual harassment training through the
22 State's programs, films, programs.

23 Q Is that a program that's for the
24 State Troopers generally?

25 A Yes, I think the State Police

1 VINCENT STRAFACE

2 and every other organization, state agency goes
3 through.

4 Q And what form does it take, is
5 it a live lecture or Power Point or --

6 A Power Point.

7 Q And are there any certifications
8 involved when you are done?

9 A A certificate of completion.

10 Q Have you done -- while you were
11 at PSU did you complete that sexual harassment
12 training each year?

13 A Yes.

14 Q And did you sign the certificate
15 of completion?

16 A Did I sign it?

17 Q Whatever the --

18 A It automatically prints out.

19 Q Got it.

20 So it's a computer thing and it
21 automatically knows you did it?

22 A Yes.

23 Q What is your understanding of
24 what sexual harassment is?

25 A Well, sexual harassment can be

1 VINCENT STRAFACE

2 in many forms, right?

3 Touching inappropriately, saying
4 inappropriate things, giving inappropriate
5 gestures.

6 Q And it includes saying things
7 that are sexual in nature?

8 A Inappropriate.

9 Q Can it include asking
10 subordinates about their sex lives?

11 A Yes.

12 Q Can it include asking
13 subordinates about age differences in sex
14 partners?

15 A Yes.

16 Q What's your understanding of
17 what, under the New York State sexual
18 harassment rules, what a supervisor within the
19 State Troopers should do if they become aware
20 of any potential sexual harassment?

21 A They should report it.

22 Q To who?

23 A To human resources, to your --
24 your higher superior or human resources.

25 Q During your time at the PSU,

VINCENT STRAFACE

1
2 have you reported any allegations of sexual
3 harassment?

4 A No.

5 Q Have you ever observed any
6 conduct or comments that you thought maybe, may
7 constitute sexual harassment?

8 A Yes, yes.

9 Q What were those instances?

10 A We -- we had a gentleman that
11 was on the detail, his name [REDACTED], who
12 had a very unique way about him, with a very
13 derogatory mouth.

14 And he was that way since the
15 day that he got onto the detail. He had a
16 very, very close relationship with [REDACTED]
17 and all the bosses that were on the detail.

18 But from the first day that he
19 came to the detail, everybody would say that's
20 [REDACTED], [REDACTED] is [REDACTED], that's [REDACTED].

21 So I overheard those things from

22 [REDACTED]

23 Q Um-hum, and when was that that
24 you heard that?

25 A From 2011, from the moment that

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he came on the detail and he was introduced to us, until he left the detail.

Q When did he leave?

A I'm not sure what year, 2013, 2014.

Q What are the types of things you heard him say?

A [REDACTED] would like to talk about the size of his penis.

[REDACTED] would -- and I don't remember verbatim, but he would throw comments about other women, but I don't remember verbatim what, but they are all derogatory.

Q What comments about women?

A Just derogatory comments, I don't remember any specific comments.

Now -- go ahead.

Q Did you report that to anyone?

A No, I did not report that to anyone because it was -- it was common -- it was not appropriate, and this behavior, before I was even a supervisor on the detail was going on and accepted by every supervisor that was there.

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It was like he had a special relationship with everybody that was there.

Everybody that was transferred in he was very close friends with, but yet everybody hated him, right?

It's a very weird dynamic, but nobody would say anything about his behavior and his comments.

His behavior and his comments bothered me, and were not sitting well with me.

Q So the question was you didn't report it to anyone?

A No, I don't think I specifically reported it to anybody, but everybody would talk about it.

Q Any other instances or any other individuals you recall where you heard of or observed potential sexual harassment while you were in the PSU?

A Not to my recollection.

It was just, you know, [REDACTED], if the guys were in a room and they were smoking and joking about something. Nothing that would be directed to anybody that was inappropriate.

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And most of the smoking and joking that took place was -- never took place in front of me with the guys.

Q How about anything that you observed occurring in the Executive Chamber?

A In terms of sexual harassment?

Q Yes.

A To my recollection, I don't -- I don't have any instances that really have -- I don't recall anything specifically.

Q Or inappropriate, not necessarily, whether sexual harassment or not?

A Sir, I'm trying to think of specific instances that I may have seen something, but nothing that's glaring that I can recall.

Q How about anything the Governor said or did that you thought could be inappropriate?

A You know, I think the Governor, one time I really thought he overstepped his bounds when -- and I don't even know where he was going with it, but it was the -- we were in -- I'm not sure if I was there or if I just

1 VINCENT STRAFACE

2 saw the video, but I think I was there.

3 The after video, when he was
4 eating this sausage and he said to the
5 reporter, you know, eat a sausage. I said how
6 do you say that? That was a very uncomfortable
7 situation that I thought was inappropriate.

8 You know, again at times he has,
9 you know, when he introduces himself to people
10 if he calls them sweetie or he calls them
11 something, you know, it's hard for me to know
12 like the relationship that he has with these
13 particular people to really see if that's like
14 appropriate or inappropriate.

15 But then again, those types of
16 instances, you know, I never -- when you think
17 about sexual harassment and you think about
18 making off the cuff comments to people or about
19 people, I don't -- nothing really glaring
20 stands out in my head.

21 Do I think, you know, does he
22 gravitate to -- I don't know. I'm really
23 trying to put together something, but there is
24 nothing in my head that stands out glaring that
25 would be what I think that really oversteps the

1 VINCENT STRAFACE

2 bounds of sexual harassment.

3 Q Okay, well, I will ask some more
4 specific questions later.

5 A Okay.

6 Q So the sausage comment, which I
7 think is captured on video, were you there?

8 A I don't remember if I was there.
9 I think I was there, but it's so long ago,
10 either I was there or I saw it on video that
11 same day.

12 Q Did you talk about it with the
13 Governor?

14 A No.

15 Q Did you raise it with anyone?

16 A No, I think the guys, we talked
17 about it, saying he's crazy for saying that.

18 Q Who did you talk to about it?

19 A Oh, I'm not sure who I talked
20 about it, it's probably Dave or some of the
21 guys on the team.

22 Q Did you ever observe or hear the
23 Governor say anything to any State Troopers
24 that made you feel uncomfortable?

25 A Not that I can recall.

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Q How about any --

A Hold on, let me say, and I'm not even sure, again, if I was in the truck or if I wasn't in the truck.

But I know that if we want to go back to like Trooper #1, I know that when Trooper #1 came, when Trooper #1 came, and then she was the driver, and it wasn't expressed to me, I just know that the questions were asked.

I think she got engaged, and I know that the Governor had asked her questions about her engagement.

And I don't know the specific questions that he asked her, but I know that he asked her, she got engaged, who's the guy type thing, how do you know he's the right guy type thing.

But I don't know the specifics about it, and I was not in the truck, but I was made aware of it.

But nothing that raised to the alarm other than him asking questions, and he asked personal questions about all of us, so I didn't think it was in a sexual manner to ask

VINCENT STRAFACE

1
2 those types of questions when someone got
3 engaged.

4 Q Were you in the truck when the
5 Governor asked Trooper #1 about her
6 engagement?

7 A I do not believe I was in the
8 truck. I believe I was told.

9 Q Who told you?

10 A I don't recall who told me. I
11 know it was talk amongst the guys.

12 Q And did you ask Trooper #1
13 Trooper #1 about it?

14 A It's possible that we had the
15 conversation, but I don't recall -- I don't
16 recall if we did, but I think it's possible
17 that we did have that conversation about it.

18 Q Were you told that the Governor
19 asked her about her sex life?

20 A No.

21 Q And how it would be affected by
22 getting married or engaged?

23 A No.

24 Q Were you told whether the
25 Governor asked her about, ever asked her about

1 VINCENT STRAFACE

2 finding him a girlfriend?

3 A No.

4 Q Were you -- are you aware
5 whether the Governor ever made any comments
6 about Trooper #1 's clothing?

7 A No.

8 Q Are you aware of the Governor
9 ever asking Trooper #1 why she doesn't
10 wear a dress?

11 A No, we don't wear dresses on our
12 detail.

13 Q You don't remember the Governor
14 ever asking her why she doesn't wear a dress?

15 A No.

16 Q How about asking her why she
17 always wears black?

18 A No, because we all wear dark
19 suits or black.

20 Q Do you remember ever explaining
21 to the Governor that --

22 A No, never came up.

23 Q Let me finish my sentence, my
24 question.

25 Do you ever remember explaining

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to the Governor that troopers wear business attire?

A No.

Q Was there ever a time when you informed any trooper that what happens or is said in the truck stays in the truck?

A Yeah, that's just a general policy, what happens in the truck stays in the truck.

Q And what does that mean?

A What does that mean?

The Governor has personal conversations, there is interactions, and kind of what you hear, and this is not just my philosophy, this has been the philosophy since I got onto the detail, that what is said in the truck stays in the truck.

You know, you don't want your driver and your other people talking about personal conversations that you hear in the truck.

Q How about things that are said that may be inappropriate?

A Well, if something is said

1 VINCENT STRAFACE

2 that's inappropriate, you know, you would have
3 to bring -- you could bring it out. It depends
4 on what it is.

5 I'm not sure.

6 Q I guess I should be clear, have
7 you ever communicated to any trooper that
8 something that was said or done is
9 inappropriate should stay in the truck?

10 A No.

11 Q Never?

12 A Something that's inappropriate
13 or -- the question is was there something
14 inappropriate said in the truck, it cannot
15 leave the truck?

16 Q That it should stay in the
17 truck.

18 A Yeah. No.

19 Q How about anything of not
20 personal nature?

21 Let me back up, sorry.

22 You have explained that you as a
23 member of the PSU, you may see or overhear
24 personal information, and in those types of
25 things it's the policy to stay in the truck.

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VINCENT STRAFACE

How about anything other than personal conversation or information where you have told a trooper that what happened in the truck should stay in the truck?

A Me personally have told a trooper what happened in the truck should stay in the truck?

Q Yeah.

A A specific trooper, or general?

Q Let's start specific.

A No. There is only one instance that I did not specifically, and it actually involves Trooper #1, there was a decision made for the Governor's movement that the Governor did not agree with and got very mad with.

The Governor got Melissa DeRosa on the phone and put it on speaker in the truck and went pretty crazy on the phone towards me, not in a very professional and nice manner, which was very bad.

And Trooper #1 that day was driving, and the next day I hear it from a couple of other people that Trooper #1 told other people that, you know, Vinny just had a bad day

1 VINCENT STRAFACE

2 and kind of what happened in the truck with
3 that conversation.

4 And that wasn't something that
5 necessarily should have been being discussed
6 among the rank and file when she was driving.

7 So I told her supervisor to have
8 a conversation with her to understand that what
9 happens in the truck, you know, should stay in
10 the truck.

11 Q And who was her supervisor at
12 the time?

13 A That was **Senior Investigator #2** .

14 Q And when was this when this
15 happened?

16 A I'm not sure when exactly it
17 was. It was an event in Long Island -- at
18 Jones Beach, and we were driving to -- we were
19 driving to Shirley Chisholm Park in Brooklyn.

20 Q And what happened, the Governor
21 had you -- had a speaker phone and Melissa
22 DeRosa yelled at you?

23 A Basically, yes.

24 Q And what was that about?

25 A It was about the schedule, the

VINCENT STRAFACE

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2 helicopter. So what happens is the helicopter
3 he flies to Long Island, lands at Jones Beach,
4 he thinks that he's flying from Jones Beach to
5 Brooklyn, he leaves his briefcase in the
6 truck -- I mean in the airplane or the
7 helicopter, we go and do the event, and then on
8 our way back we start driving to Brooklyn, and
9 he's well, why aren't we going back to the
10 plane?

11 Not the plane, the helicopter.

12 And then I don't know what he
13 did, and the next thing I know I get Melissa
14 DeRosa, he's got Melissa DeRosa on speaker and
15 you know, she is screaming and yelling on who
16 is in charge of the Governor's schedule, the
17 movements, how these decisions are made, yada,
18 yada, yada.

19 Q And so Trooper #1
20 overheard that?

21 A Yes.

22 Q And then what happened, you
23 heard the next day that she had been speaking
24 about it?

25 A Yes, she was speaking about it

1 VINCENT STRAFACE

2 the next day, and I got -- if she's going to
3 drive and she hears these kinds of
4 conversations in the car, just to keep them to
5 herself, not to make it the detail gossip that,
6 you know, the boss just got yelled at by
7 Melissa DeRosa.

8 Q Who was she talking to and
9 telling that to?

10 A I'm not sure who, just team
11 gossip.

12 Q Have you ever PIN'd or texted
13 anyone that phrase?

14 By that phrase, I mean stays in
15 the truck?

16 A It's possible. I don't recall.

17 Q Do you remember ever texting or
18 pinning that to Trooper #1 ?

19 A I don't recall.

20 Q Do you ever remember texting or
21 pinning that to Trooper #1 after a car
22 ride where the Governor asked her why she
23 doesn't wear a dress?

24 A No.

25 Q You've never heard the Governor

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talk about, ask Trooper #1 about her attire?

A About her what?

Q About her dress, her attire?

A No.

Q Clothing?

A No.

Q How many times were you in the car with the Governor and Trooper #1 ?

A I'm not sure how many times, but not that often, maybe a handful.

Q Approximately?

A Maybe a handful of times, two handfuls of times.

Q Between 5 and 10?

A Maybe 5 and 10.

Q Over what period of time?

A While she was probably on the travel team, I'm not sure, 2018, '19.

Q When is the last time you've spoken to her or communicated with her in any way?

A I can't remember, it's been a while.

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VINCENT STRAFACE

Q When is the last time you've spoken or communicated with anyone about her?

MR. FODEMAN: Other than with counsel.

Q Other than with your lawyers? Not any counsel. I mean, if you've spoken to other than with your lawyers.

A No, I think the last time that I spoke about her to somebody was the issue that you had raised, because it was about the two or three year time frame.

There was I guess a FOIL request that had come in, and I got a request from division counsel asking about Trooper #1 Trooper #1, and that there was special treatment for her to come onto the detail.

So that was really the last time I spoke to somebody about Trooper #1.

Q And when was that conversation?

A I don't remember, it was either before I retired or left or after I left they called me to ask me, but it was earlier this year.

Q Was it after our interview that

1 VINCENT STRAFACE

2 we had with you?

3 A No, no, it was before.

4 Q It was before all of our
5 investigation?

6 MR. FODEMAN: I don't know when
7 your investigation was.

8 Q Before March, March of this
9 year?

10 A No, I think it was before March,
11 I think it was before March.

12 Q And who was it that reached out
13 to you?

14 A It was Beau, I think Beau.

15 Q Who?

16 A Beau, I don't know Beau's last
17 name, Beau -- Duffy, he's the division PIO.

18 Q PIO, Public Information Officer,
19 is that what you mean?

20 A Yes.

21 Q And what did he ask you?

22 A He had asked me, there was an
23 inquiry about Trooper #1 and how she came onto
24 the detail, and that there were special
25 exemptions or privileges given to her to come

1 VINCENT STRAFACE

2 onto the detail.

3 Q Did he say who, where that
4 inquiry came from?

5 A I don't think so. It came from
6 a news outlet. I don't know what specific news
7 outlet it came from.

8 Q And what did you say?

9 A I said basically what I've told
10 you, that she came, because we looked at it to
11 see when she came on, on the detail.

12 She was two months shy. The
13 Superintendent let that two months go, and I
14 don't -- even the e-mail that you said that
15 circulated, I don't even recall that e-mail
16 going, because I thought that the
17 Superintendent had agreed to let those two
18 months slide.

19 But -- she came onto the detail
20 and then she went to the house, she did her
21 time at the house, then she went to the travel
22 team and then she was made an investigator.

23 Q Did you tell Beau about the
24 Governor's interactions with Trooper #1 that led
25 to her hiring?

1 VINCENT STRAFACE

2 A I may have, I may have, but I'm
3 not 100 percent sure if I did or not.

4 Q You may have?

5 Is he still there, Beau?

6 A Yes, I'm here. Can you hear me?

7 Q Yes. Is he still there, Beau,
8 at the troopers?

9 A Yes.

10 Q But you don't remember whether
11 you told him, you say you may have told him
12 about the Governor's interactions with Trooper #1
13 Trooper #1 ?

14 A Yeah, I believe so. I'm not 100
15 percent, but it's possible, yes.

16 Q And what did he say?

17 A I don't think he had much if any
18 comment, he just listened to me, what I had to
19 say, and then he did what -- he called the
20 reporter back, gave them the information that
21 they wanted.

22 And I know that because he had
23 called me, he did the -- and that's how I know.
24 I also would not even know that 2011 change, to
25 the requirements to the detail were changed in

VINCENT STRAFACE

2011, or else I wouldn't have that in my head on the 2011 thing.

But the requirement to the detail were changed in 2011. That was the last change in the manual for the requirements for the detail.

Q How did you confirm that?

A The manual?

Q Yeah.

A I think he looked it up in the manual, I didn't even look it up in the manual.

Q What's his last name again?

A Beau Duffy.

Q Duffy.

Was it your understanding that he was going to convey to the reporter that the Governor had interacted with her, and then she got hired?

A Oh, I don't know what his -- I think the reporter was insinuating that that's, the Governor interacted with her and the Governor hired her to be on the detail.

Q That was what the reporters were asking?

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VINCENT STRAFACE

A Yes.

MR. FODEMAN: According to Duffy,
I assume.

Q According to Beau, that's what
he told you?

A Yeah, I believe that's what he
told me.

And there were special
privileges given to her because the
requirements were changed for her.

Q And you believe, you believe you
told him about the interactions the Governor
had on the RFK Bridge, or under the RFK Bridge?

A It's possible, sir. I don't
remember the exact -- exactly how it went down,
and if it was him or it was the First Deputy
Superintendent that we were talking with.

I'm not sure, I'm not sure.

Q So you're not sure, you know
that the inquiry was from a reporter who was
asking whether the Governor had seen her and
decided to hire her, and you are not sure
whether you informed the person whether or not
that happened?

1 VINCENT STRAFACE

2 A Yes, and I don't necessarily
3 think what you're saying, and I don't recall it
4 100 percent, but the inquiry was the time, the
5 main inquiry was the time adjusted, the time
6 qualifications adjusted for Trooper #1 .

7 Q You also testified you
8 understood the reporter was asking because they
9 were aware of the Governor having interacted
10 with her before she was hired, no?

11 A No, I am not 100 percent sure if
12 the reporter was aware of the interaction of --
13 of the RFK Bridge.

14 Q Okay.
15 But you believe you told the
16 Chief Information Officer that story, but you
17 are not sure?

18 A I'm not sure.

19 Q Do you have a view one way or
20 the other -- it wasn't that long ago, right,
21 that was this year?

22 MR. FODEMAN: Months ago.

23 MR. KIM: Okay.

24 MR. FODEMAN: Five months ago.

25 A I don't remember.

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Q Okay.

How many conversations did you have with Beau Duffy?

A On that matter?

Q Yes, on that.

A Maybe one, maybe two.

Q And was it by telephone, e-mail, text?

A Telephone.

Q When is the last time you spoke to him or communicated with him at all in any way?

A Probably that was the last time.

Q Did you talk to anyone about that inquiry that you received from Beau?

A Probably talked to Dave and I probably talked to [REDACTED] about it.

Q Dave is Dave Dively?

A Dave Dively and [REDACTED].

Q Okay. What did you tell them?

A Just that the -- just that Beau got an inquiry from the media about Trooper #1, but nothing further than just the entire interaction with her.

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VINCENT STRAFACE

And then we also all asked each other if we did change the time frame, and I knew that the time frame we were short two months, and I know that it was discussed, do you change it, but I thought there was an agreement made by the Superintendent that he would just acknowledge and accept the two months' shortage for both the candidates.

Q When you received this inquiry, were you still working as a trooper, was it before January, or were you off?

A I think I was still working, I think it was in January.

Q And so Dave Dively would have been your immediate subordinate?

A Dave?

Q Yes.

A Yeah.

Q And how about [REDACTED], what was his position?

A He is also an immediate subordinate, they are my two Lieutenants.

Q Did the two of them know anything about how Trooper #1 [REDACTED] had been

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hired?

A [REDACTED] I'm not sure of, but Dave, yes.

Q What did he know about it?

A I believe he knew that there was the interaction of the Governor and Trooper #1 under the bridge, after that SI #1 promoted her to the Governor, saying she was a good candidate, he promoted her to me, he contacted her supervisor down at New York City.

He came back to me, says that highly recommended, from her supervisor down there, and she was going to put an abstract in for the detail.

Q Dave Dively knew all that?

A I believe so.

Q How about [REDACTED] ?

A I can't speak for [REDACTED] because I don't remember when [REDACTED] got here.

I think [REDACTED] came in 2017, or 2018, and he may have come actually with Trooper #1 on the same teletype, but I'm not 100 percent sure.

Q Anyone else you spoke to about

1 VINCENT STRAFACE

2 the inquiry from Beau Duffy?

3 A Not that I recall.

4 Q Did you tell anyone in the
5 Executive Chamber?

6 A I don't believe I did.

7 Q Did you tell the Governor?

8 A No.

9 Q Do you know if Dave Dively told
10 anyone in the Executive Chamber?

11 A I don't believe so, but it's
12 possible that the PIO may have, but again,
13 that's just an assumption.

14 Q And you don't know who the
15 reporter was, or which outlet they were calling
16 from?

17 A No.

18 Q So we were going through the
19 people you have spoken to about Trooper #1
20 Trooper #1, and you mentioned Beau.

21 Anyone else who else have you
22 spoken to about Trooper #1 ?

23 A Sir, I really don't know who
24 I --

25 Q How about Senior Investigator #1 ?

1 VINCENT STRAFACE

2 A When? Recently or --

3 Q Yes, why don't we start with --

4 A I haven't talked to Senior Investigator #1
5 since he retired.

6 Q And when was that?

7 A SI #1 left 2018.

8 Q Okay, so you haven't
9 communicated with Senior Investigator #1 since 2018?

10 A Yeah, since he left, so 2018,
11 2019 I think, somewhere around there.

12 Q You haven't called or spoken to
13 him on the phone or texted him or anything like
14 that?

15 A No.

16 Just give me one second, because
17 I don't like these dates.

18 I left here, SI #1 left here.
19 So SI #1 had to leave the end of 2019 or the
20 beginning of 2020.

21 Q Where is he now?

22 A I works for the MTA, Inspector
23 General.

24 Q And you haven't communicated in
25 any way with him since he left and joined MTA?

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A No.

Q Okay.

Anyone else that, I know you have answered a couple of times, anyone else you have spoken to about Trooper #1 ?

A I can't think of anybody specific that I have discussed Trooper #1 Trooper #1 with.

Q Okay.

MR. KIM: We have been going for a while, its 1:00, should we take --

THE WITNESS: Can we just keep gone.

MR. KIM: -- take a little break? Let's just take a 15 minute break, I think.

THE WITNESS: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

MR. KIM: I understand that. Why don't we take a 15 minute break.

THE WITNESS: Okay.

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VINCENT STRAFACE

MR. KIM: I think not everyone who's as I understand will need to at least get a bathroom break and a couple of bites to eat.

MR. FODEMAN: And Joon, we can go off the record for this, if you want.

MR. KIM: We can go off the record.

THE VIDEOGRAPHER: Going off the record, this concludes media number 3. 12:57. Thank you.

(At this point in the proceedings there was a recess, after which the deposition continued as follows:)

Q Hope you had a little bit of a break before I go forward with the substantive questions.

One point of notice that we give at the end of our testimony, but I would want to give you now, is that the Executive Law 63(8), under which we are conducting this investigation, requires witnesses to keep confidential what we ask them, and what they learn from our questions.

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VINCENT STRAFACE

So I wanted to advise you and your counsel that providing information about the questions we ask to anyone, obviously you all can talk to each other about it, is prohibited under Executive Law 63 (8).

A Okay.

Q Can we talk a little bit about the procedures that govern the visitors at the executive mansion, is that something that you played a role in as a supervisor in the PSU?

A Yes.

Q What was the practice and procedure followed in connection with visitors who came to the executive mansion?

A There are like two types of visitors. Visitors, there are workers, OGS people, and then there are guests of the Governor and the Executive Chamber that go to the mansion.

So the policy that was in place always, before my time, were that people who were invited guests to the mansion

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

Q Is there a log maintained there?

A The log is maintained, the log is maintained for invited guests to the mansion, the log is maintained for OGS workers that are working on the grounds, people who come there for deliveries, other workers, construction workers, et cetera.

Q So members of the Executive Chamber who would come to visit the executive mansion, are they logged in any way?

A No. Not on any visitor log, any official log.

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Q And why is that, why the difference?

A My assumption from past practice is similar to the New York City log, similar to the Governor's house in Mt. Kisco, and the executive mansion, it's kind of those are people who are supposed to be there, they are people who were invited, and also to maintain the privacy of the Governor and his guests that come to visit him.

Q And that includes Executive Chamber employees?

A That includes Executive Chamber employees.

Q How about overnight guests, how are they treated in the mansion?

A [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

That way when the shift changes, and God forbid if there is an emergency, we know where they are in the mansion and how many people are in the mansion for accountability

VINCENT STRAFACE

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purposes.

Q Even though they are not logged, when Executive Chamber employees come and go at the mansion, are the troopers supposed to do anything to notify or keep any record of it?

A Yeah, we PIN the Executive Chamber, Melissa, Stephanie and Jill, and either, sometimes it goes one way or it goes the other way.

When I say goes one way, sometimes they send the message to us saying so and so is coming to the mansion.

When so and so comes to the mansion we will say they have arrived, [REDACTED]

VINCENT STRAFACE

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2 Prior to that we do the same
3 thing, we PIN Melissa or Jill, [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 Sometimes the people who come,
10 they just bring the Governor's materials,
11 briefing books, documents, speeches, and they
12 may just drop it off at the gate.

13 Again, when that's dropped off
14 at the gate, a PIN is sent that documents have
15 been dropped off at the gate and they are
16 relayed to the mansion staff to put inside the
17 mansion.

18 Q Are there particular individuals
19 in the Executive Chamber who did not or were
20 not supposed to even PIN about their comings
21 and goings?

22 A Well, I -- I feel -- not I feel,
23 there were times for the supervisors that our
24 mansion, our mansion staff would send the wrong
25 group a PIN message saying that so and so

1 VINCENT STRAFACE

2 arrived at the mansion.

3 And say it's Melissa DeRosa
4 arrived at the mansion, now Melissa DeRosa
5 arrives at the mansion and she sees the PIN
6 with her arriving at the mansion and she's
7 not -- that's not for her, it's not for her to
8 know that she's arrived at the mansion, it's
9 for the supervisors of the detail to know who's
10 at the mansion for accountability purposes.

11 And when she inadvertently gets
12 a text message saying or the PIN message
13 showing that she's at the mansion, she would
14 call me or she would PIN me and say you know,
15 we don't -- we don't have to PIN my particular
16 movements at the mansion.

17 That was one circumstance.

18 And in another circumstance
19 during the pandemic was, another accidental PIN
20 message was sent on Larry Schwartz leaving the
21 mansion.

22 And again, you know, she writes,
23 I don't know if she replied on the whole
24 thread, because the problem is she doesn't know
25 who's on that thread, because she doesn't have

VINCENT STRAFACE

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2 the, probably doesn't have the people saved, so
3 it looks like there is a big thread there.

4 You know, there is no reason to
5 keep track of Larry Schwartz' comings and
6 goings from the mansion.

7 Q Do you know last year during the
8 pandemic whether members of the Executive
9 Chamber were staying at the mansion overnight?

10 A Yes.

11 Q Who was staying overnight?

12 A Larry Schwartz stayed there,
13 Melissa DeRosa stayed there, Stephanie Benton
14 stayed there, and I think that's it from the
15 Executive Chamber.

16 I know the Governor's girls
17 stayed there, the Governor's cousin or nephew
18 stayed there.

19 Q Now, can you open up the
20 envelope we sent you with the binder, or
21 RedWeld.

22 It's very securely, I have
23 noticed our paralegals do -- have done an
24 amazing job, and in other interviews have taken
25 10 or 15 minutes, so hopefully this will go

1 VINCENT STRAFACE

2 quicker.

3 No, this one is good, this one
4 is not very secure.

5 So can you turn to -- not all
6 the numbers are there, because we didn't end up
7 including that many documents.

8 But if you can turn to what's
9 marked tab 3, and I know it's a document that
10 looks like parts of it have been redacted, but
11 it's been provided to us and it says "Draft."

12 Do you recognize this document?

13 A Yeah.

14 Q What is it?

15 A The SOPs?

16 Q Yes, what is this?

17 A Well, what you are showing here
18 is page 1 of the SOPs that describes the
19 purpose, the authority and the mission
20 priorities.

21 Q Was this a PSU document?

22 A Yes.

23 Q What does this document cover,
24 subject matter-wise?

25 A Just basically the entire

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document or just what these pages are?

Q The entire document, because much of it is redacted, so I just wanted to understand what the standard operation procedure manual is.

A It just goes over the roles and responsibilities of the members of the unit.

Q Okay.

If you go to the second page of this document, which is really page 10, it talks about [REDACTED]

[REDACTED],

[REDACTED]

[REDACTED]

Do you see that?

A Yes.

Q So a log is maintained for

[REDACTED]

[REDACTED]

Do you see that?

A Yes.

Q So is this the reference to the entry log here, is that the same thing as the visitor log you were talking about?

VINCENT STRAFACE

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2 A Yes, you see the visitors' log,
3 and back in early on, maybe 2017, or just
4 before -- just before [REDACTED] left, or just as
5 [REDACTED] was leaving, there was a FOIL request
6 from a newspaper for a visitors' log for guests
7 to the mansion.

8 But there is no per se visitors'
9 log for the guests for the mansion, because
10 it's not maintained for guests to the mansion.

11 The sign-in log had, there are
12 contractors, OGS employees, et cetera.

13 So, I got a call from division
14 counsel during this period to specifically
15 change the name, because -- from visitors' log
16 to something else, and I forget what the name
17 was.

18 And I'm not sure if this is the
19 most or not current document.

20 But the visitors' log was called
21 the visitors' log. They say well, why is it
22 the visitors' log? You can't have a name
23 called the visitors' log, it's too general, and
24 if you are only keeping names for a certain
25 amount of people, it has to be called something

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1
2 else.

3 So I don't recall what the heck
4 we named it, but there wasn't a visitors' log
5 because we didn't want it so general.

6 Q Was there a reason that only OGS
7 and other workers were kept on the log and the
8 Executive Chamber visitors were not?

9 A The reason that I'm familiar
10 with is that even back even during Pataki and
11 early on, there is a lot of people on the
12 property.

13 If there are specific people
14 there coming on the property, we vet them,
15 especially if they are contractors, what
16 workers they are bringing, to make sure they
17 don't have criminal backgrounds.

18 So, it just gives us the ability
19 if need be, if something went missing or
20 something was stolen, for us to have the
21 ability to track back and have a record of who
22 exactly was on the property at that particular
23 time.

24 Q Right, but wouldn't it -- if you
25 wanted to keep a record of who is exactly on

1 VINCENT STRAFACE

2 the property, wouldn't you also want to include
3 Executive Chamber employees who visited?

4 A Listen, I would love to keep
5 track of everybody that comes and goes, but the
6 Chamber, even before my time, and I think even
7 before, did not want to have records of people
8 who were invited guests of the mansion.

9 Q Even before your time, there
10 were reasons why people did not want just
11 everyone listed in a log?

12 A Yes.

13 Q Did you ever have any
14 discussions with anyone about including
15 everyone who actually visited?

16 A I don't recall if I have or not.

17 Q [REDACTED], what was
18 the reason for that?

19 A Again, that was done before my
20 time. There needed to be -- I know when they
21 started to put, modify this book, they started
22 to discuss retention times, what are the
23 appropriate retention times for certain
24 documents.

25 And I wasn't part of the process

1 VINCENT STRAFACE

2 for this particular incident, but -- instance,
3 but I know there were discussions on all
4 records that we maintain and what that
5 retention period, what the appropriate
6 retention period is for those documents.

7 Q Okay.

8 Why don't you turn to tab 12
9 there, and this may be what you were referring
10 to earlier about the names, but I'll give you a
11 minute or two to read this e-mail exchange.

12 The bottom one is from you to
13 [REDACTED] and [REDACTED].

14 A [REDACTED] is counsel, right,
15 [REDACTED] was counsel?

16 I believe.

17 Q Do you remember this e-mail
18 exchange?

19 A Yes.

20 Q What was this about?

21 A This was -- hold on, let me just
22 finish here. Yeah, this was -- yes, so this
23 was exactly what we were talking about.

24 You see how the first document
25 you showed doesn't have, and I'm not sure if we

VINCENT STRAFACE

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2 I think we came up with a simpler name than
3 this, where it says Albany mansion employee/OGS
4 Employee and contractor Log, versus it being,
5 the only change here was changing it from
6 visitors' log to mansion employee/OGS
7 employee/contractors log.

8 And again, I think this
9 originated to [REDACTED] from somebody in the
10 Chamber after a FOIL request was made.

11 So the question that was posed
12 to me was if you're not -- you have the title
13 of this as mansion visitors' log, mansion
14 visitors' logs means that all visitors are
15 maintained in it.

16 But you're not maintaining all
17 visitors, so why is it called the visitors' log
18 if you are only maintaining, you know, the
19 mansion employee, OGS and contractors?

20 So they wanted the name to be --
21 to identify what it really is.

22 Q So this was what you were
23 talking about earlier, responding to a FOIL
24 request where people questioned why certain
25 names were not on there, even if it's called

1 VINCENT STRAFACE

2 visitor logs?

3 A Yes.

4 Q Okay.

5 If you actually go to the next
6 tab, 13, it looks like you call it,
7 employees/contractor log is the subject line?

8 A Yes.

9 Q Is that what it ended up being?

10 A I believe so; that's what it's
11 here, I think that's what we updated it to be.

12 Q Okay.

13 Why don't you turn to tab 18,
14 which is a PIN.

15 A Okay.

16 Q At the bottom it's from [REDACTED] to
17 you and a few other people, and it says Benton
18 out at EM, Trooper [REDACTED]. And then Melissa
19 DeRosa responds, "We don't PIN when Steph comes
20 and goes."

21 A Yeah, that's exactly what I was
22 telling you.

23 These -- we don't put the
24 Executive Chamber on our PINs messages.

25 We put them on movement PINs,

VINCENT STRAFACE

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2 Governor is moving, so they know when the
3 Governor is moving, they know when we are in
4 the truck, usually in the minute we are in the
5 truck Stephanie is calling the Governor with
6 calls that are being held and there are
7 conversations.

8 [REDACTED] sent this message out to
9 the wrong group, and this is the response that
10 we got.

11 And maybe one was not only
12 Stephanie. I know it happened to Melissa, and
13 I know it happened to Larry Schwartz.

14 Q So, despite this text from
15 Melissa when Stephanie Benton or Melissa DeRosa
16 came to the Executive Chamber, were there PINs
17 among the troopers but not including Executive
18 Chamber employees?

19 A Yes.

20 Q I see.

21 So you just did not include --

22 A We did not include the Executive
23 Chamber because it's not about them, it's about
24 us and our knowledge of what's happening, so
25 that it gives us the situational awareness, to

VINCENT STRAFACE

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2 give the supervisors the situational awareness
3 of what's happening at the mansion.

4 If a pop-up protest comes up and
5 you notify the supervisor, the supervisor
6 already knows that there was a PIN sent that
7 there are three or four different people inside
8 the mansion.

9 It's just intel for us as
10 supervisors.

11 Q To your knowledge, did Melissa
12 DeRosa know that among the troopers you were
13 PIN'ing the movements of both herself and
14 Steph?

15 A Probably not; because it would
16 go against her direction.

17 Q Right, because this direction
18 reads like don't PIN at all, not don't include
19 us on the PIN.

20 A Yeah, again, there has been a
21 lot of things where we need to be tactful
22 about -- to ensure that we are still able to do
23 our job despite, whatever their perception or
24 idea of what we should be doing or not doing.

25 Q So, to your knowledge you don't

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VINCENT STRAFACE

know one way or the other whether Melissa --

MR. KIM: Let me take that back.

Q Did you ever tell Melissa DeRosa that within the troopers you were PIN'ing their movements?

A No.

Q So it looks like from this text from Melissa DeRosa, she thinks she's directing you all not to PIN at all?

A Yes, we don't PIN when Stephanie comes and goes.

Q But if we look through the PINs we would see PINs among troopers where you nonetheless do?

A Yes.

Q You can put that aside now. Actually, do you have in your binder 19?

MR. FODEMAN: We don't have 19.

MR. KIM: You don't have 19?

MR. FODEMAN: No. You don't have it, do you?

THE WITNESS: No.

MR. FODEMAN: It goes 18 to 20.

VINCENT STRAFACE

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Q That's fine.

3

Other Executive Chamber

4

employees, if they come and go, like executive

5

assistants, Melissa DeRosa, Jill DesRosiers and

6

others would be included in the PINs where

7

their movements are being put in messages?

8

A Let me just understand the

9

question.

10

Q If an executive assistant came

11

to the executive mansion and then there is a

12

PIN that says so and so is at the mansion, and

13

that PIN chain actually includes Stephanie

14

Benton, Melissa DeRosa and Jill, that

15

continued.

16

So they were getting PINs,

17

Stephanie Benton, Melissa DeRosa, about others,

18

just not about them?

19

A Yes.

20

So in their head, maybe they

21

don't need to know when they come and go, they

22

don't need to get the PIN because it's them.

23

And we didn't -- we just got the

24

approvals for the guests. So where Stephanie

25

and Melissa, if they come or go, we kind of

VINCENT STRAFACE

1
2 keep track of that for our own knowledge,
3 because it also gives us intelligence when if
4 Melissa is leaving or Stephanie is leaving,
5 it's possible that the Governor's time is very
6 short there and he will be departing.

7 So it's also something for us to
8 gauge on the Governor's departure time.

9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]

13 So when they leave there is not
14 another message that someone has left.

15 Q Okay, you can put that aside
16 now.

17 So, during your time at the PSU,
18 how often or frequently did you personally
19 interact with the Governor?

20 A One more time?

21 Q During your time at the PSU, how
22 often did you personally interact with the
23 Governor?

24 A I don't know how to really
25 answer that.

1

VINCENT STRAFACE

2

Q I mean, did it change over time?

3

A The way I interacted with him?

4

Q How often.

5

6

A No, I think my interaction was the same from, you know, when I got there until the time I left.

8

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13

You know, minimal to -- we had a working relationship, so if there were things that I needed to discuss with him, I would, but other than that, there wasn't really many things I would discuss with him. I would just make sure we were doing the job.

14

15

16

We were making sure that everything was covered, we are getting him from point A to point B safely.

17

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23

And if I was hearing from him, it was because he wasn't happy with something, and sometimes if I didn't hear from him, I heard from, you know, the Executive Chamber staff that something wasn't right at a particular event, and then I would have to deal with them and not deal with the Governor.

24

25

Q And so how often would you either see him or talk to him a week,

VINCENT STRAFACE

1
2 approximately?

3 A I would say, you know, maybe
4 once a week, but there are times where it could
5 have gone on for a month that I didn't see him
6 or interact with him or he saw me but I didn't
7 interact with him.

8 I always tried to make sure that
9 I was where he was, I always made sure that he
10 knew that I was at events, I was making sure
11 that I was -- I had my finger on the pulse, so
12 to speak.

13 Because there was a lot of
14 variables that we were dealing with, we had
15 lots of protests, plenty of threats, and it's a
16 very complex, complex job, when most of my time
17 was spent with my people at events, you know,
18 leading, but I only had interaction when I
19 needed to have interaction with him.

20 Even when I was in the truck
21 with him, he would ask me what was new, and I
22 said nothing, nothing, sir, all is good, and we
23 left it at that.

24 So I tried to keep it as
25 professional and as minimal as possible, unless

1 VINCENT STRAFACE

2 I had a particular issue that needed to be
3 addressed or discussed with him.

4 Q So if he was attending an event,
5 did you generally go to those events even if
6 you were not -- you were not the body person
7 other than for a short period of time, did you
8 go to the events?

9 A Yes.

10 Q I see. And so would you be part
11 of the advance team or trail or --

12 A I would be part of the advance
13 team, and I would fill the void wherever the
14 void was to make sure we had appropriate things
15 covered.

16 If there was something that I
17 didn't particularly like or if I thought there
18 were some better alternative to the plan that
19 the team had, I would adjust it and adapt to
20 it, made sure we had multiple points of egress,
21 those things.

22 Q So you would do that at almost
23 every event?

24 A Not every event, but a lot of
25 events.

1 VINCENT STRAFACE

2 Q And whether he was up in Albany
3 or New York City?

4 A Yeah, I was pretty active.

5 Q And in your interactions with
6 the Governor, did he ever get angry at you?

7 A I don't want to necessarily say
8 that the Governor got angry with me, and I know
9 you had asked me this question last time.

10 Has he yelled? Not necessarily
11 yelling at me directly, as an individual, but
12 more for the circumstances of what took place
13 or during a particular situation, maybe.

14 But for the most part very
15 cordial, unless there is something that, there
16 is an excuse to get mad that someone does
17 something that would cause that to happen.

18 Q Did he ever raise his voice at
19 you?

20 A He's raised his voice a couple
21 of times, but I really I can't remember what
22 the exact instances were, what caused him to
23 raise his voice.

24 And one of them, I believe is
25 there was one, and I don't remember all the

VINCENT STRAFACE

1 facts, but I think one of the drivers did
2 something they weren't supposed to do, and it
3 almost caused maybe an accident, and then he
4 had told me about it, and then I addressed it.
5

6 We got into a pickle and we
7 didn't have anybody to drive, and he happened
8 to be the driver, either he was the driver of
9 the front car or the back car.

10 And he is like didn't I tell you
11 that guy is going to get us killed? And look
12 at the stupid thing he just did today, it
13 almost caused a ten car pile up, you know, you
14 are not seeing what you are supposed to be
15 seeing, you know.

16 And it was for me to understand
17 what he was seeing and for me to see the bigger
18 picture and understand what he was seeing and
19 take a look at it a little bit better.

20 And then not put us and the unit
21 in this position again to potentially hurt or
22 kill somebody.

23 Q Who was the driver at issue in
24 that incident?

25 A I don't recall.

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VINCENT STRAFACE

Q Did the Governor ever ask you to do anything that you didn't agree with?

A Well, one thing that stands out on me as he wanted to [REDACTED] [REDACTED] because he doesn't feel that [REDACTED] should be on [REDACTED] at the mansion.

And I had talked to him about it, and he says I don't care, I don't want the [REDACTED]

And for me, for security reasons we need to have [REDACTED] [REDACTED] [REDACTED], and it's something that is part of our security plan.

And if we don't have a [REDACTED] [REDACTED], it's a big problem.

So I had to just -- I was creative, and I said we will [REDACTED] [REDACTED], but I am going to [REDACTED] [REDACTED].

So I [REDACTED] and then I [REDACTED] and I

VINCENT STRAFACE

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[REDACTED]

but that's like one instance.

Q This is the [REDACTED]
that's outside of the mansion where [REDACTED]
[REDACTED]

A Yes.

Q Why did he want [REDACTED]
[REDACTED]

A His perception, he thinks that
the guys go in there, [REDACTED]
and then they go to sleep and they are not
doing what they are supposed to be doing, they
are only [REDACTED] for one reason, and
that's his mindset.

Traditionally at nighttime, I
have never worked in Albany, per se, but the
guys have always [REDACTED] at nighttime,
[REDACTED]

Q Any other instance where the

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VINCENT STRAFACE

Governor asked you to do anything that you didn't agree with?

A At this time I don't have any recollection.

Q Is there anything that the Governor asked you to do that you ever refused other than [REDACTED] ?

A Something I refused to do?

MR. FODEMAN: Are you talking specific as to like his role in the detail or just in general or anything?

Q Anything the Governor asked you to do and you refused.

A I don't recall any specific incident.

Q Same question with respect to others, in the Executive Chamber first, did anyone in the Executive Chamber ask you to do anything that you did not agree with?

A There are always instances where they wanted to do something, and I really don't even have specifics, I can't even think of one right now.

But they would want something

1 VINCENT STRAFACE

2 done a certain way, and either you could do it
3 or you can't do it, or either it's right or
4 it's not right.

5 So the unit had to figure out
6 how to get the job done and the mission done
7 without doing it the way they wanted to do it.

8 I don't know if that makes any
9 sense to you.

10 But those are just challenges,
11 they are like everyday challenges that the guys
12 face, and I'm trying to just come up with a
13 specific example, but I'm having a tough time
14 doing it.

15 It's more of the logistics of
16 the Chamber and how they work, which really
17 causes -- of what they think they can do or
18 what they want to do, versus what the reality
19 is of how we can get something done.

20 Q What was the relationship like
21 with the Chamber, the working relationship?

22 A You know, I had, my experience,
23 I had a good working relationship with the,000
24 Chamber, and my closest contact was Anabelle,
25 she was the director of scheduling, and Jill

VINCENT STRAFACE

1
2 DesRosiers, who also was the director of
3 scheduling before Anabelle, and we worked very
4 well together.

5 And our dynamic and their
6 dynamic are completely different. They put
7 together what they think -- and I have tried to
8 improve stuff, but you can't improve it unless
9 they want to adopt -- adopt your
10 recommendations to approve scheduling and how
11 things are done.

12 But a lot of things which causes
13 the tension and the aggravation for most of us
14 is just the scheduling and the logistics of
15 when things are planned and when they want
16 things to happen and how they want things to
17 happen.

18 It's all usually done in the
19 23rd hour of the day, which causes the most
20 anxiety for everybody involved.

21 You know, being -- most of these
22 things are all large scale events, and
23 everybody is scrambling at the last minute, we
24 are scrambling, how do we get the chief
25 executive to where he needs to be so he can

1 VINCENT STRAFACE

2 govern.

3 We have to deal with outside
4 liaisons, making sure we have enough people.
5 We have helicopters, planes, cars, motorcades.

6 But for the most part, the
7 Executive Chamber, when it comes to my
8 experience with them, especially on the
9 operations side, you know, even though it's
10 very stressful, we work well together.

11 Q During your time on or at any
12 time have you seen the Governor touch anyone?

13 A When you say -- say this
14 question again, if my time --

15 Q Yes, during your time --

16 MR. KIM: Well let me step back.

17 Q Have you seen the Governor touch
18 people?

19 A Yes.

20 Q And in what contexts?

21 MR. FODEMAN: Are you including
22 like shaking hands and --

23 MR. KIM: Yes, yes.

24 A Shaking hands, he likes to cup
25 his hand when he talks to people, gives them

1 VINCENT STRAFACE

2 hugs, kisses somebody, some of them hello,
3 goodbye.

4 Q You've seen him take pictures
5 with people?

6 A Seen him take pictures with
7 people?

8 Q You've seen him hold people out
9 while he takes pictures?

10 A Yes.

11 Q Have you seen the Governor sort
12 of grab people by the face?

13 A I can't recall any specific
14 incident, but I've seen pictures of him
15 grabbing people by the face.

16 Q Yeah, I think tab 26 is in
17 there?

18 A Yes.

19 Q Is that type of a hold or grab
20 something you have seen him do?

21 A Yes, yes.

22 Q And in what context have you
23 seen him grab people like that?

24 A I don't have -- I don't know any
25 specific -- I am just trying to think, right,

1 VINCENT STRAFACE

2 thinking about our holiday party.

3 I know he's grabbed both my
4 wife's cheeks, grabbed both my wife's hands.

5 Q Has he grabbed your wife like
6 this around the neck and face?

7 A I don't think specifically like
8 that, no.

9 But I have seen him -- and it
10 seems -- and again, either he knows people or
11 he doesn't know them, apparently he doesn't
12 know them as well as what you may think he
13 knows them, but it's hard for me to understand
14 or know what he's thinking and who he knows and
15 doesn't know, when he may greet somebody like
16 this.

17 Q Have you seen him kiss anyone on
18 the mouth, or lips?

19 A No. And again, I said to you
20 last time, except for I've seen him kiss Sandra
21 Lee.

22 Q Other than Sandra Lee?

23 A No.

24 Q How about any members of the
25 staff?

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VINCENT STRAFACE

A No.

Q Have you heard from anyone who have said they have seen the Governor kiss anyone on the lips?

A No.

Q Have you heard from anyone about a video that, a surveillance video that captures the Governor kissing someone on the lips other than Sandra Lee?

A No.

Q Or acting in any intimate way with a staff member?

A No.

Q Have you ever heard of him asking if he can kiss someone, or have you ever heard him ask someone if he can kiss them?

A No.

Q Have you heard of the Governor ever asking any female trooper if he can kiss them?

A No.

Q Have you ever seen or heard the Governor flirting with anyone?

A I would say yes, but I don't

1 VINCENT STRAFACE

2 really have any specific -- if we are at an
3 event and he's working the crowd, would you
4 call it flirting?

5 It could be perceived as
6 flirting, I would say, but he's very, in a way
7 that he's very charismatic, he charms the
8 person that he's talking to, he makes a nice
9 comment, they laugh about it.

10 Again, I don't even know what
11 the comments are, but they share a laugh, could
12 that be perceived as flirting?

13 Could I perceive that as
14 flirting, you know? I would say yes.

15 But again, that's it.

16 Q Have you ever heard him comment
17 to anyone about their sex lives?

18 A Not that I recall, no.

19 Q How about just generally their
20 relationships or marital status?

21 A Just to one relationship I know
22 with Dani Lever, I know he was very helpful or
23 giving advice to about a relationship she was
24 in. She was the press secretary.

25 Those are all the ones I can

VINCENT STRAFACE

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recall right now.

MR. KIM: By the way, my I don't know if it's mine or you -- there it goes.

It said it was, network bandwidth was low, but with respect to -- can you hear me?

MR. FODEMAN: Yes, we are good.

Q With respect to Trooper #1, you were referring to the fact that he talked about her engagement?

A Yes.

Q And Dani Lever, what do you remember him talking to her about?

A Dani was just [REDACTED], and [REDACTED], [REDACTED], [REDACTED] it was just a more advice, [REDACTED]

Dani had [REDACTED], was she there for him type stuff, but just general conversation, I guess.

Q How about about their sex life?

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VINCENT STRAFACE

A No.

Q Did you ever hear him make any jokes or comments of a sexual nature?

A Not that I can recall.

Q Did you ever hear him make jokes or comments about the size of his hands?

A I don't remember what the context was, it was [REDACTED] -- not [REDACTED], one of my troopers, one of my troopers, they bust each other's chops.

He's a driver, the name will come to me in a second, but he's a big guy, and they always talk about who's going to win, who's going to win the fight in the boxing ring, he's gonna take him on one day, and he says you see the size of my hands, I'm a big guy, I'm a strong guy, and [REDACTED] is a pretty big guy.

But he talked about the size of his hands, that he was a tough guy, the Governor being a tough guy, that if oh, my God, [REDACTED], if [REDACTED] was going to be able to take him.

But I haven't heard any other

1 VINCENT STRAFACE

2 comments about or recall any other comments
3 about big hands.

4 Q Any comments he made to women
5 about the size of his hands?

6 A No; not that I have heard or
7 recall.

8 Q How about any comments or jokes
9 with a sexual innuendo about his dog?

10 A His dog?

11 Q Yeah.

12 A No.

13 Q Did you ever hear him ever talk
14 about a woman's physical appearance?

15 A I am just trying to think. I
16 can't think of anything specific.

17 Q Like any -- have you ever heard
18 him talk about a woman's legs?

19 A Not in front of me, not in front
20 of me, no, I don't recall.

21 Q Breasts?

22 A I don't recall.

23 Q Hair?

24 A No, you know, I'm just trying to
25 think if he's commented on somebody that they

1 VINCENT STRAFACE

2 look beautiful today, or -- I would imagine
3 there has to be some -- something, but I just
4 can't think of a specific instance.

5 Q How about tattoos, have you ever
6 heard him talk about someone's tattoos or look
7 at them?

8 A No.

9 I know that, like I said in my
10 last one, I know that he doesn't like tattoos,
11 my father doesn't like tattoos, I have no
12 tattoos, but he doesn't like tattoos.

13 Some of the members of the
14 detail have tattoos and he would bust their
15 chops because they marked their body for the
16 rest of their life.

17 Q How about any female troopers,
18 do you know whether he spoke to any of them
19 about whether they had tattoos?

20 A No.

21 Q Did you ever hear him speak
22 Italian to people, or use words in Italian?

23 A Am I fluent in Italian?

24 Q No, did you ever hear the
25 Governor speak in Italian to people?

1 VINCENT STRAFACE

2 A Yes.

3 Q When and what?

4 A Oh, I don't even know what
5 phrases he says, they are some crazy dialect
6 things that his grandfather or somebody would
7 say.

8 But every once in a while he
9 would spit out a phrase, you know, about
10 something, and I am trying to remember some of
11 these words that he used, and I just can't
12 recall what they are.

13 Q How about to woman?

14 A You know, I know that he's
15 called my wife bella, that just means
16 beautiful.

17 But I don't know if I have seen
18 him say Italian words to women, I don't have
19 any recollection of that.

20 Q Have you ever heard anyone use
21 the term mean girls to describe some people in
22 the Chamber, Executive Chamber?

23 A Yeah, mean girls, the mean girls
24 I guess are Stephanie and/or, maybe not even
25 Stephanie, but Stephanie is in that circle, so

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VINCENT STRAFACE

you have Stephanie, Melissa and Jill.

Q And in what context, who have you heard refer to them as mean girls?

A Actually I didn't you know where I got it from, I got it from a text message that was sent to me from an article, from [REDACTED] [REDACTED].

When the article, there was an article that came out, he sends me text messages saying it's funny that they call them mean girls or something like that.

And [REDACTED] had his own issues with them.

Q So other than, this is a text from [REDACTED] recently, after --

A No, I don't know when the heck it was, it was a while back ago.

Q But this year?

A Maybe last year.

Q Because of some reporting around it?

A Yes.

Q Other than [REDACTED] raising it, had you heard of anyone refer to them as the

1 VINCENT STRAFACE

2 mean girls?

3 A I don't know if I ever heard
4 anybody specifically say to me that they were
5 the mean girls, but I think it's like it was
6 insinuated in the office that, you know, they
7 could be the mean girls, you know, and I don't
8 even necessarily know if that's the right way
9 to describe them.

10 They were just very hard,
11 because they were getting the pressure to make
12 sure things were right, and they were the
13 enforcers to make sure that everybody was doing
14 their job.

15 You know, I don't envy their
16 roles and the pressure that they had to deal
17 with at all.

18 Q The enforcers for whom?

19 A Well, if you want to say the
20 word enforcers, they are the enforcers of the
21 vision of what the Governor was looking for at
22 that particular event.

23 They were the people that were
24 in charge of the operations and ensure that the
25 events and the operations went well.

1 VINCENT STRAFACE

2 Q Did you ever see or hear the
3 Governor directing anyone to sync or memorize
4 song lyrics?

5 A No.

6 Q I know we covered this in a
7 specific context earlier, but more generally,
8 did you ever hear the Governor comment on
9 people's clothing?

10 A It's possible that he said that
11 someone has a nice dress on today, but again, I
12 don't remember any specific instance that I
13 could specifically tell you on a date and a
14 time and who the person may be.

15 You know, it was just him being,
16 you know, you look nice today, this dress looks
17 nice on you.

18 Q Any comments about clothing of
19 any troopers?

20 A I haven't heard him nor has
21 anybody -- the only thing I'm just thinking
22 here, you know, what pops in my head, he did
23 complain about [REDACTED], but again, it's a
24 clothing issue. You are bringing clothing up,
25 it's a clothing issue.

1 VINCENT STRAFACE

2 I don't even know what kind of
3 outfit she wears. He always complained to the
4 senior, and I don't think -- he never
5 complained to me, but I got it secondhand from
6 a senior, that [REDACTED] didn't identify herself as
7 a police officer.

8 You know, she would dress -- he
9 was going to a horse show or something, and she
10 would go out in traffic and hold traffic up,
11 and again, he would say that she's not
12 identifiable as a person of law enforcement and
13 someone is going to run her over.

14 And he must have said that
15 numerous times in the last couple of years,
16 every time he saw her at an event or trying to
17 help us.

18 And again, it was the way I
19 guess she was dressing that didn't portray her
20 as a police officer.

21 But other than that, I don't
22 have any recollection of him commenting on the
23 way any of the troopers dress.

24 Q And what way did she dress?

25 A Like what about the way she

VINCENT STRAFACE

1
2 dressed?

3 I don't know. It didn't -- to
4 me she was dressed fine, you know.

5 And you know, the thing that
6 I -- she would have, say it was a winter, she
7 would have her pea coat buttoned up, no badge
8 showing, pea coat buttoned up, and you have a
9 gun on your hip and you're actively working.

10 Something happens, how are you
11 getting to your gun? You know, if you are out
12 in the middle of the street with your pea coat
13 on and all the buttons buttoned and your shirt,
14 you're not looking the part, and you're not
15 even prepared for the part if something goes
16 on.

17 Q Is that what you had observed,
18 [REDACTED] with her pea coat buttoned?

19 A Yes.

20 Q And what did you -- did you say
21 anything to the Governor when he would say this
22 about [REDACTED] ?

23 A No, I would just listen to him,
24 and then I addressed it with the supervisors,
25 just that if [REDACTED] is going, because [REDACTED] was

VINCENT STRAFACE

1 not assigned to the travel team, she was
2 involved to the visiting dig spot, so she had a
3 different role.
4

5 So when she is -- and it was
6 kind of difficult, maybe because it's, like you
7 think about it, well, what does that mean?

8 But when you look at it as
9 having the pea coat buttoned up, not having
10 your badge showing, not having your gun
11 showing, and you are in the middle of a street
12 in Manhattan, you know, there is no special
13 betrayal of you being a police officer.

14 And I think SI #1, I think she
15 worked on SI #1's side, and SI #1, I told SI #1
16 to handle that with her, if she's out there to
17 play the part of a police officer when you are
18 outside, you know, be ready for the worst case
19 scenario, look ahead to be able to get your
20 gun. You can't get your gun if you have your
21 pea coat buttoned, et cetera.

22 Q Did you ever speak to [REDACTED]
23 directly?

24 A I don't recall speaking to her
25 directly about it, but it's possible.

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VINCENT STRAFACE

Possible, but I don't recall.

Q Any other incident that you remember of the Governor talking about the clothing of a trooper?

A Not to my knowledge.

Q Have you ever heard or become aware of the Governor seeing someone at an event or a photo or video and then trying to hire them, other than what we discussed earlier with Trooper #1 ?

A I don't have any specific incidents that I remember where the Governor had met somebody and all of a sudden they appeared in the Chamber.

What I do know, and I can tell you, is that when he works the rooms, if he's there and he engages in conversation with somebody, he will direct them to whoever his body person is from the Chamber and say, you know, get this person's card or get in touch with this person here, and we will have somebody reach out to you type stuff.

And I don't know -- I don't have any direct knowledge of if the phone calls

VINCENT STRAFACE

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2 happened or did not happen, but that was almost
3 at every single type of an event, where the
4 body person who walks with him, and everybody
5 who comes up to him has an issue or a problem
6 or a concern, brings it up at that particular
7 time, and he fends them off to his body person
8 to handle the people.

9 Q Did he ever ask you to find out
10 the identity of someone that he met at an
11 event, or saw in a picture?

12 A No.

13 Q Are you aware of him asking any
14 trooper to do that?

15 A Not to my knowledge.

16 Q Has he ever asked you to get him
17 the cell phone number of any particular
18 troopers?

19 A Yeah, on a few occasions.

20 And none of them were female
21 troopers, male troopers, and most of them was
22 because there was like a death in the family or
23 somebody had a baby and he wanted to reach out
24 to them.

25 But that's all I can remember.

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VINCENT STRAFACE

Q How about when he was upset at a trooper, did he ever ask you to get him the cell phone number or ask you to call someone and hand the phone to him?

A Of a trooper?

Q Yes.

A No, not a trooper, but if the Governor was upset and it happened to anybody who was in the truck, and probably multiple times, if the Governor is upset with an issue, he, the Governor, is sitting in the back seat of the car, and he will want to talk to the Superintendent.

And he will say what is the Superintendent's phone number, what's the First Deputy's phone number, and then he will say get them on the phone for me or give me their number and he will call them directly.

Q How often did that happen?

A Sometimes it was more frequently than others, but it was very cyclical. Sometimes, depending on what the issues were and the things that he saw, but I could say, if I wanted to put an average on it, maybe once

1 VINCENT STRAFACE

2 every six months, thereabouts, again.

3 And then sometimes it was more
4 frequently, sometimes there are multiple issues
5 in one week, where he's asking the guys to get
6 the Superintendent on the phone.

7 Q And what were some of the issues
8 where he would ask to get the Superintendent on
9 the phone?

10 A Like two instances that really
11 stand out.

12 One was coming into New York
13 City during a heightened alert, and I guess he
14 had asked the Superintendent to ensure that
15 there were uniformed cars present and a
16 uniformed presence on the bridges and tunnels.

17 And I believe like we came in
18 one day and there was nobody out there, and he
19 wanted to talk to the Superintendent.

20 And again, you know, a lot of
21 times his tact is very -- I learned from it
22 sometimes, because when you think that he's
23 actually on a call, he will start screaming or
24 something, he's not calling there to scream,
25 he's calling there to say hey, he's very

VINCENT STRAFACE

1 tactful about it, today is 9/11 and I just
2 crossed over the major bridges and I don't see
3 cars out there, don't you think it's a good
4 idea, and shouldn't we be planning going
5 forward and making sure that these
6 contingencies are covered and the public knows
7 that we are out there and we are doing this
8 type stuff?
9

10 So even though he's mad, he may
11 not necessarily be screaming at these
12 particular times. He's mostly very tactful the
13 way he handles the interaction.

14 Q Did you ever -- do you know a
15 trooper named [REDACTED] ?

16 A Yes.

17 Q Who is she?

18 A She was a trooper who applied
19 for PSU, and I forget when she applied, but it
20 was last year, maybe, or two years, a year and
21 a half ago.

22 She was from Troop K, she
23 applied for the unit, specifically she wanted
24 to come to New York City.

25 We conducted her interview, very

VINCENT STRAFACE

1 sharp, squared away trooper, very highly
2 educated. I think she has a Ph.D. in
3 psychology.
4

5 And at that time, since she
6 lived in the [REDACTED] area, I had asked her if
7 she would be willing to go work out of Albany,
8 because Albany we needed people, we needed
9 diversity, and we needed females there, because
10 the Governor was spending more time there and
11 we had the girls and we had everything going
12 on.

13 So, she thought about it, we
14 extended her the position if she wanted to come
15 to PSU and, you know, she came to PSU, and then
16 eventually we transferred her to Albany.

17 Q To what? Sorry, you broke up.

18 A To Albany, she transferred into
19 the detail and went to Albany.

20 Q How long did she stay in the
21 PSU?

22 A She didn't spend very long on
23 PSU.

24 Q What happened?

25 A Well, multiple things happened.

VINCENT STRAFACE

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2 Especially from the onstart of her time on the
3 detail.

4 She was transferred to the
5 detail on an effective date like the day after
6 Christmas. So say if Christmas was on Tuesday,
7 the effective date was that Thursday.

8 And basically when people
9 transfer in, they are supposed to report to the
10 Detail Commander, you have an introduction, you
11 have a meeting, you have all of this stuff and
12 you set the groundwork.

13 I was on vacation, I wasn't
14 there, my Lieutenants that were up there
15 handling it, when she gets there, and in the
16 interview we promised her that if she took the
17 job up there we would give her a transport car
18 to be able to transport herself up to Albany.

19 She was doing us a favor by
20 filling the void in Albany, because we need
21 people, and we asked her to do that.

22 So when she gets up there, the
23 Sergeant, within the first day it turned into a
24 nightmare.

25 The Sergeant decided on his own

VINCENT STRAFACE

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2 after being instructed to get her a car that
3 she shouldn't have a car, she's a junior person
4 here, she shouldn't have a car. Why are we
5 giving her a car?

6 It was a transport car. We
7 have, a lot of members on PSU have transport
8 cars, because they live far away, we need them
9 to respond for these particular areas.

10 So they have vehicles where we
11 can call them up, say they live in Long Island,
12 we don't have many people who live in Long
13 Island, but we have house people that live in
14 Long Island.

15 We call them up, hey, the
16 Governor is coming out to Long Island, can you
17 get in your car, can you handle this?

18 And the travel team will
19 eventually be there, but you may be there
20 before the travel team, just get to the event.

21 So this guy, his name was
22 [REDACTED] at the time, he takes it upon himself
23 to not follow a direct order and get her a car
24 and take the situation into his own hands.

25 And she had -- and he basically

VINCENT STRAFACE

1 told her -- he wasn't very nice to her from
2 what I gathered from her.

3
4 Saying that basically you're a
5 new person here, you shouldn't be getting a
6 car, meanwhile other people in Albany have
7 cars, and that if you get this car, everybody
8 is going to hate you here, and you're going to
9 cause all kinds of problems.

10 So, the supervisor tells her all
11 this is what she tells me, and then I am trying
12 to fix this, to get her what I promised her, to
13 get the car, to get her to come to the detail,
14 to enjoy the detail, but from that first
15 interaction here, it set the tone for it to
16 be -- for this to be very bad.

17 I personally liked [REDACTED], she
18 was very impressive, very highly educated, and
19 I thought that she was going to be a great
20 asset to this detail, and did not want her to
21 go, I know.

22 And when you speak with her, you
23 will see right away that she's a very smart,
24 very intelligent lady.

25 And she wanted -- I said if

VINCENT STRAFACE

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2 you -- right now Mt. Kisco was very slow, the
3 Governor wasn't staying there, there wasn't a
4 lot of activity, and sitting in that car all
5 day long, we don't have accommodations that are
6 really appealing to anybody, it's a really not
7 a good place to be in that Mt. Kisco house.

8 So I said instead of sitting at
9 the house, you can go up there, you can be part
10 of the detail, you can learn the detail and you
11 will be interacting day one with the teams and
12 you'll be able to learn the job, and then
13 eventually we can get you into a travel team,
14 you work your way through promotion, et cetera,
15 et cetera.

16 I know that she had come to me a
17 couple of times, she went to Dave a couple of
18 times, saying that the detail is not really
19 working for her, it was too far, it was
20 interfering with her life, she wanted to, you
21 know, be home at a certain time, you know,
22 basically just conflicting with her life.

23 I tried to convince her to stay
24 on the detail.

25 I know that I talked to the

VINCENT STRAFACE

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2 Governor about [REDACTED], when we interviewed her,
3 I gave him the perspectives.

4 We had another female that was
5 ones on the detail, [REDACTED]. [REDACTED],
6 and I think [REDACTED] and [REDACTED] I think all came
7 in together at the same time.

8 Q Hello?

9 A Yes, I am here. I am just
10 trying to think -- I kind of lost my thought.

11 Q [REDACTED], [REDACTED]?

12 A Yes, I think [REDACTED] and her came
13 at the same time, or thereabouts.

14 Q So you had mentioned the hiring
15 of [REDACTED] to the Governor, as well as
16 [REDACTED]?

17 A Yeah, I sent him a whole list,
18 we were bringing a bunch of people in. And
19 then I went down the list of people that were
20 coming in, and a quick background of each of
21 them.

22 Q And [REDACTED], it sounds
23 like she came to you and Dave Dively on
24 occasions to say it wasn't really working out?

25 A Yes.

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VINCENT STRAFACE

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Q And for what reasons?

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A Mainly -- like I said before, there were two reasons. One, she was made to feel uncomfortable from day one, and not welcomed the way we welcome people.

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And I told her I take responsibility for that, because I was on vacation, there was miscommunications between my other two officers and the Sergeant, who at the end of the day failed to follow an order when he was told to prepare the car.

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And then the second part of it was that she wasn't, you know, the scheduling wasn't working for her.

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Q So what ultimately happened?

A Ultimately what happened is she

transferred, she put her transfer in, and again, she asked, she said I know I didn't make my year commitment, but if I put my transfer in it will be better for my life and my family.

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[REDACTED], I think she cares for horses and she has other things going on, and she just wanted to be back closer to [REDACTED],

1 VINCENT STRAFACE

2 wherever she was working.

3 MR. FODEMAN: If we could take a
4 two minute break, I need to make a quick
5 phone call at a natural breaking point.

6 MR. KIM: Can we go for like five
7 minutes, Moe?

8 MR. FODEMAN: Yes, definitely.

9 Q So where did she end up
10 transferring to?

11 A I think she went back to Troop
12 K.

13 Q And did you talk to the Governor
14 or communicate with the Governor before she was
15 transferred?

16 A Yes. I talked to the Governor,
17 I let him know that [REDACTED], right, [REDACTED]?

18 Q Yes.

19 A [REDACTED], she wanted to
20 transfer off the detail, and I believe I think
21 he also talked to her to see, and I don't know
22 what he said to her, and she didn't tell me
23 what he said to her.

24 But I know that he talked to her
25 to see where she was in terms of leaving and

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VINCENT STRAFACE

getting her to stay.

Q How do you know he talked to her?

A She told me.

Q Do you know how the Governor contacted her?

A Oh, I think he just -- she worked the booth at the mansion, and maybe when he came in, I'm not sure how, maybe he walks the grounds and he saw her or he came in, drove in and she was working the booth and then he had the conversation with her there.

Q Did the Governor ever ask you or to your knowledge ask anyone for her cell phone number?

A Not to my knowledge.

Q Any other troopers that the Governor spoke to or communicated directly before they were left the PSU?

A Yeah, I think he tries to talk to everybody. I know that he talked to [REDACTED] before he retired, he talked to [REDACTED] before he wanted to leave and retire.

He talked to SI #1 before he

VINCENT STRAFACE

1
2 wanted to leave and retire, he talked to Dani
3 Lever.

4 Q Those are all very senior
5 people, right?

6 A All very senior people. He
7 talked to myself, I mean even -- I'm just
8 trying to think of some of the junior people,
9 the people that he knows.

10 The people that he doesn't know
11 he may not want to, because he doesn't know
12 them. It's the people that he really interacts
13 with on a daily basis.

14 He likes all the people that are
15 at the mansion, he interacts with them.

16 Q Did you ever hear that troopers
17 were saying that the Governor treats [REDACTED]
18 [REDACTED] differently because she was a female
19 trooper?

20 A No.
21 What I -- go ahead, I'm sorry.

22 Q You go ahead.

23 A No, I will wait.

24 Q Did she ever say anything like
25 that to you?

VINCENT STRAFACE

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A No.

Q Did you ever hear anything like that?

A No, but what I did hear, and what I was trying to tell you before is that from the first day that she was there, and I wasn't -- I didn't have this conversation, I wasn't there for this conversation, but the conversation that she told me that she had with [REDACTED] was that she was getting preferential treatment if she took this car and everybody would dislike her and would cause problems.

And she did not, right from that moment, what I got from her was that she didn't want to be here from that moment on, and it was a struggle for her to come here every day to work, because people were thinking different of her.

Q Did you ever hear whether anyone was saying that she was treated differently by the Governor because she was a woman?

A No.

Q Have you heard that about anyone else, any troopers, that the Governor treats

1 VINCENT STRAFACE

2 the female troopers differently from the male
3 troopers?

4 A No, but I can see people
5 speculate.

6 I can see people speculate, but
7 I don't think he treats anybody different.

8 Q Okay, so the answer is no, you
9 have never heard about it, you have never heard
10 anyone say it?

11 A I don't recall anybody saying --

12 Q You can speculate that they do,
13 but it's not true, is that your answer?

14 A I don't recall hearing anybody
15 say that the Governor treats the women
16 differently on the detail.

17 But what I am saying is you had
18 an intelligence spot open, the intelligence
19 spot went to [REDACTED].

20 There were two other people that
21 wanted the spot, that were more qualified for
22 the spot.

23 It went to [REDACTED].

24 Everybody says, speculates, oh, [REDACTED]
25 got this job because the Governor put her in

1 VINCENT STRAFACE

2 that spot and he liked her.

3 Again, it's speculation on
4 people's part, and talk. I don't have direct
5 knowledge of that, again, this is a rumor based
6 speculation of people's opinion and not facts.

7 Q But you're saying you haven't
8 heard any such rumors yourself, ever?

9 A No rumors.

10 Q You said you have not heard
11 anyone say anything about the Governor treating
12 female troopers differently.

13 No one has said anything like
14 that to you, you've never heard anyone say
15 anything like that?

16 MR. FODEMAN: Do you know what
17 he's asking?

18 Q That was your testimony when I
19 asked you it a few minutes ago.

20 I am trying to just clarify.

21 A Yes, I am trying to say.

22 Q So I mean, that's why I want to
23 take it piece by piece. You volunteered that
24 people can speculate, but I'm asking you have
25 you had any discussions with anyone or heard

1 VINCENT STRAFACE

2 anyone say anything about the Governor treating
3 female troopers differently?

4 A Sir, I can't recall, and I
5 don't -- I don't know. I don't know.

6 Q Not to your recollection?

7 A Not to my recollection.

8 Q You don't remember it.

9 But you have said you can
10 speculate that some people might think that.

11 Is that right?

12 A Yes.

13 Q Even though you don't remember
14 anyone ever saying anything like that?

15 A No, it's -- it's like chatter,
16 you know, when you hear chatter in an
17 organization?

18 Q Yeah. Chatter means someone
19 needs to say something for it to be chatter,
20 that's what I am trying to get at.

21 A Yeah.

22 Q What chatter did you hear?

23 A That's what I heard. Chatter,
24 about like [REDACTED], I don't know who, it's
25 amongst the teams, amongst the teams.

1 VINCENT STRAFACE

2 Q So then the answer to the first
3 question was yes, I've had chatter, I've heard
4 chatter, I do not remember from whom, about who
5 said it?

6 A Yes.

7 Q So let me ask again. Have you
8 heard anyone talk about in any way the Governor
9 treating female troopers differently?

10 A Yes, there is chatter, there is
11 chatter amongst the teams that, for instance,
12 ██████ took a position of the intelligence
13 officer because the Governor liked ██████ and
14 she got it and the other guy didn't get it.

15 Q Any other chatter?

16 A No other chatter that I'm aware
17 of that I can recollect.

18 Q How about how he treated female
19 troopers in their day-to-day interactions?

20 A I don't see -- he handled them
21 normal, like he would handle any of us. I
22 don't feel that there was something that stands
23 out that he treated a female better than he
24 treated a male, in my observations.

25 Q Okay, how about in terms of

1 VINCENT STRAFACE

2 chatter or what people were saying?

3 A The chatter that -- are -- you
4 could hear, like even for the women, you could
5 have had a chatter that he would stop and talk
6 to the women.

7 Like when we say, we came home
8 to Mt. Kisco, and you had Trooper #1 working
9 there and you had [REDACTED] working there, you
10 have some of the other females working there,
11 their names are slipping my brain right now, or
12 he would stop, say hello to them, how are you
13 doing?

14 Maybe he stopped and said how
15 are you doing and had conversations with them
16 more than he would some of the other troopers,
17 but then again, there were some of the other
18 troopers, particularly male troopers that he
19 did know, that were there from maybe the
20 beginning, that he would stop and he would have
21 more conversations with them.

22 But that's about it in terms of
23 conversations.

24 Q And this is --

25 MR. FODEMAN: I was going to say,

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VINCENT STRAFACE

ask for a break. We have been going an hour and 35 minutes.

MR. KIM: Why don't we take a break, then.

MR. FODEMAN: Thank you.

THE VIDEOGRAPHER: This concludes media number 4. Going off the record at 2:53.

(At this point in the proceedings there was a recess, after which the testimony continued as follows:)

THE VIDEOGRAPHER: We are back on the record. This is the beginning of media 5, 3:09 p.m.

Q Mr. Straface, when we took the break you were talking about chatter you heard about the Governor talking to or in a more friendly manner with female troopers versus male troopers, and that's when we took a break.

Who did you hear that from?

A The question is who did the Governor treat differently, if he treated females differently than men?

MR. FODEMAN: I thought the

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VINCENT STRAFACE

question was who was the --

Q Yeah, because you testified, I believe, that you didn't personally observe that any difference, correct?

MR. FODEMAN: I'm not sure that was the testimony.

MR. KIM: Why don't I ask.

Q Have you personally observed any differences in the way the Governor treats female and male troopers?

A I think I told you I think in terms of like the house where stay in Mt. Kisco, for example, the Governor would stop and talk to more of the females on his way in and out than the male troopers, but he also stopped and talked to some of the male troopers more predominantly than the female troopers said he stopped and talked to.

Q Let me pause you there, that's something you observed yourself?

A Not all the time, because I'm not with him all the time, but things that I have heard.

So I have witnessed it, that he

VINCENT STRAFACE

1
2 stopped and he's talked to some of the
3 troopers, female troopers, and then I have
4 heard it amongst the groups of -- the groups
5 the travel teams, the chatter amongst the
6 detail.

7 Q So you both -- so let's start
8 with the times you observed it.

9 Who did you observe the Governor
10 talk to in that way?

11 A I believe it was [REDACTED], [REDACTED]
12 [REDACTED], stopped and he talked to her, but again,
13 it's -- I am just trying to think of -- I don't
14 remember the conversation that he had with her,
15 but he would stop and talk and sometimes he
16 just drives right in, doesn't stop at all.

17 But there are times it just
18 seemed the females are out there, he would stop
19 and he said a quick hello, not necessarily a
20 conversation, but roll the window down with a
21 waive and then keep going.

22 You know, if [REDACTED] came out and
23 helped us, he and [REDACTED], in my opinion, have a
24 special relationship together, they
25 continuously joked around together and that was

VINCENT STRAFACE

1 from the onset of the detail since she came
2 here until present.

3 They are always going back and
4 forth, and I'm not even sure what they go back
5 and forth about, but they go back and forth and
6 there is a lot of laughing together.

7 And any time he sees her out he
8 always makes a special -- a special time to see
9 [REDACTED] before he leaves the event to chat with
10 her, et cetera.

11 Q Who you about Trooper #1 ?

12 A Trooper #1 , I really don't know
13 much about Trooper #1 in terms of this, because I
14 don't -- Trooper #1 has been here for the three
15 years, and I didn't have a lot of interaction
16 with Trooper #1 while she was with the team, but
17 I know when Trooper #1 was at the house, again,
18 kind of the same thing, the Governor would
19 stop, engage her in conversation, have
20 conversation.

21 I heard, and most of this is I
22 heard, I was never with him in the truck when
23 he stopped to talk to Trooper #1

24 But I heard he would stop and
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VINCENT STRAFACE

talk to Trooper #1

I would ask her, like did you talk to the Governor, and she said yes, I have talked to the Governor. He stops and says hello.

I think there is -- it depends on his mood, too, sometimes he's interactive with us and sometimes, you know, he won't even look at me or he won't even look at people for weeks or months.

And that happens to all of us.

Q So just to keep us organized, you have talked about what you observed and now let's move on to what you heard.

I think you started to talk about what you heard about Trooper #1 because you didn't see that much.

So what else, what did you hear about the way the Governor interacted with female troopers from others in terms of the chatter?

A I wish I could give you specifics, but I can't give you specifics because I don't know the specifics.

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Other than that the Governor pays attention to them, stopped and talked to her, what the conversation was, nobody knows, but he stopped and talked to her on his way in, stopped and talked to her on the way out this morning; stuff like that.

No specific details.

Q Those are things that other troopers would say and talk about?

A Yes.

Q Who were some of the troopers that would talk about those things?

A You know, I don't -- I don't know specifically all the troopers that would say this.

It's the group of -- it's the group, whoever was working.

You know, it could be **SI #2** and his team and his driver, it could be some of the people from the office, it could have been the sergeants say that the Governor left this morning and he stopped and talked to **Trooper #1** on his way out.

You know, stuff like that. I

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VINCENT STRAFACE

don't remember the specific instances where and who I heard it from, but that's what I would hear.

Q Have you observed or heard of the Governor offering any of the female troopers a tour of the mansion?

A A tour of the mansion?
The only person I know that he offered a tour to but don't -- I don't even think he gave the tour, was [REDACTED] and [REDACTED], and he think I heard that he went to her and said I'll give you a tour, get you set up with a tour, and I'm not sure if he did it himself or if he had somebody else do it.

Q Okay, anyone else, have you heard of him offering a tour to anyone else?

A No.

Q Are you aware, have you ever heard of the Governor saying to any female trooper, identifying for a female trooper where his bedroom is in the mansion?

A Him pointing out to a female trooper where his bedroom is?

Q Yeah, yeah, in a joking way,

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or --

A No.

Q You haven't heard anything like that?

You mentioned it depends on sometimes the Governor's mood whether he will talk to you or look at you or not, right?

A Yes.

Q Have you heard anyone say anything to the effect of if the Governor is in a bad mood you should put a pretty girl in front of him?

A If he's in a bad mood to put a pretty girl in front of him?

Q Yes.

A I haven't heard that, sir.

Q Who is Steve Canon?

A Steve Canon is like the events advance person for the Governor's office.

Q Did you interact with him frequently?

A You know, Steve and I are friends, we interact -- I wouldn't say on a daily basis, but a weekly basis for whatever.

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But he mainly interacts with my advance people most of the time.

Q When is the last time you communicated in any way with Steve Canon?

A I communicated with him about a month ago or so.

Which was leaving and retiring, he has a place in Florida and we have been talking about me going down there, and I said now that I will have time, so he's been trying to get me to come down and visit him in Florida.

But I have not made it down there to go spend some time with him down in Florida.

Q Any discussions with him about the allegations of sexual harassment or this investigation?

A No, we just talked about -- very briefly about the initial inquiry that was happening, but no specifics about the investigation or any details about it.

Q And by initial inquiry, what do you mean?

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A I think this first happened, he told me that he got a call, I don't know who his old boss was, but I just assumed it was [REDACTED] who said he got a call from your firm or your staff on who the point of contacts were for the State police and others.

Q Sorry, he told you that he had been contacted by our office?

A Yes.

He or somebody else, his boss was contacted by your office and I don't know who he was referring to by his boss.

Who was contacted.

Q And what did you guys talk about, what did he say to you?

A We didn't really talk about much, about this entire thing.

If we said a few words, we said a few words about it, you know. A lot of it is shocking to all of us, but when you -- it's shocking in a lot of ways.

Q In what way is it shocking?

MR. FODEMAN: I'm sorry, what is the it? Is it the investigation or the

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allegation?

Q Yeah, that's what I'm asking.

MR. FODEMAN: Sorry.

A Yeah, I think especially at the forefront of this was the Lindsey Boylan and for me it was shocking and I think for him it was shocking.

MR. KIM: By the way, sorry, I don't know if it's just me, but he's going in and out, could I ask the videographer or court reporter if it's --

THE VIDEOGRAPHER: I've been hearing that, too, I don't know what's causing it.

MR. KIM: Yes, we can hear you, but every maybe other or third word is getting muffled.

THE VIDEOGRAPHER: We can try having him leave the meeting and rejoining.

MR. KIM: Moe, could you do that?

MR. FODEMAN: We will try that. Give us a minute.

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THE VIDEOGRAPHER: Off the record, 3:23.

(At this point in the proceedings there was a recess, after which the testimony continued as follows:)

THE VIDEOGRAPHER: We are back on the record, continuing on media number 5, 3:26 p.m.

Q So, when we took the break, I had asked, you said there was -- that it was shocking and Moe volunteered whether our investigation was shocking, or whether other things were shocking.

So do you want to explain?

A Yes, basically we were shocked at the allegations of Lindsey Boylan.

Q And in what way were you shocked?

A In what way?

Q Or why?

A Because we didn't see it. I didn't see it.

And me, personally, I thought this, I assumed the Governor would be a lot

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1
2 more smarter than having allegations of him
3 forcibly kissing Lindsey Boylan in his office.

4 It's just -- it just wasn't --
5 you know, I don't know what else to say; it was
6 shocking.

7 Q Are you aware of any complaints
8 about the Governor's behavior that's been
9 raised by any member of the PSU?

10 A No.

11 Q How about any State Trooper?

12 A When you say complaints?

13 Q Not formal complaints, but
14 people complaining about the Governor's
15 behavior?

16 A And what type of behavior?

17 Q Well, just generally, have you
18 heard complaints about the Governor's behavior?

19 A Nobody has complained to me
20 specifically especially while I'm -- while I've
21 been at the helm about the Governor's behavior.

22 I know that in the past some
23 people were yelled at by the Governor and have
24 complained about the way they were talked to or
25 yelled at, or whatever the circumstances were,

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1
2 where they didn't particularly like it and they
3 complained to somebody within the New York
4 State Police.

5 Q Did anyone complain to you about
6 any of it, if they have been yelled at by the
7 Governor or otherwise?

8 A No, I think the -- I don't
9 recall anybody complaining to me about it, but
10 I have heard the complaints and I don't think
11 for all the complaints that I have had to deal
12 with, the complaints came from the supervisor
13 who was directly involved in the particular
14 complaints, and in most of these incidents that
15 we are dealing with are people -- sometimes
16 it's as simple as somebody not opening the door
17 properly or -- and most of them are all driving
18 incidents that we have to deal with.

19 And the individuals that have
20 the problem don't come and complain to me, it
21 goes to the supervisor, maybe it was the
22 Governor and sometimes the Governor doesn't
23 have to say anything, it's just a matter of the
24 way he looks at you for a particular incident
25 or problem that happened.

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2 And you already know that things
3 are not good with his perspective of what
4 happened.

5 So a supervisor will tell me and
6 I'll figure out in my own head how do we
7 navigate this, if it's a situation where we
8 don't want to put this trooper back into this
9 particular role for a while, to alleviate a
10 problem.

11 And again, it becomes a
12 management problem for all of us and something
13 that you have to deal with on this detail since
14 I've been here because it's very -- the
15 smallest little issues become the biggest
16 problems.

17 And how do you manage the morale
18 of the people that are working for you when
19 these issues or problems come up when they feel
20 that the Governor is mad at them or they didn't
21 do the right thing, et cetera.

22 But to go back to your question,
23 nobody that I can recall has complained to me
24 about the way they have been treated or talked
25 to by the Governor.

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Q Did you ever tell anyone that you had taken Trooper #1 off of driving the Governor because of something the Governor said to her?

A No.

Q You haven't told anyone that?

A No.

Q You've talked about instances where you have heard or witnessed the Governor yelling at particular troopers.

Are you aware of an incident involving Former Trooper #1?

A I'm aware of the incident, yes.

Q What are you aware of?

A Well, again, I wasn't part of that, nor was I part of his team.

But I know that they were driving to Albany, and I'm not 100 percent sure what happened in the truck, but apparently questions were asked on when the Governor was leaving and apparently the Governor went crazy on FT #1 because I think the Governor probably assumed that FT #1 is only asking because he doesn't want to hang around in Albany all day

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1 and go south.

2
3 And then there was a big
4 blowout, why are you asking me when I'm
5 leaving? And I don't know what the words were
6 that were exchanged.

7 But the one thing that does
8 stand out to everybody that got around was **FT #1**
9 said, I'm not sure if he said this to the
10 Governor, or he just said this in general,
11 either we all put our pants on the same way,
12 type of thing.

13 And I'm not sure if he said that
14 to the Governor, or if he didn't say that to
15 the Governor, but that was the gist of that
16 argument that I know of.

17 I don't know any other details
18 or specifics and I wasn't privy to it, it was
19 just all rumors.

20 Q And then what happened to **Former**
21 **Trooper #1**?

22 A What happened to **Former Trooper #1**.
23 I don't know if he transferred right away or if
24 he stayed for a little bit and then
25 transferred, but eventually he ended up

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transferring.

Q And do you know if the Governor had any role in that transfer?

A I don't know, that's something you would have to ask [REDACTED].

Q But you had no understanding?

A I'm sorry.

Q Did you have any understanding whether the blowout with the Governor had anything to do with him being transferred out --

A You could --

Q (Continuing) -- of the PSU?

A One could assume that they are both related. Either FT #1 didn't want to be here anymore and voluntarily said I'm done here, or it could have come to say he's got to go.

I'm not sure how it went, you are asking me, I'm not --

Q I'm just asking you what your understanding is.

A I don't have an understanding, because I don't know.

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Q Do you know an individual by the name [REDACTED] ?

A The name again.

Q [REDACTED] ?

A Yes.

Q He's in aviation?

A Yes, aviation.

Q Who is he?

A He was the major of aviation.

Q Are you aware of any incidents that or interactions that the Governor had with [REDACTED] ?

A Yes, and most of them were not pleasant.

Q So, describe for us what the interactions were like and why they were not pleasant?

A Well, I think the Governor's perspective of the aviation unit and their ability to fly missions and be able to get the job done in terms of getting him from point A to point B has always been a challenge for the State Police.

And I was kind of somebody that

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1 was put right in the middle of this mess, and
2 not a very comfortable position to be in, as
3 the liaison for aviation going back to 2014 or
4 '13 when I took that role.
5

6 And the same problems that were
7 from back then to present kind of remained the
8 same.

9 And I can't remember verbatim
10 the incidents and every incident, but the
11 Governor would either call sometimes [REDACTED]
12 [REDACTED], he would sometimes call the
13 Superintendent, sometimes call the First Deputy
14 Superintendent, to question aviation's ability
15 to either fly or have an available aircraft or
16 to understand the weather patterns, because the
17 Governor, he does a lot of research on his own,
18 he looks at the weather, he looks at -- he's a
19 well-rounded individual.

20 And in his head or in his mind
21 if he feels that they are not giving us all the
22 facts and the complete facts of why we can't do
23 something, or why something is down or out of
24 service, you know, he calls and he questions
25 it.

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Q Do you remember any particular incident where he asked you to call [REDACTED] on the cell phone and hand the phone to the Governor?

A It's possible, yes.
It's possible, aviation was I think one of them where he asked me to call who was in charge of aviation and I think [REDACTED] was in charge, because I know I think major guests too, major once I think he wanted me to get in touch with [REDACTED].

Q And what did you hear, did you see or hear the Governor yell at him?

A I don't recall the exact conversation, and again, I know does the Governor curse?

Sometimes he curses, maybe he uses the F word, but within a sentence, not directed at the person.

I don't know if that makes any sense, it's not like F you, it's like I can't fucking believe that this can happen, type of thing.

But I know when you are on the

VINCENT STRAFACE

1 receiving end of that call, it's not a good
2 one, because I've been there and I've
3 experienced it.

4 Q Do you know what happened to

5 [REDACTED] ?

6 A [REDACTED] was transferred to

7 headquarters.

8 Q And was that transfer after an
9 incident with the Governor?

10 A That transfer happened after an
11 incident where I think it was a fuel issue with
12 the helicopter.

13 Where the helicopter was flying
14 to New York City, I believe, New York City, we
15 were coming down here, I think, and the
16 helicopter hit bad weather and had to turn
17 around -- I don't know all the specifics, but
18 had to turn around, and I forget, they were
19 going to go some place to us but couldn't get
20 there, but had to turn around and had to go to
21 Westchester.

22 And the reason what they had
23 said was they have to go to Westchester to
24 refuel, and nobody could understand why they
25

VINCENT STRAFACE

1 had to refuel, and they didn't have enough fuel
2 in the aircraft to get from point A to point B
3 in the first place.
4

5 And for me in my job,
6 understanding the dynamics of the fuel and the
7 weight loads and all that other stuff, you
8 know, you need to understand that, why there
9 could be less fuel than other -- less fuel than
10 more fuel, et cetera.

11 It varies on the trip and the
12 amount of people.

13 But after that incident, I know
14 that the Governor was not happy, more so I
15 think mostly DeRosa wasn't happy with that, and
16 a lot of pressure and anxiety was put on the
17 State Police because of that incident, where
18 they wanted a full review to understand why
19 this happened and what does it mean that the
20 aircraft doesn't have fuel.

21 And they wanted an explanation
22 for it.

23 Q Did they get an explanation?

24 A Yeah, I believe they did get an
25 explanation, but I don't recall what the

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explanation was.

Q And then [REDACTED] was -- his position was taken away from him?

A And then a short time thereafter the Superintendent transferred him to -- to headquarters.

Q And you mentioned earlier about how the Governor does his own research and reads things and has a view.

Did you have a view as to whether [REDACTED] had done anything wrong in that instance?

A This particular instance, no, because we were very limited this day, if I remember correctly, on any of our options.

I don't remember where we were going.

But the problem, the problem, the issue that caused this problem to exacerbate was the response to say we don't have fuel in the aircraft.

And I don't necessarily think that was the right answer to say we don't have fuel in the aircraft, because when you tell

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2 somebody you don't have fuel in the aircraft
3 how is that perceived, right?

4 So -- and I think the way they
5 answered that caused the reaction that took
6 place.

7 Q And in your view was that an
8 appropriate reaction?

9 A No.

10 Q Did you express that to anyone?

11 A Yeah, no, I believe I did.

12 Q To who?

13 A I'm not sure who I expressed it
14 to, but I'm constantly talking to Annabelle,
15 I'm constantly talking to Annabelle Walsh,
16 during this time I think I was constantly
17 talking to the First Deputy Superintendent
18 about this.

19 Q Did you mention it to Melissa
20 DeRosa?

21 A No, I was not dealing with
22 Melissa DeRosa on it.

23 Q You did mention it to Annabelle
24 Walsh?

25 A Yes, I believe I did mention it

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to her.

Q What did you say?

A Say again.

Q What did you say?

A I don't recall exactly what I said, but I know that this particular issue was something that was out of our control, it was all nature's control.

Nature stopped the flight from going to where it needed to go as the storm rolled in and they had no choice but to land at Westchester where they landed the aircraft safely.

Q But nonetheless he was removed from his position?

A Yes, sir. Sir, I don't have any anything to do with him being removed from his position.

Q Did you raise it or discuss it with the Governor at any point?

A No, I did not.

Q I asked you earlier whether anyone had ever made any -- complained to you directly about the Governor's conduct and you

1 VINCENT STRAFACE

2 said no, it came through supervisors.

3 Do you believe that the people
4 in the PSU or did you have a sense the people
5 in the PSU felt that you were too close to the
6 Governor and the Executive Chamber that they
7 couldn't complain to you without suffering
8 consequences?

9 A You know, I don't really know
10 how to answer that, but it's possible. It's
11 possible because I know the perception by many
12 was that I was close with the Governor and with
13 the Executive Chamber.

14 So that perception is possible.

15 Q Is it possible or have you heard
16 that from anyone?

17 A You know I haven't -- I have
18 heard it from people, but I don't know
19 specifically who, and you hear it you know oh,
20 you're the Governor's guy, or you're the
21 Chambers' guy, people will come out and say
22 that to you.

23 But I'm not specific on who has
24 said that.

25 But yes.

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Q Did you do anything to try to correct that perception?

A I worked very hard over the last five years building the trust of my -- of my people.

Being there every day, leading from the front, and working hard to make sure that everybody is successful.

And I hope that I was able to do that, you know?

Q Did you have any concerns that if a trooper had been mistreated or harassed by the Governor, that they would not feel comfortable bringing it to you?

A No.

Q Despite your understanding that there was this perception?

A Yeah, I believe that if somebody had an issue or a problem that it would get to me.

I would hope that it would get to me, and if it didn't get to me directly, it would have gotten to one of my supervisors and that would have gotten to me.

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Q Are you aware of any instances where the Governor would decline coverage and ask troopers not to follow him?

A Yes.

Q When did that happen?

A That kind of happened early on in 2011.

That was like the beginning where he would leave Mt. Kisco on his motorcycle and try to go on a bike ride and lose the troopers, and that continued over the years.

But if the guys lost him he would end up coming back pretty quickly.

And then sometime in 2017 or 2018 I was asked to get onto a conference call with the Superintendent of the New York State Police and the Chamber's counsel and I was just a participant in the call, where they asked the counsel asked on the phone, the Chamber counsel asked the Superintendent is there any legal legislation that mandates that the Governor have 24 hour protection or not or does he have the right to decline?

1 VINCENT STRAFACE

2 So at the end of the
3 conversation it was he has the right to
4 decline.

5 Now, we don't want him to
6 decline, because it causes more problems for
7 us.

8 And, you know, so that came out
9 of that meeting.

10 And I called the Superintendent
11 and that was [REDACTED] at the time, and I said
12 sir, I said this can't be.

13 And he's like Vinny, there is
14 nothing we can do, and he said he was going to
15 file it.

16 Now I needed -- okay, go ahead.

17 Q Go ahead.

18 A No, go ahead, I will wait.

19 Q Yeah, are there instances where
20 you are aware that Governor declined coverage
21 when he was in New York City?

22 A Declined coverage in New York
23 City.

24 I am not aware of declining
25 coverage in New York City.

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Q Have you ever heard of the Governor while he was with Senior Staffer #1 declining coverage in New York City and telling the troopers not to follow them?

A This is new to me, I did not hear any declining of coverage referred to from Senior Staffer #1 and the Governor.

Q Or from the Governor while he was with Senior Staffer #1 ?

A From the Governor to me?

Q No, to any trooper, have you ever heard of it from the troopers who are covering him?

A No.

Q Let me ask you about Lindsey Boylan?

A Yes.

Q When did you first meet Lindsey Boylan?

A I first met her in her first -- I don't know if it was her first or one of her first interactions with Howard Zemsky and an economic development project that they were working on that, we were traveling for an

VINCENT STRAFACE

1
2 event.

3 Q And did you observe interactions
4 between Lindsey Boylan and the Governor?

5 A Yes.

6 Q How many times do you think you
7 did that?

8 A Oh, Jesus, probably a handful.

9 Q A handful over what period of
10 time?

11 A I'm not 100 percent sure the
12 period of time.

13 It could be five interactions or
14 ten interactions, maybe five to ten, but I'm
15 not sure over the period of time.

16 Q And where were those
17 interactions, where did those interactions
18 occur?

19 A They were mainly travel
20 interactions.

21 Q Flights, did you take flights
22 with her?

23 A Yes, flights.

24 Q Were you ever in a car with her
25 and the Governor?

1 VINCENT STRAFACE

2 A I don't recall, but it's
3 possible she was in a car, maybe once.

4 Not many people got into the
5 truck with us.

6 But I don't recall a specific
7 one, but it's possible.

8 Q How about in the office, have
9 you ever seen Lindsey Boylan and the Governor
10 interacting in the office?

11 A Well, I have seen Lindsey in the
12 office going up and down, I have seen them come
13 out for press conferences and stuff like that.

14 I have seen her outside the
15 Governor's office with a group of people
16 waiting to go in, but those are the
17 interactions that I have seen.

18 Q Okay.

19 Did you ever hear the Governor
20 talking to Lindsey Boylan?

21 A Yeah.

22 Q And what -- was the anything
23 noteworthy think in those interactions?

24 A Nothing that's glaring that I
25 remember that's standing out.

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I know that I had talked about her scar and her getting into an equestrian accident.

I know she talked about [REDACTED] [REDACTED] a lot, and they talked about the events, they talked about Howard Zemsky, whatever projects they were working on.

Q Okay.

When you were -- on how many flights do you think you took with her and the Governor?

A I would say, if I am saying, probably between the interactions, five to ten, I would say the same thing, five to ten, because like I say, most of the interactions that I have observed with the Governor with her with the Governor is events and flying to these events.

Q Right, because that would be the reason why you would be with the Governor, is because he's of traveling?

A Yes.

Q If he's not traveling, he would have a team, investigator team with the body?

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A Yes.

Q And when you traveled with the Governor, I know we talked about this last time, but was there a particular seat you would sit on on the plane?

A I would sit on the front jump seat towards the pilots.

Q And from there could you hear what the people were talking about behind you?

A You can't really hear on that aircraft unless someone is yelling and screaming on that aircraft, because it's loud, and where my seat is it's like right by the engines.

You know, you have to be -- kind of be able to see one another in order to hear, so even if you are in the back seat that's across from me facing the back, you kind of have to lean forward so you could either hear to be able to have a conversation.

Q Because it's loud?

A It's loud.

Q And to see each other, because then you can help read lips or lean in?

1 VINCENT STRAFACE

2 A You can lean in.

3 Q Was it just one plane or two,
4 two different planes that he flew on?

5 A There are two different planes.

6 Q Are they similar in
7 configuration?

8 A Yes. Yes.

9 Q And are they similar in terms of
10 the general loudness?

11 A Yes.

12 Q So, you -- well, did you ever
13 hear the Governor talk about playing strip
14 poker?

15 A No, I did not hear.

16 Q Have you ever heard the Governor
17 ever talk about strip poker at any time?

18 A No.

19 Q Do you know Abbey Collins?

20 A Abbey?

21 Q Collins. Collins.

22 A I know Abbey, the press person.

23 Q Yeah, Abbie Fashouer was her
24 name?

25 A Yes, Fashouer.

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Q Before she was married, sorry.
Do you know Abbey Fashouer?

A Yes.

Q Who is she?

A She is a press person for the
Governor.

Q And any interactions that --
between her and the Governor that were
noteworthy in any way to you?

A No.

Q And was she on any of the
flights that Lindsey Boylan was on that you
were on with them?

A It's possible, yes.

Q But you don't remember
particular ones?

A No.

Q Have you discussed the
allegations that Ms. Boylan made against the
Governor with anyone in the Executive Chamber?

A No.

Q Either by text or e-mail or
phone call?

A No.

1 VINCENT STRAFACE

2 Q And it sounds like with some
3 members, current and former members of the PSU
4 you've had some discussions, right?

5 A Yes.

6 Q That you were shocked.
7 Who have you spoken to about Ms.
8 Boylan's allegations?

9 A I know I talked to Dave. I
10 talked to [REDACTED], from the State Police,
11 right?

12 Q Yes, let's start with the State
13 Police, [REDACTED] how do you spell his last name?

14 A [REDACTED]

15 Q And he's currently there?

16 A Yeah, he's currently the
17 Superintendent.

18 Q Superintendent, he's the
19 Superintendent of the New York State Police?

20 A Yes.

21 Q Right now.
22 When did you speak with him?

23 A No, just when these allegations
24 came out.

25 Q What did you say?

1 VINCENT STRAFACE

2 A We couldn't believe it. You
3 know.

4 This is not him, I don't see him
5 forcibly kissing people in his office.

6 It's just disheartening.

7 Q How about some of the other
8 allegations that first Lindsey Boylan made,
9 other than the kissing, the comments?

10 A Like the strip poker comments.

11 Q The strip poker comments?

12 A The strip poker comment, too, is
13 another one, like I don't know where that would
14 come from, you know, unless there is a
15 different man that acts differently outside
16 of -- and again, we don't know how people are
17 outside of the public eye.

18 But for me, him coming out
19 saying let's play strip poker, is out of his
20 character, in my perspective.

21 Q Have you ever been with him when
22 he interacts with Larry Schwartz?

23 A Very -- very rarely to none.

24 And if he's interacting with
25 Larry Schwartz, you know, they are one-on-one

1 VINCENT STRAFACE

2 interactions.

3 Q Or Steve Cohen?

4 A Same thing.

5 Q Okay.

6 Or Andrew Ball?

7 A Andrew Ball, you know, I've
8 never been -- you know, I've seen Andrew get
9 yelled at, I've seen Andrew mainly get yelled
10 at, but never like other interactions, other
11 than mostly getting yelled at.

12 Andrew had a way about him where
13 he tried to do the job, I think he overtried a
14 lot and he was always in the spotlight for
15 making something go wrong somewhere along the
16 line.

17 Q You said even the comments that
18 were alleged were shocking.

19 Is it your view that he is
20 someone who is incapable of making comments of
21 that nature?

22 A No, I don't think anybody is
23 incapable of making those comments.

24 But I just felt, and I still
25 feel that -- and I'm wrong, I guess. Like

1 VINCENT STRAFACE

2 smarter to allow that to happen, type of thing.

3 Q How about Charlotte Bennett, did
4 you know her?

5 A I only have known Charlotte by
6 walking back and forth walking the Governor
7 down.

8 She was fairly new, I didn't
9 spend so much time upstairs, but I had very
10 minimal interaction with her.

11 Q Have you heard her allegations
12 or read about her allegations?

13 A What were her allegations?

14 Q She made allegations that she
15 was with the Governor and he asked about age
16 differences and sex partners, whether she had
17 been with an older man, asked about finding him
18 a girlfriend, things like that.

19 Does that jog your memory as to
20 her allegations?

21 A Yes.

22 Q Did you have any conversations
23 with anyone after those allegations came out?

24 A I don't believe so, that I had
25 any conversations specifically about Charlotte

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VINCENT STRAFACE

Bennett.

I know that I have talked to [REDACTED], we are friends, so we go to dinner together, our families and [REDACTED] likes to -- he's a current events guy and likes to know all the gossip.

I'm not that guy.

But he tells me, we talk about -- I basically listen and he does the talking, but he talked to me about Charlotte.

But again, that's about it.

Q What did he say about Charlotte?

A What did he say about Charlotte?

No, I think [REDACTED] is -- and I are, when we talk, it seems like we can't believe what is being said and what has transpired and what these ladies have experienced.

Because it's not something that we saw every day.

Was the work environment very stressful and demanding and chaotic at times?

You know, 150 percent.

But did we see this man or think

VINCENT STRAFACE

1 this man is trying to ask a young lady to have
2 sexual questions, you know.

3
4 It's not -- we didn't see it;
5 you know, and we didn't feel it, that something
6 would come to this.

7 Q Do you know anyone -- do you
8 know Caitlin [REDACTED] ?

9 A I know Caitlin.

10 Q How do you know her?

11 A She was another one who sat in
12 that front seat.

13 Q And what did you observe about
14 her interactions with the Governor?

15 A I don't necessarily recall any
16 interaction that she had with the Governor
17 while I was in her presence, other than me
18 walking the Governor by her and her being
19 outside the Governor's office.

20 She was very good at what she
21 did, you know sitting outside that office is
22 probably the worst job that anybody could ask
23 for.

24 Because you -- every 2 seconds
25 you are getting yelled to get this person on

1 VINCENT STRAFACE

2 the phone, get that person on the phone, get
3 this paperwork, get that paperwork it's a very
4 demanding role.

5 And you have to hear everything
6 that's being said the first time it's being
7 said, because if you miss it you can't -- it's
8 hard to go ask who did you say to go get?

9 You can only do that so many
10 times.

11 But I know she had a good
12 relationship with my seniors, she was very --
13 she was close with SI #2 and SI #1, they spent
14 the most time up there.

15 So I know that they were close.

16 But I don't really see any
17 interaction with the Governor with her.

18 Q Do you know how she was hired?

19 A No, I don't know how she was
20 hired.

21 Q Did you read press reports and
22 an article about how Caitlin was hired after
23 the Governor met her at an event?

24 A No, I didn't even know that
25 there was a newspaper article on Caitlin.

1 VINCENT STRAFACE

2 Q Or a New York Magazine article?

3 A I didn't even know there was a
4 New York -- a news magazine article on her.

5 Q So you don't know and you also
6 haven't read about the circumstances of how she
7 was hired?

8 A No.

9 Q Can you turn to tab 9, should be
10 in your binder.

11 A Yes.

12 Q This is an e-mail from Caitlin
13 [REDACTED] to various people in the troopers, right?

14 A Yes.

15 Q And this is January 2018.

16 Do you know why Caitlin [REDACTED]
17 left the Executive Chamber?

18 A I don't know why she left.

19 Q Did she talk to you before she
20 left or after she left?

21 A No, she -- I'm not sure if
22 Caitlin -- she didn't talk to me before she
23 left.

24 I don't know where she went, but
25 I don't know if she gave me like a card that

VINCENT STRAFACE

1
2 said thank you, because we get a couple of
3 cards from chamber people that leave just to
4 say thank you for all your support and help
5 navigating the every day challenges that we all
6 face together systematically.

7 But I don't think she told me
8 why she was leaving the chamber, we never had
9 that conversation.

10 Q Do you know where she went?

11 A No, I don't know where she went.

12 Q You see here in the middle of
13 her e-mail she writes, "I often tell people
14 that the only way I was able to hit the year
15 mark was because you all and your friendship.
16 I will miss our lunch and coffee trips, but I
17 won't be far, if you ever want to meet in the
18 middle."

19 What was your understanding of
20 what she meant that the only way she was going
21 to be able to hit the year mark was through
22 your friendship?

23 A You know what, I don't even know
24 if I recall reading this e-mail when she sent
25 it, but if I have to summarize now, and again

VINCENT STRAFACE

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2 reading this and what I remember January 24th
3 see attached, she had asked me to send her an
4 e-mail with everybody else on it so that she
5 can send this.

6 So I sent this to her and that's
7 why she says thanks, Vinny, with everybody on
8 it.

9 But working in that role that
10 she was working in front of that, it's not an
11 easy place to work, and I know that she was
12 very close with SI #2, she was very close with
13 SI #1, she was very close with a couple of the
14 other guys, I know that she even went to run a
15 marathon with them.

16 But I wasn't somebody who was
17 that close to her where she was going to tell
18 me or insinuate that something bad was
19 happening to her, if this is what this is
20 insinuating.

21 But I know that we all help one
22 another in this atmosphere, because it's not an
23 easy atmosphere to navigate by yourself, and I
24 understand all the different challenges that we
25 face every day.

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VINCENT STRAFACE

And that person who sits there at the seniors, the body seniors communicate with them, that they are coming, they are coming up the elevator to make sure that the Governor's office is ready, the coffees are ordered, the breakfast is ordered, the coffees are out for the meeting, or the danishes are out for the meeting, the Governor's speech is typed and written, his briefing book is on his desk ready to go.

And then get ready for all of the demands that are going to be asked of them for that day.

And I know that all of us collectively help one another through that time, because you can't do it by yourself.

You can't do it by yourself and we are not chamber employees, but we are a system that's attached to it and we have to work together as a partnership.

Q Do you know Brittany Commisso?

A I know Brittany Commisso.

Q Okay, how do you know her?

A I just know her from Albany.

1 VINCENT STRAFACE

2 The first time I met her was for
3 COVID testing.

4 I didn't even know who she was,
5 but I knew that she was coordinating everything
6 for us, Dave Dively was pretty much the point
7 of contact for her up in Albany.

8 So after COVID, during COVID and
9 after things were getting towards the -- we
10 were into COVID for months, and starting to --
11 the curve was starting to come down and we were
12 getting to a better place, I sent a certificate
13 of appreciation to certain people in the
14 Chamber and she was one of them.

15 She worked for, I forget the
16 girl's name, [REDACTED] mother's position is
17 like the OGS administrator for the Chamber, she
18 took over that role and then she's the
19 assistant to her, I believe.

20 And then one day when I went up
21 there to get my COVID test, I see the
22 certificate on her desk and I'm like oh, you're
23 Brittany, nice to meet you, thank you for all
24 you do.

25 And that's how our conversation

1 VINCENT STRAFACE

2 and the first time we interacted.

3 And then I noticed as time went
4 on and it's not even much time, she was moved
5 from doing that stuff at the COVID and she
6 moved herself to the second floor, the second
7 floor offices with EA #2 and EA #3, she was
8 over there in those offices.

9 Q Have you ever seen Brittany
10 interact with the Governor?

11 A I have not seen them interact
12 with each other.

13 Q Are you aware whether Brittany
14 Commisso would, on occasion, go to the mansion
15 to help with work?

16 A I believe that I have seen her
17 name on the pins for people that were given
18 permission to go there and I think she went
19 there and I'm not sure how many times she's
20 gone there.

21 And again, that was all kind of
22 towards the end of my, you know, break, so I
23 would say sometime after September or maybe a
24 little bit later that we started seeing her
25 pins.

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VINCENT STRAFACE

It had to be later, because she was mainly -- I don't know when she went and I don't know the timeline, I don't know what her life was, but in the latter part of the year I started seeing her name pop up on the pins as people with permission to go to the mansion.

Q Are you aware at all whether she's made any allegations against the Governor?

A I am not aware, I am not aware of any direct allegations.

And I will tell you that I'm not saying that I'm not aware.

What I am aware of is that I don't even know where I heard it from, somebody, I think it was one of the troopers in Albany, maybe not even a trooper, told me that they feel or they thought that one of the anonymous allegations of the incidents in the mansion was Brittany Commisso.

But I haven't heard anything directly from anybody other than a rumor, somebody said that they were speculating that it's possibly Brittany.

1 VINCENT STRAFACE

2 Q Who was it that said that to
3 you?

4 A I don't recall, I don't recall
5 and I'm trying to recall but I don't recall.

6 Q How about a Lisa McGrath, do you
7 know a Lisa McGrath?

8 A A Lisa McGrath, where does she
9 work.

10 Q In Albany as an executive
11 assistant along with EA #2 and EA #3 ?

12 A She sits on the left side when
13 you walk in.

14 I don't know, I don't really
15 know her too well.

16 Q No interactions that you
17 remember?

18 A No.

19 Q How about Ana Liss.

20 A Ana Liss.

21 Q Liss, L-i-s-s, Ana?

22 A No, where is she from?

23 Q She was also I think in Albany
24 at times.

25 A Ana Liss, what's her last name.

1 VINCENT STRAFACE

2 Q Liss, L-i-s-s?

3 A What's the first name.

4 Q Ana, A-n-a?

5 A Ana, I don't know, the name
6 doesn't even ring a bell.

7 Q Have you ever --

8 A It's not Annabelle you are
9 saying, right?

10 Q No, not Annabelle, not
11 Annabelle. Annabelle was the person you dealt
12 with regularly.

13 Do you communicate with any
14 members of the Executive Chamber through your
15 personal e-mail?

16 A Yes, yes, I would say yes, but
17 I'm not necessarily communicating with them,
18 I'm receiving e-mails from -- I think the
19 campaign office has me on some distribution
20 list that I get when there are private events;
21 which gives me the person who's the lead so
22 that I can set up the -- coordinate with the
23 right people.

24 Q To provide trooper coverage for
25 these events, or --

1 VINCENT STRAFACE

2 A Yes.

3 Q I see. And why does that get
4 sent to you in your personal e-mail?

5 A Honestly I don't know, I asked
6 them to send it to my troopers e-mail because I
7 don't want it to go to my personal e-mail.

8 But they insisted that it's
9 political, it's political and they wanted to
10 keep it separate.

11 So it goes to there and if I
12 open it, sometimes I don't even open it,
13 sometimes I open it and I get the information I
14 need and then I give it to the troopers that
15 need it.

16 Q And you deal with it because the
17 troopers need to know where he's going, that
18 type of thing?

19 A Yes. What happens, normally we
20 deal with Annabelle and Annabelle puts the
21 schedule together, Annabelle has who the site
22 contacts are and all of that.

23 When it comes to the campaign,
24 number one, the campaign is a nightmare for us
25 to deal with because they don't communicate

VINCENT STRAFACE

1
2 with us, we get the information the last minute
3 and then we have to jump through hoops to try
4 to figure out who from the campaign is the
5 lead.

6 The people who are leading it
7 think that they don't need to communicate with
8 anybody or share information or answer their
9 phones.

10 So we have to figure out who the
11 other person is, what the sequence of events
12 are.

13 They send us a guest list so we
14 know what guests are coming, but that's that.

15 Q Can you turn to tab 14.

16 Is this one of those e-mails for
17 a campaign event?

18 You see like towards the bottom
19 of the cc list [REDACTED]@Gmail.com?

20 A Yes.

21 Q That's your personal e-mail?

22 A Yes.

23 Q So what do you do with an e-mail
24 like this?

25 A What do I do with an e-mail like

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VINCENT STRAFACE

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this?

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I gather the information that I need that's going to be pertinent to us, and then I distribute it.

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But, you know, I don't know what this particular -- you see this was a conference call, this was a conference call about an event that the Governor was doing, right?

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So the conference calls, you have the conference call to go over the details of the event, the logistics of the event, there is a podium set up, no set up, what the run of show is going to be, those are the things that are really kind of important to us.

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And then once we get the information, if we get on the call, we get off the call, and a lot of times I'm not doing these calls, ■ is doing these calls now, or during this period.

22

23

But I don't remember the last time I was even on one of these calls.

24

25

Q If all of this is for a campaign event, for your purposes it's part of your job

1 VINCENT STRAFACE

2 covering the Governor, right?

3 A Covering the event.

4 So we get a daily briefing from
5 the Executive Chamber, so the Governor's
6 briefing book, briefing book with the schedule
7 and the run of show for all of the events, will
8 get sent to us so that our teams know what to
9 expect, and what the proposed plans are.

10 And this is basically the same
11 thing, but on the private side it comes from
12 the campaign.

13 Q Who else received e-mails like
14 this from the campaign other than you?

15 A Oh, I'm not sure.

16 Q I mean among the troopers, among
17 the PSU?

18 A ■ could be on some of these,
19 I'm not sure if Dave is on any of them.

20 I know the seniors, seniors as
21 well.

22 Q At some point did they ask you
23 for your personal e-mail to put it under this?

24 A Yes.

25 Q But you asked for it to be sent

1 VINCENT STRAFACE

2 to your trooper e-mail?

3 A Yes.

4 Q And what did they say?

5 A They did not want to send it to
6 the personal -- to the trooper e-mail, because
7 it's not -- it's nongovernment business, so
8 that's what they told us; or told me.

9 Q Um-hum.

10 Did you have any discussions
11 internally about whether covering a campaign
12 event is something that the troopers do
13 officially, or is this in some personal
14 capacity?

15 A I don't think we have ever had
16 an internal conversation about this, it's a
17 gubernatorial event, regardless of whether it's
18 a campaign or not a campaign event, it's an
19 event that the Governor is attending and we are
20 responsible for getting him in and out of that
21 event and securing that event safely.

22 So there really was never a
23 discussion needed to say are we supposed to be
24 covering a political event or not a political
25 event.

1 VINCENT STRAFACE

2 Q Have you attended any Super Bowl
3 parties for the Executive Chamber?

4 A No.

5 Q Or been at, whether you attendee
6 or covering?

7 A No.

8 Q How about any parties at the
9 mansion?

10 A No; other than the holiday party
11 for the New York State Police that the Governor
12 throws.

13 Q How about weddings that he
14 attends?

15 A Never.

16 Q Do you remain in contact with
17 the Governor?

18 A No.

19 Q When is the last time you
20 communicated with him in any way?

21 A My last day of work.

22 Q What did he say?

23 A What did he say. He said you've
24 done a great job, you should be very proud.

25 Very proud of his flag, the E pluribus unum, he

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VINCENT STRAFACE

showed me that he had it in his office.

We took a picture in front of that.

He said to me I could not have a conversation with you about your decision to leave the New York State Police because he made a different decision in his life.

And my decision to leave the New York State Police and to leave the job I loved was to be with my family, and he could not argue with that.

And what I gathered from it is that he chose the career he chose, and I am choosing my family that I think is probably the most important and right thing to do.

So that was the conversation we had.

And we took a picture, he presented me with a nice plaque to say thank you for all my dedication and hard work, and we walked out and we walked by Stephanie's desk and Stephanie handed him a book, the book was a photobook and it was a photobook of me in action at events that I could share with ██████████

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VINCENT STRAFACE

Q Are you personally paying for your attorneys' fees?

A Am I personally paying?

Q Yes.

THE WITNESS: How I do answer this?

MR. FODEMAN: He's not being reimbursed for any of his attorneys' fees.

Q Or is someone else paying for them?

MR. FODEMAN: Nobody is paying for them, period.

MR. KIM: You are doing it pro bono?

MR. FODEMAN: I am, so far.

MR. KIM: We can take a break here now, I think I am basically done.

Let me consult with my colleagues and then also Mr. Straface I said at the beginning if you wanted to we would give you an opportunity to make a statement on the record, and so you can take advantage of that as well.

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VINCENT STRAFACE

So maybe if we take a five minute break and come back at 4:35.

MR. FODEMAN: That's great, thank you.

THE WITNESS: Thanks.

THE VIDEOGRAPHER: This concludes media number 5.

We are going off record at 4:30 p.m.

(At this point in the proceedings there was a recess, after which the testimony continued as follows:)

Q So, Mr. Straface, when is the last time you communicated with Melissa DeRosa in any way?

A The last time I talked to Melissa DeRosa, I communicated with her, was towards the last week of my -- my time on the job, so the week of the 22nd, the week leading up to the 22nd of January.

Q Have you had any discussions with her about these allegations of sexual harassment and the investigation?

A No.

1 VINCENT STRAFACE

2 Q How many times have you traveled
3 with the Governor outside of New York?

4 A Oh, I don't know how many times
5 I traveled with him outside of New York.

6 We went to Georgia, I've been to
7 D.C., California, Israel, Puerto Rico; so those
8 are the five places.

9 Q Salt Lake City?

10 A Oh, Salt Lake City, yes.

11 Q When you travel with him, where
12 was your room relative to his room, the
13 Governor's?

14 A My room was either adjacent to
15 his or across the hall from his.

16 Q Was there ever a time when --
17 was that part of protocol for your role, that
18 you need to be either next to or near him or
19 was there a protocol?

20 A Well, it all depends. We always
21 try to get the room next door to him or across
22 the hall if there is a room across the hall.

23 And it all depends on the type
24 of trip it is, the manpower we have.

25 But it's pretty customary to

1 VINCENT STRAFACE

2 have either that room next door or the room
3 across the hall.

4 Q Was there ever a time when you
5 moved your room to accommodate Senior Staffer #1 ,
6 moving closer or next to the Governor?

7 A No, not that I moved my room,
8 no.

9 Q Where did Senior Staffer #1 usually
10 stay if she traveled with you?

11 A It all depends on what kind of
12 trip it was and how much control we had of the
13 hotel in terms of the event.

14 She has stayed sometimes on the
15 same floor, sometimes she has stayed on
16 different floors; nothing consistent.

17 Q Who made those arrangements, the
18 room arrangements; the Executive Chamber or
19 you?

20 A No, for the most part the
21 Executive Chamber makes the room arrangements.

22 Q The Blackberry that you had when
23 you were --

24 MR. KIM: Strike that.

25 Q Right up until you left, were

1 VINCENT STRAFACE

2 you using a Blackberry?

3 A Yes, I still had my Blackberry
4 up to when I left.

5 Q You still have your Blackberry?

6 A No. Up to until I left.

7 Q In January?

8 Or is it May? Did you have it
9 through may or did you have it through January?

10 A I had it through February, early
11 February and then I gave it back to the State
12 Police.

13 Q Okay.

14 And when you gave it back to the
15 State Police, how far back do the PINs go, if
16 you remember?

17 A I don't recall how far back they
18 went, but.

19 Q You don't remember actually
20 deleting it?

21 A Delete the PINs?

22 Q Yes.

23 A No.

24 Q So it would have had whatever
25 was kept?

1 VINCENT STRAFACE

2 A Yeah.

3 Q Was there a process or policy
4 whereby you deleted PINs from your Blackberry,
5 or no, you just kept it?

6 A Just kept them.

7 Q Okay, Soo Jee, unless you have
8 anything else I think -- let me ask you an
9 open-ended question, we have -- obviously we
10 have met two days, first in an interview and
11 then today.

12 You have obviously heard some of
13 the questions we are asking and you have a
14 sense of the types of things we are looking at.

15 Is there anything that's
16 relevant to any of the issues that we raised
17 that you can think of that you want to tell us
18 that I didn't ask?

19 A No, listen you have asked me a
20 lot of questions, and I feel there is -- when
21 you work in this type of environment and you
22 deal with the stress and the pressures and the
23 amount of stuff that we deal with on a daily
24 basis, it becomes overwhelming, number one.

25 To remember all the details of

VINCENT STRAFACE

1 every aspect of what we did and how things
2 happened is -- you didn't remember what
3 happened in the morning because in the morning
4 it felt like it happened -- it was two weeks
5 ago.
6

7 And I don't know if that makes
8 sense to you, but that's like the stress and
9 the demand of the job there.

10 You know, I know you had asked
11 me earlier about have I had disagreements with
12 the Governor, and I talked -- we talked about
13 that one thing that really stood out in my
14 mind, was the one with [REDACTED], but the other
15 ones that come out and that I had discussed
16 with counsel in our pre-thing and he remembered
17 to remind me are the issues I had with the
18 Governor where driving himself.

19 You know, when that came about,
20 that causes a security risk, it complicates our
21 operation and we -- I took a hard stance on
22 that.

23 I took a hard stance on that
24 with Melissa DeRosa.

25 I tried to get the

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2 Superintendent involved to help with that, but
3 there was -- given the circumstances of the
4 COVID and keeping him safe during that time,
5 and we came to the decision that it could be in
6 the best interest for health and safety reasons
7 to keep him doing that and plus there was
8 nobody on the roads.

9 So we were able to come up with
10 a plan to control it.

11 But initially we pushed hard on
12 that, but I think from a safety standpoint for
13 him contracting the disease from one of us, it
14 was probably a better move.

15 Leaving the case unprotected,
16 especially at the mansion after we had those
17 conversations, I pushed back on that with them
18 and with him about leaving.

19 And then plus the challenges
20 that we have, and especially me having the
21 responsibility if something happens to him with
22 people posting pictures in the newspaper where
23 him driving his car by himself and him walking
24 the dog down the streets of Albany where there
25 were just three drive by shootings a week ago.

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2 Those create very stressful and
3 uncomfortable situations for all of us in the
4 State Police and all of us that are working for
5 the mission of the Protective Services Unit
6 because it goes against everything that we
7 stand for.

8 And unfortunately we did not win
9 that battle, but it's not something that -- and
10 again I talked to you about what do we do,
11 especially like when Melissa DeRosa says don't
12 send a PIN but we still send it to ourselves.

13 We go and we do and I have --
14 the teams have somebody dresses down and
15 basically act as a UC to follow him while he's
16 walking the neighborhood, or jump in one of the
17 cars to see if you could follow him where he's
18 going.

19 But the problem is he pulls out
20 too quick you can't find where he goes, but he
21 normally comes back pretty quickly, he's just
22 taking the Corvette around the block or gets
23 gas or comes back; you know those are quick.

24 But when he goes and walks the
25 streets of the city, it's very concerning for

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us.

And we put somebody out there where he doesn't know that they are there, there has been times where he's seen somebody, caught somebody there and that became a little bit of an issue, but kind of a joking issue because it happened to I think [REDACTED], who is a senior there, where he pushed back.

What are you doing?

Why are you having somebody follow me? Type thing.

But I would rather get those phone calls than the phone call that he was jumped and stabbed and let's pass the buck to the State Police, it's their responsibility to protect him, meanwhile he's declined coverage.

So those are instances where I disagreed and fought back, but -- and unfortunately didn't win, but needed to come up with solutions, my own techniques to see if we could maintain his -- some level of security, even if he doesn't want it.

And we also had that issue with the boat.

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He wants to go out on his boat fishing, he wasn't having us on another boat next to him following him fishing and anything could happen to him and that was also another time where we disagreed and pushed back.

I appreciate what you're doing for this investigation, I know it's important, and, you know, I hope I was able to -- I know you asked me a lot of questions and there is just so much, but -- just a lot of questions, I don't know.

MR. FODEMAN: I will just add, it's Moe, you know where to find us if you need any additional information from Mr. Straface, and we are happy to provide that and we understand the obligation that you have in doing the investigation and as we have said all along, we are here to be cooperative.

MR. KIM: I appreciate that, and I will as we -- as I said earlier, I think we will be asking for those texts from Beth Garvey and Judy and then maybe we may have a broader request for any

1 VINCENT STRAFACE

2 texts or e-mails that relate to this
3 subject, and maybe there aren't any
4 others, but I will just -- we will craft
5 the appropriate language and send over a
6 document subpoena.

7 But maybe in the interim if you
8 could just ensure preservation, that you
9 don't delete anything from your phone or
10 from your personal e-mails.

11 MR. FODEMAN: Understood. The
12 only thing I would add, just for point
13 of clarification, I don't think there
14 will ever be any dispute about this in
15 the future, but that Mr. Straface is
16 appearing here pursuant to a subpoena
17 that we received.

18 I'm not sure if that will be
19 relevant to a question of perhaps
20 indemnification or something else down the
21 road, but I wanted that to be on the
22 record.

23 MR. KIM: Yes, correct, you are
24 here pursuant to a testimonial subpoena
25 that we served on you.

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MR. FODEMAN: Thank you.

MR. KIM: Two last things, sorry.

I know the binder of documents we have sent you, we are forced to do that because it's virtual, but we would ask that you either send them back to us or you can just destroy them and not share it with anyone, not keep a copy.

MR. FODEMAN: We will have them destroyed, this evening.

MR. KIM: Just as a reminder I mentioned this earlier, Executive Law 63(8) under which we are conducting this investigation requires that you and your counsel keep confidential what we ask you and what you learn from our investigations and our questions, so I remind you of that obligation.

MR. FODEMAN: Thank you.

MR. KIM: Okay. We will thank you for your time. We appreciate it.

MR. FODEMAN: Thank you, we appreciate it.

Have a good evening.

VINCENT STRAFACE

THE VIDEOGRAPHER: Off the record
at 4:54. This concludes today's
testimony of Mr. Straface.

The total number of media units
used was 6 and will be retained by
Veritext New York. Thank you all.

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VINCENT STRAFACE

C E R T I F I C A T E

I, STEPHEN J. MOORE, a Shorthand Reporter and Notary Public of the State of New York, do hereby certify:

That VINCENT STRAFACE, the witness whose testimony is hereinbefore set forth, was duly sworn, and that such testimony is a true and accurate record of the testimony given by such witness.

I further certify that I am not related to any of the parties to this action by blood or marriage; and that I am in no way interested in the outcome of this matter.



STEPHEN J. MOORE, RPR, CRR

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