



STATE OF NEW YORK

DAVID A. PATERSON
GOVERNOR

February 9, 2010

LAWRENCE SCHWARTZ
SECRETARY TO THE GOVERNOR

BY HAND

Mr. Clark Hoyt
Public Editor
The New York Times
620 Eighth Avenue
New York, New York 10018

Re: Profile of the Governor

Dear Mr. Hoyt:

Out of respect for the newspaper you serve, and the important role it has traditionally played in New York's political discourse, I write to communicate our deep disappointment in the approach taken by the New York Times in the course of compiling a profile of Governor Paterson in recent days.

No one, least of all the Governor, questions the Times' right to undertake and publish such a profile or to make it as searing and critical as the facts might justify. In recent days, however, as the Times' reporters let it be known that they were preparing such a profile, an intense and damaging series of rumors about the article's supposed content began circulating and appearing in numerous other publications.

Over the weekend, speculation about what your article might reveal reached a fever pitch, and stories emerged predicting that, because of the Times' story, the Governor would be forced to resign this week. The imagined justifications for this predicted outcome ran the gamut of the most salacious and outrageous accusations uninformed speculation could produce.

Last week, as the rumors first began intensifying, the Governor personally telephoned your political editor, Carolyn Ryan. Knowing there was no truth to the dark things being whispered, the Governor suggested to Ms. Ryan that if the paper had evidence to support a serious allegation that it had a duty to present it to him, allow him an opportunity to respond, and then publish whatever story quality reporting could justify. If it did not have such evidence, it had an obligation to counter the false accusations wrongly attributed to the Times' forthcoming article. Ms. Ryan assured him that the profile would not contain anything like the salacious rumors being circulated, but demurred on the issue of doing anything to stop them.

On Monday, the Governor made himself available to the Times' Editorial Board for an extended discussion of issues. As you may know, the Governor led the meeting by again articulating his displeasure with the media circus being generated in anticipation of the Times' story. He articulated his belief that it was unfair for the paper to permit it to continue, knowing as the Times' did that the profile would contain nothing to justify such a frenzy.

This morning, as the Times continued its silence, the public was treated to blaring front pages further whipping up and spreading false rumors, traced once again to the impending Times' profile. Despite this, the Governor made himself available this morning for an extended interview with your Albany bureau chief, Danny Hakim. During the interview, he was asked about a number of subjects, including routine campaign expenditures (like the celebration of the Governor's birthday for his volunteer campaign staff); the Governor's choice of restaurants; and various hiring decisions. While these subjects may hold some interest for the public, I hope we can agree that none even remotely justifies suggestions of resignation or the howling storm of innuendo that continues to rage while the Times plods along in preparing its story.

What is clear, therefore, is that over the last several weeks:

- the New York Times has prepared profile of a major public figure;
- misinformation about the content of that profile sparked intense, false and damaging accusations directed at the profile's subject;
- the Times was aware that the rumors were untrue;
- the Times admitted as much to the subject during the article's preparation;
- the Times did nothing to correct the public record; and
- when the article at last appears, it will do nothing either to justify or undo the permanent reputational damage suffered by the subject.

At any point, the Times' editors could have easily issued a public statement clarifying that the profile neither contained nor supported the salacious stories being sourced to it. Doing so would not have compromised the legitimate reporting being undertaken, the exclusive content being developed, nor the paper's right to produce such a profile. A public clarification would, however, have spared the public the misleading spectacle of the last week. Common decency, if not journalistic ethics, demanded as much.

We ask that in your role as Public Editor you undertake an inquiry of the propriety of the paper's actions and decisions that allowed this sorry set of events to unfold. Unfortunately, it is not in your power nor the New York Times' to undo the damage that has been already been done in this case.

Respectfully,


Lawrence Schwartz