

**STATE OF NEW YORK
COMMISSION ON PUBLIC INTEGRITY**

540 Broadway
Albany, New York 12207

**IN THE MATTER OF AN INVESTIGATION INTO
THE ALLEGED MISUSE OF RESOURCES OF THE
DIVISION OF STATE POLICE**

**DISPOSITION
AGREEMENT**

**PRESTON FELTON,
FORMER ACTING SUPERINTENDENT OF THE
STATE POLICE,**

Respondent

1. This Disposition Agreement between the New York State Commission on Public Integrity ("Commission") and Preston Felton ("Felton"), former Acting Superintendent of the State Police, shall be considered the final disposition of the alleged violations of Public Officers Law §74(3)(c), (d) and (h) described in the Notice of Reasonable Cause ("Notice") issued by the Commission in The Matter of an Investigation Into the Alleged Misuse of Resources of the Division of State Police.

2. Felton violated Public Officers Law §74(3)(h) by acceding to requests communicated to him by William Howard, former Assistant Secretary for Homeland Security, to create documents and transmit sensitive information concerning Senate Majority Leader Joseph Bruno's use of State aircraft for trips to New York City and his ground itineraries during such trips.

3. Execution of this Disposition Agreement shall terminate enforcement proceedings with respect to all of Felton's above-reference alleged violations of the Public Officers Law. The Commission will not proceed further with any enforcement proceedings against Felton in connection with the Notice.

4. Since leaving State service, Felton has complied with Public Officers Law § 73(8)(a)(i) and (ii) and agrees that in the future he will, in all respects, continue to comply with the terms of Public Officers Law §73(8)(a)(ii).

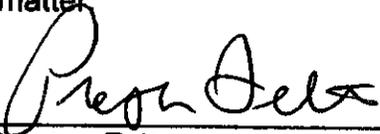
5. Felton agrees that neither he nor his agent will issue any public statement, directly or indirectly denying the factual allegations in the Notice or creating the impression that the Notice is without factual basis.

6. It is understood and agreed that this Disposition Agreement is not confidential, and that the Commission reserves the right to make public the Disposition Agreement and its terms.

7. If Felton violates any of the terms of this Disposition Agreement, the Commission may declare this Disposition Agreement null and void and proceed to a hearing as if the Disposition Agreement had not been executed.

8. Once executed and delivered by both parties, the provisions of this Disposition Agreement shall constitute a legally binding Disposition Agreement between the Commission and Felton. This Disposition Agreement may not be amended by either party, except by a writing duly executed and delivered by both parties hereto.

9. Felton waives any and all legal rights to challenge this final action and disposition in any proceeding judicial or otherwise, and further agrees to specifically refrain from commencing a CPLR Article 78 proceeding against the Commission, any State officer or employee or any public body based upon this matter.



Preston Felton



New York State Commission
on Public Integrity

Date: 11/19/09

By: Barry Ginsberg
Executive Director

Date: 11-24-09