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Dear Friends of Senator Bruno:

I am writing to give you some preliminary information about the charges filed a few weeks ago against Joe Bruno by the United States Attorney's Office for the Northern District of New York.

When you consider the history here, the charges really say more about the government than they do about Joe Bruno. More than three years ago, Joe Bruno, then the Majority Leader of the New York State Senate, was engaged in a number of political battles. Not content to keep these as political disagreements, Senator Bruno's opponents instigated a new strategy—trying to start criminal investigations. This strategy included the now exposed efforts of former Governor Elliot Spitzer and his staff to misuse New York State police in order to find something—anything—that they could use against Joe.

After three years, however, Joe's opponents found nothing that Joe had done wrong. All that this improper investigation proved was what you and those who work with Joe Bruno have known all along: that Joe Bruno was a faithful public servant.

Unfortunately, to justify the enormous resources that had been put into this investigation, federal prosecutors concocted a revolutionary theory of wrongdoing. They brought an indictment alleging something called "honest services theft" against Joe. The indictment does *not* allege that Joe Bruno took or received any bribes or even that he exerted improper influence in Albany on behalf of his clients or those who did business with them. Instead, it claims that Senator Bruno, a part-time legislator, worked as an outside consultant, and that there were some organizations or individuals that hired his consulting clients simply because he was also a State Senator.

But if this theory is permitted to succeed, then it would outlaw the conduct of nearly every part-time legislator—a startling idea when you consider that nearly every State legislator in the country is part-time and legally permitted to have an outside job, even those with clients or customers who do business with their states.

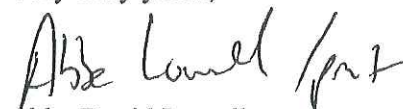
Prosecutors write their own indictments, and they have free rein to create whatever theories they want. As they did here, they get the chance to stretch the law far beyond what courts have recognized. And they operate with no challenge from the person they are investigating. But, they do not have the last word.

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In the next few weeks, Joe Bruno will get his chance to respond for the first time. Obviously, every man is presumed innocent when charges are filed against him, and Joe has already asserted his innocence in this matter. Soon, however, he will file motions to dismiss these unprecedented charges.

In our system, prosecutors get to operate behind closed doors. But those doors are now open. Any fair review of the case against Joe will lead to the conclusion that something is wrong—not with what Joe Bruno has done, but with what the prosecutors have done to try to get a man whose 32 years of service are actually the definition of honest services.

Very truly yours,


Abbe David Lowell