

FOR IMMEDIATE RELEASE

OCTOBER 15, 2021 13:00

McCONVILLE FOR SHERIFF CAMPAIGN

CONTACT: JOHN NUCULOVIC [(845)208-8832, mcconvillecampaign@gmail.com]

WEBSITE: McConville4Sheriff.com

**AUTHORITIES CALLED TO INVESTIGATE PUTNAM COUNTY SHERIFF
ROBERT LANGLEY FOR CRIMINAL MISCONDUCT AND ELECTION TAMPERING
IN SECRET TAPING AND RELEASE OF POLITICAL CAMPAIGN PHONE CALL**

Multiple charges of criminal misconduct were raised against Putnam County Sheriff Robert Langley over a political phone call he secretly recorded with another politician, which recording he then gave to his campaign to boost his reelection chances.

At a press conference held this afternoon on the Historic Putnam County Courthouse steps, candidate for Putnam County Sheriff and former MTA Police Chief Kevin McConville called upon the Putnam County District Attorney and New York State Attorney General to investigate Langley for four specific crimes that stem from his use of his public office to record a political phone call, use of public employees to transmit it to his campaign for political purposes, and tamper with the election for Sheriff.

McConville explained that sometime late this past summer, Langley placed a call from the Putnam County Sheriff's Office (3 County Center in Carmel), using his county-issued cell phone, to lame duck Carmel Town Supervisor Ken Schmitt. The call lasted approximately 18 minutes and 40 seconds, during which Langley never told Schmitt that he was recording the call.

The subject matter of the call was entirely political in nature, and did not involve the business of the sheriff's office, or county or town government, in any way. Instead, it was a discussion of the election for sheriff, political support, and potential employment as a reward for political support.

After secretly recording the call, Langley released it to his campaign in two ways: 1) a three-second clip was sent by personal message from a Langley campaign member to another of his supporters; and 2) the entire call was released to Langley's campaign team by the Sheriff's Office pursuant to a Freedom of Information Law (FOIL) request made by Langley's campaign.

The entire recording was posted by a Langley campaign team member on a local politics Facebook group, and remained there for several days before being taken down by Langley's team after controversy erupted in the comments about improprieties raised by the recording.

By releasing the recording of the call under FOIL, Langley admits that the recording was an official government record of the Sheriff's office, and not a personal phone call, even though the call was entirely political in nature and had nothing to do with county business. Langley could have hung up immediately after hearing from Schmitt that the call was political in nature, and Langley could have called back Schmitt on a personal phone outside on his personal time. But Langley stayed on this political call for almost 19 minutes using his taxpayer-funded office, his taxpayer funded phone, and taxpayer funded recording equipment to gather campaign material.

THE FOUR CHARGES RAISED AGAINST LANGLEY ARE:

1) Violation of Putnam County Code § 55-3(A)(1) - CODE OF ETHICS - “PROHIBITIONS”

LAW: A COUNTY OFFICER OR EMPLOYEE SHALL NOT TAKE ANY ACTION OR FAIL TO TAKE ANY ACTION WHICH HE OR SHE KNOWS, OR HAS REASON TO KNOW, MAY RESULT IN A PERSONAL FINANCIAL BENEFIT FOR THE COUNTY OFFICER OR EMPLOYEE. *Violation is a Class A Misdemeanor.*

FACTS: Sheriff Langley, a county officer and employee, knowingly and intentionally called a politician and maintained a nearly-19 minute, entirely political, conversation regarding support for his re-election, which would financially benefit Langley with four more years of public office bringing with it taxpayer funded salary and benefits.

2) Violation of Putnam County Code PCC § 55-3(I) - CODE OF ETHICS” - “PROHIBITIONS”

LAW: NO COUNTY EMPLOYEE SHALL USE OR PERMIT THE USE OF COUNTY PROPERTY FOR PERSONAL CONVENIENCE OR PROFIT. *Violation is a Class A Misdemeanor.*

FACTS: Two violations: 1) The phone, recording device, and office used to create this recording are all county property, which Langley knowingly and intentionally used to support his personal bid for reelection. 2) The recording was treated as an official business record of the PCSO, necessarily released through the PCSO's FOIL Officer (a county employee), thereby improperly using county employees and county resources for Langley's personal benefit.

3) Violation of NY State Penal law § 195.00 - OFFICIAL MISCONDUCT

LAW: A PUBLIC SERVANT IS GUILTY OF OFFICIAL MISCONDUCT WHEN, WITH INTENT TO OBTAIN BENEFIT OR DEPRIVE ANOTHER PERSON OF BENEFIT, HE COMMITS AN ACT RELATING TO HIS OFFICE BUT CONSTITUTING AN UNAUTHORIZED EXERCISE OF HIS OFFICIAL FUNCTIONS, KNOWING THAT SUCH ACT IS UNAUTHORIZED. *Violation is a Class A Misdemeanor.*

FACTS: In his official capacity as Sheriff (proven by his FOIL release of the recording), Langley did knowingly and intentionally use his county-provided cell phone and county-provided recording device while in his county office for the unauthorized purpose of gaining a political and pecuniary benefit for himself while disadvantaging his political opponent.

4) Violation of NY State Election Law § 17-152 - CONSPIRACY TO PROMOTE OR PREVENT ELECTIONS

LAW: ANY TWO OR MORE PERSONS WHO CONSPIRE TO PROMOTE OR PREVENT THE ELECTION OF ANY PERSON TO A PUBLIC OFFICE BY UNLAWFUL MEANS AND WHICH CONSPIRACY IS ACTED UPON BY ONE OR MORE PARTIES THERETO, SHALL BE GUILTY OF A MISDEMEANOR. *Violation is a Class A Misdemeanor.*

FACTS: Having made a political call for his personal benefit in his official capacity as the sheriff, and having used county property and employees to do so, thereby violating Putnam County Code and state Election Law (“unlawful means”), Sheriff Langley did conspire with another to prevent the election of his election opponent for the office of sheriff.

MCCONVILLE, THE CANDIDATE FOR PUTNAM COUNTY SHERIFF ON THE
REPUBLICAN AND CONSERVATIVE LINES, IMploRED THE PUTNAM
COUNTY DISTRICT ATTORNEY AND THE COUNTY BOARD OF ETHICS, AS
WELL AS THE NEW YORK STATE ATTORNEY GENERAL, TO INVESTIGATE,
CENSURE, REFER CHARGES AND/OR TAKE ANY OTHER NECESSARY AND
PROPER ACTIONS TO INVESTIGATE AND, IF WARRANTED, PROSECUTE
THE AFOREMENTIONED FOUR CRIMES APPARENTLY COMMITTED BY THE
CURRENT SHERIFF OF PUTNAM COUNTY, ROBERT LANGLEY.

ABOUT KEVIN McCONVILLE

Kevin McConville, a lifelong resident of Putnam County, has over thirty years of law enforcement experience, having worked for the Metropolitan Transportation Authority (MTA) Police Department, culminating with the rank of Chief of the Department.

During his tenure as Chief, Kevin created the Interagency Counter Terrorism Team to address Terrorism, working with the FBI and members of the Joint Terrorist Task Force (JTTF) to ensure the safety of commuters, including those using MetroNorth. Additionally, Kevin served as a member of the Governor's Homeland Security Team and developed and implemented plans and strategies to prevent bombings on commuter rail systems, like the ones in London and Madrid.

Kevin was in New York City and experienced firsthand the World Trade Center tragedy on September 11, 2001 assisting in the NTAPD response to the terrorist acts and developing strategies and deployment plans to maintain safety and security for the commuting public.

More recently, Kevin served as the Director of Security and Emergency Management Services for New York Presbyterian Hudson Valley Hospital.

Kevin earned his undergraduate and graduate degrees from Marist College, where he currently serves as a consultant to the Criminal Justice Curriculum Advisory Board. Kevin and his wife Janice have three children and two grandchildren, all of whom live in Putnam County.