

Dept. of Law and Public Safety

REPORT OF THE NEW JERSEY LAW ENFORCEMENT COUNCIL
TO THE GOVERNOR AND THE LEGISLATURE OF
THE STATE OF NEW JERSEY
JUNE 19, 1953

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This report of the New Jersey Law Enforcement Council (hereinafter referred to as the "N. J. Council") is confined to recommendations respecting the waterfront in the Port of New York District. At the time of the organization of the N. J. Council, Governor Driscoll requested that the N. J. Council join the investigation of the waterfront which was being conducted pursuant to an agreement between the Governors of the States of New Jersey and New York.

Immediately after the organization of the N. J. Council in July, 1952, representatives of the N. J. Council conferred concerning the waterfront investigation with representatives of the New York State Crime Commission (hereinafter referred to as the "N. Y. Commission"). The N. Y. Commission had been created and appointed in November, 1951, and had already examined hundreds of witnesses in private hearings as a result of its investigation.

In September of 1952 at a meeting of the N. J. Council, Mr. Theodore Keindl, Special Counsel to the N. Y. Commission and Mr. Ben A. Matthews, Chief Counsel for the N. Y. Commission, met and discussed with members of the N. J. Council the then status of the waterfront investigation and future plans for the same. It was agreed by those present that in view of the fact that the investigation which the N. Y. Commission had been conducting for upwards of a year with the assistance of a large staff and a substantial appropriation had encompassed waterfront conditions in both New York and New Jersey, that therefore a similar investigation by the N. J. Council would be a duplication of effort and an unnecessary expense. Accordingly, it was decided that the N. J. Council cooperate with the N. Y. Commission in its investigation and not

hold any public hearings or conduct a separate investigation until the completion of the public hearings in New York, at which time the N. J. Council would carry on such investigation in New Jersey as it then believed necessary.

Thereafter extensive public hearings consuming twenty days were held by the N. Y. Commission, all of which were attended by members and staff of the N. J. Council and transcripts of the testimony taken were promptly made available to it.

Upon the completion of the public hearings in New York, the N. Y. Commission advised the N. J. Council that it had completed its public hearings with reference to the New Jersey side of the River and accordingly those investigators who were available to the N. J. Council proceeded to investigate certain phases of the New Jersey waterfront, with particular reference to certain sections of Hudson County, Port Newark in Essex County and Leonardo in Monmouth County. During this investigation over 250 persons were interviewed and a series of private hearings were held at which 35 witnesses were examined.

During the course of the public hearings held by the N. Y. Commission a New Jersey resident, a public official, although invited to appear and testify in New York, refused to do so. Accordingly, the New Jersey resident, John V. Kenny, Mayor of Jersey City, was subpoenaed and questioned before the N. J. Council. The public hearing in New Jersey was attended by representatives of the N. Y. Commission and the material concerning which the N. Y. Commission desired to question Mayor Kenny was covered.

On May 20, 1953 the N. Y. Commission released its report on the Port of New York Waterfront, which report is known as the Fourth Report of the N. Y. Commission. Prior to its release, conferences were held between representatives of the N. Y. Commission and the N. J. Council, at which the draft of the N. Y. Report was considered.

The New Jersey Law Enforcement Council agrees with and joins in the findings of the N. Y. Commission with reference to the conditions and evils existing on the waterfront in the Port of New York and is satisfied from its own investigation, from the evidence produced at its private hearings and the testimony produced at the public hearings in New York and New Jersey that the same pattern of evils and abuses exists in the New Jersey portion of the Port as those set forth in the Fourth Report of the N. Y. Commission, a copy of which is made a part hereof.

On June 8th and 9th, 1953 public hearings were held by the Governor of New York on the Recommendations made by the N. Y. Commission in its Fourth Report, at which representatives of the N. J. Council attended by invitation. The N. J. Council has had the benefit of the criticisms and suggestions which were made at those hearings. During the course of the hearings Governor Dewey, speaking for New York, said:

"We intend to cooperate with the State of New Jersey, with its elected officials to the limit of our capacity. * * * It is my earnest hope that whatever is done will be done on a parallel basis and I for one shall not recommend anything to the Legislature until there have been extensive conferences between the representatives of the two states to ascertain whether we cannot work out some method of joint action if no better solution comes."

On June 10th, following simultaneous statements by the Governors of New York and New Jersey, a representative of the N. J. Council was invited to join in a joint effort of both states to draft appropriate legislation.

CONCLUSION

It is the conclusion of the N. J. Council that the conditions under which waterfront labor is employed within the Port of New York District are depressing and degrading to such labor, that there are corrupt hiring practices and that persons conducting such hirings are frequently criminals and

are notoriously lacking in moral character and integrity, and the N. J. Council further finds that the declarations and findings contained in the proposed legislation which has been prepared by the joint efforts of the representatives of both states, are fully supported by the evidence developed in the investigations conducted by the N. Y. Commission and the N. J. Council. There is also made a part hereof a copy of the record of the public hearings held by the Governor of New York on June 8 and 9, 1953.

RECOMMENDATIONS

Accordingly, the New Jersey Law Enforcement Council recommends that legislation be adopted at the earliest possible date permitting New Jersey to enter into a compact with the State of New York for the reduction of criminal and corrupt practices in the handling of water-borne freight within the Port of New York District and the regularization of the employment of waterfront labor, to provide for assessment of the expenses thereof against certain employers and in the absence of such compact to accomplish such objectives within the New Jersey portion of the Port of New York District, and making an appropriation therefor.

Respectfully submitted,

NEW JERSEY LAW ENFORCEMENT COUNCIL

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(s) Gene R. Mariano
Gene R. Mariano

(s) Richard J. Congleton
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