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# *Committee Meeting*

of

## NEW JERSEY LEGISLATIVE SELECT OVERSIGHT COMMITTEE

*“The Committee will consider a report containing the Committee's findings and recommendations prepared by the special counsels.”*

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**LOCATION:** Committee Room 4  
State House Annex  
Trenton, New Jersey

**DATE:** June 5, 2019  
10:30 a.m.

### **MEMBERS OF COMMITTEE PRESENT:**

Senator Loretta Weinberg, Co-Chair  
Assemblywoman Eliana Pintor Marin, Co-Chair  
Senator Kristin M. Corrado, Co-Vice Chair  
Assemblywoman Nancy F. Muñoz, Co-Vice Chair  
Senator Sandra B. Cunningham  
Senator M. Teresa Ruiz  
Senator Steven V. Oroho  
Assemblyman Gordon M. Johnson  
Assemblywoman Angela V. McKnight  
Assemblywoman Nancy J. Pinkin  
Assemblywoman Verlina Reynolds-Jackson



### **ALSO PRESENT:**

Rosemary Alito, Esq.  
Michael Critchley, Sr., Esq.  
Joseph A. Hayden, Jr., Esq.  
*Special Counsels*

Stephanie M. Wozunk  
*Office of Legislative Services  
Committee Aide*

Alison Accettola  
*Senate Majority*  
Brian Quigley  
*Assembly Majority  
Committee Aides*

Michael R. Molimock  
*Senate Republican*  
Kevin Logan  
*Assembly Republican  
Committee Aides*

***Meeting Recorded and Transcribed by  
The Office of Legislative Services, Public Information Office,  
Hearing Unit, State House Annex, PO 068, Trenton, New Jersey***

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LORETTA WEINBERG  
Co-Chairwoman  
ELIANA PINTOR MARIN  
Co-Chairwoman

KRISTIN M. CORRADO  
Co-Vice Chairwoman  
NANCY F. MUNOZ  
Co-Vice Chairwoman

SANDRA B. CUNNINGHAM  
FRED H. MADDEN JR.  
M. TERESA RUIZ  
STEVEN V. OROHO

GORDON M. JOHNSON  
PAMELA R. LAMPITT  
ANGELA V. MCKNIGHT  
NANCY J. PINKIN  
VERLINA REYNOLDS-JACKSON  
BETTYLOU DECROCE  
HOLLY T. SCHEPISI



**New Jersey State Legislature**  
**NEW JERSEY LEGISLATIVE SELECT OVERSIGHT**  
**COMMITTEE**  
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**COMMITTEE NOTICE**

**TO: MEMBERS OF THE NEW JERSEY LEGISLATIVE SELECT OVERSIGHT COMMITTEE**

**FROM: SENATOR LORETTA WEINBERG, CO-CHAIR AND ASSEMBLYWOMAN ELIANA PINTOR MARIN, CO-CHAIR**

**SUBJECT: COMMITTEE MEETING - JUNE 5, 2019**

*The public may address comments and questions to Stephanie M. Wozunk, Committee Aide, or make bill status and scheduling inquiries to Audrey Bailey, Secretary, at (609)847-3890, fax (609)777-2998 or e-mail: [OLSAideLSOC@njleg.org](mailto:OLSAideLSOC@njleg.org). Written and electronic comments, questions and testimony submitted to the committee by the public, as well as recordings and transcripts, if any, of oral testimony, are government records and will be available to the public upon request.*

**The New Jersey Legislative Select Oversight Committee will meet on Wednesday, June 5, 2019 at 10:30 AM in Committee Room 4, 1st Floor, State House Annex, Trenton, New Jersey.**

**The committee will consider a report containing the committee's findings and recommendations prepared by the special counsels.**

Issued 5/31/19

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#### **APPENDIX:**

Report of the  
New Jersey Legislative Select Oversight Committee  
Concerning the Hiring of Albert J. Alvarez as Chief of Staff at the  
New Jersey Schools Development Authority  
submitted by  
The New Jersey Legislative Select Oversight Committee

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**SENATOR LORETTA WEINBERG (Co-Chair):** Good morning, everyone.

We'll call the Committee to order.

Thank you all for being here.

I particularly want to thank all the members of the Legislative Select Oversight Committee for your collective work. And I want to thank my Co-Chair, Assemblywoman Eliana Pintor Marin; and the Vice Chairs, Senator Kristin Corrado and Assemblywoman Nancy Muñoz.

I think the Committee acted in a professional, business-like, bipartisan manner, and I am proud of the work that we are about to release today.

We were responsible for undertaking a review of the circumstances surrounding allegations of sexual assault, the hiring practices connected to the alleged assault, the way government responded to the allegations, and the way government entities and public officials failed to respond.

Each member of this Committee treated the issue with the seriousness and sensitivity it demands; and I think we treated the people involved with the respect they deserved.

This is a serious issue; and I believe the work of this Committee, and the results of our work contained in the report, reflect the seriousness. The issue of sexual assault, abuse and harassment, and hostile work environments for women has been ignored for too long.

This was a fact-finding Committee that worked to get a full and fair accounting of what happened and what failed to happen with hiring

practices that allowed government employees accused of sexual assault to evade accountability, and those with authority to avoid responsibility.

This was a terribly unfortunate situation. It was a horrendous experience for Katie Brennan; it certainly was not a great experience for Al Alvarez; it was a scar on government. And it was another sad reminder of conditions, behavior, and attitudes that need to change.

As the report states, even the best policies and practices will fall short if they aren't followed, and if those entrusted with authority and responsibility fail to use common sense. And I'll quote other members, "Common sense is hard to legislate."

I hope and I expect that the work of this Committee, and the findings, and the recommendations of our report will help to make change happen. I'm committed to following through on the recommendations in this report, and I again thank each and every one of you for the work you have put in.

Assemblywoman.

**ASSEMBLYWOMAN ELIANA PINTOR MARIN (Co-Chair):** Thank you, Senator.

I think, Senator, you started off the opening statement saying it best, but I would be remiss if I didn't just take the time to say that, you know, today's remarks are a culmination of hours of testimony from 16 witnesses and 9 public hearings.

I want to say thank you to all of my colleagues on both sides of the aisle for working with us, for being patient, and for truly looking at this issue in an unbiased manner. It was a real pleasure working with all of you. I thank you for all of your time, your hard work, and your diligence.

And I think that we can offer some statements, to those who would like to, before they execute their vote.

SENATOR WEINBERG: Okay; as usual, I forgot the roll call.  
(laughter)

Please.

MS. WOZUNK (Committee Aide): Assemblywoman Schepisi.  
(no response)

Assemblywoman DeCroce. (no response)

Assemblywoman Reynolds-Jackson.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Present.

MS. WOZUNK: Assemblywoman Pinkin.

ASSEMBLYWOMAN PINKIN: Present.

MS. WOZUNK: Assemblywoman McKnight.

ASSEMBLYWOMAN McKNIGHT: Here.

MS. WOZUNK: Assemblywoman Lampitt. (no response)

Assemblyman Johnson.

ASSEMBLYMAN JOHNSON: Here.

MS. WOZUNK: Senator Oroho.

SENATOR OROHO: Here.

MS. WOZUNK: Senator Ruiz.

SENATOR RUIZ: Here.

MS. WOZUNK: Senator Madden. (no response)

Senator Cunningham.

SENATOR CUNNINGHAM: Here.

MS. WOZUNK: Co-Vice Chair Muñoz.

ASSEMBLYWOMAN NANCY F. MUÑOZ (Co-Vice Chair):

Here.

MS. WOZUNK: Co-Vice Chair Corrado.

SENATOR KRISTIN M. CORRADO (Co-Vice Chair):

Here.

MS. WOZUNK: Co-Chair Pintor Marin.

ASSEMBLYWOMAN PINTOR MARIN: Here.

MS. WOZUNK: Co-Chair Weinberg.

SENATOR WEINBERG: Here.

MS. WOZUNK: We have a quorum.

SENATOR WEINBERG: We will start off with, please, a motion to receive and release the report.

ASSEMBLYMAN JOHNSON: Madam--

SENATOR RUIZ: Chairwoman, I make a motion to adopt and to make public -- including in a prominent place on the legislative home page -- and transmit to the Senate and General Assembly the report of the New Jersey Legislative Select Oversight Committee concerning the hiring of Albert J. Alvarez as Chief of Staff at the New Jersey Schools Development Authority, and any exhibits attached thereto as prepared by the Special Counsels.

ASSEMBLYMAN JOHNSON: Madam Chair, I second the motion. (laughter)

SENATOR WEINBERG: Thank you -- from my colleague in District 37.

SENATOR RUIZ: He was eager.

ASSEMBLYMAN JOHNSON: We're a team. (laughter)

SENATOR WEINBERG: We will have discussion on the motion.

MS. WOZUNK: On the motion to adopt and to make public the report; Assemblywoman Reynolds-Jackson.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Yes.

MS. WOZUNK: Assemblywoman Pinkin.

ASSEMBLYWOMAN PINKIN: Yes.

MS. WOZUNK: Assemblywoman McKnight.

ASSEMBLYWOMAN McKNIGHT: Yes.

MS. WOZUNK: Assemblyman Johnson.

ASSEMBLYMAN JOHNSON: Yes.

MS. WOZUNK: Senator Oroho.

SENATOR OROHO: Madam Chair, if I may?

SENATOR WEINBERG: On the motion? Yes.

SENATOR OROHO: Thank you very much.

I'm going to abstain.

I agree with the report; but I think our work is not quite finished yet, in order to fulfill the charge given to the Committee from our legislative colleagues.

I commend the Chairs, and I actually agree with your comments. I think it's been extremely professional. I think the Chairs, the Committee members, and our advisors have done an excellent job in questioning; very professional and very, very straightforward. But I do think our charge has not completely been finished.

And I would just say -- and very similar to what Senator, Chair Weinberg had said -- that the policy, as I have said many times -- the

written policies and procedures are extremely, very important; very important. However, no matter what policies we have, the tone at the top, by far, supersedes any other kind of written policy. And so, therefore, I do think there are number of hiring practices, that came out during the meetings that we had, that we could go into further in order to make sure we fulfill the charge from our colleagues.

So at this time, as I say, we agree with the report; but I am going to abstain -- that we have not finished.

MS. WOZUNK: Senator Ruiz.

SENATOR RUIZ: Yes.

MS. WOZUNK: Senator Cunningham.

SENATOR CUNNINGHAM: Yes.

MS. WOZUNK: Co-Vice Chair Muñoz.

ASSEMBLYWOMAN MUÑOZ: Yes.

MS. WOZUNK: Co-Vice Chair Corrado.

SENATOR CORRADO: I am also going to abstain.

And if I may?

SENATOR WEINBERG: Yes.

SENATOR CORRADO: I want to thank the Co-Chairs of the Committee, my fellow Vice Chair Assemblywoman Nancy Muñoz, as well as all the members of the Committee.

I'd like to thank the attorneys for their valuable input.

This Committee was formed with the intent to investigate all policies and procedures regarding the screening of perspective employees, and continued employment in the public sector, of persons with

questionable backgrounds. We took our charge seriously and conducted each hearing in a respectful and truly bipartisan manner.

I agree with the report's findings and recommendations, but I do not believe this Committee has yet fulfilled all of our tasks. While the Committee focused on the hiring of Al Alvarez, we did not look into other hires with questionable backgrounds, including Marcellus Jackson, Derrick Green, Lewis Daidone; as well as the troubling employment practices at the New Jersey Schools Development Authority under Lizette Delgado Polanco.

The extremely simple question of, "Who hired Al Alvarez?" still shockingly has yet to be answered, despite the Committee taking testimony from and questioning under oath all of those who had hiring authority, except the Governor. Even Al Alvarez wasn't clear on who hired him, testifying at one point it was Jose Lozano, and later testifying it was Pete Cammarano.

Each member of this Committee has sat here for hours on end listening to testimonies by the Governor's most senior staff; and we are left with inconsistent and deliberately obtrusive statements. We have concerns that some of what we may have heard has been intentionally perjurious so as to subvert the legitimate efforts of the Legislature and this Committee.

Ineffective policies and procedures were not the problem here; misguided actions, lack of common sense, misunderstanding of the law, and preventable incompetence by certain individuals all added to the ongoing mishandling of Ms. Brennan's allegations.

Quite simply, her pleas were ignored for months; and when action was taken, there was no follow-up.

When Transition and Administration staff sought guidance on proper procedure, they approached Mr. Matthew Platkin, the Governor's Chief Counsel, who appears to have deliberately misled and misread the applicable law, or was incapable of interpreting it properly, resulting in deficient legal advice on multiple occasions.

Additionally, it appears that Mr. Platkin may have violated the rules of professional conduct for attorneys by not disclosing to his client, Governor Murphy, the allegations of sexual assault that had been reported directly to him. Despite clear evidence that Matt Platkin lacks the skills and judgement necessary to carry out his duties appropriately, Governor Murphy continues to employ Matt Platkin in one of the most important positions in State government, Chief Counsel to the Governor.

The Governor's curious lack of curiosity into this matter is also disturbing. His failure to address the allegations appropriately remains troubling. Governor Murphy's failure to hold Matt Platkin, and others on this senior staff, accountable would seem to be inexplicable, except in an environment in which it is understood that the Governor's inner circle can or should withhold important information from him. It remains unclear if that environment of suppression is intended to shield Governor Murphy by providing plausible deniability, or if it is simply a result of an implicit understanding that the Governor does not want to know the details of unsavory matters that occurred under his watch.

All public servants who are dedicated to their jobs deserve to be protected, regardless of what role they hold in any Administration, regardless of who their superior is, regardless of the person sitting in the Governor's Office.

Until the Committee is able to offer these protections, our work remains unfinished.

We have submitted our official minority report, on behalf of the Senate Republicans, to the Committee members; and it will be e-mailed to the press at the conclusion of today's meeting.

For all the aforementioned reasons, I must abstain at this time.

Thank you.

MS. WOZUNK: Co-Chair Pintor Marin.

ASSEMBLYWOMAN PINTOR MARIN: So before I vote, I just want to go over a few things that I think all of us found.

And let me start by saying that this report is detailed, it's hard-hitting, and it's fundamentally fair.

The 119-page report provides a factual background, gleaned from testimony from 16 witnesses over 9 public hearings. It covers a gubernatorial transition period, it details Ms. Brennan's allegation of sexual assault, Mr. Alvarez's placement at the SDA, the setting of his salary, his \$30,000 raise, and finally the report provides keen insight into Mr. Alvarez's departure from the SDA.

Our report details the Murphy Administration's handling of the sexual assault allegation against Mr. Alvarez as it considered hiring him for a high-level position in State government after learning of the accusation, and circumstances surrounding his exit from State government.

In the report you will find the very troubling issues that were raised during hours of testimony; including, but not limited to, how the Transition Committee and the Administration woefully mishandled the sexual assault allegation. No one conducted a rigorous, in-depth

investigation prior to the hiring of Al. That was a disservice to Ms. Brennan and to Mr. Alvarez.

The system didn't fail Ms. Brennan; people failed her.

Governor Murphy absolutely should have been advised of the allegation against Mr. Alvarez before he was hired and during the decision to terminate him.

The decision-makers, as to hiring Mr. Alvarez, were Pete Cammarano and Jose Lozano. It's insulting to the Legislature, per the Verniero report, to claim that the hiring of Mr. Alvarez to such a high level position was a foregone conclusion or inevitable. The absence of written legal memorialization of key decisions throughout the process by people in the Administration was careless, unprofessional, and quite sloppy.

Witness testimony revealed critical legal decisions that were based on a fundamental misunderstanding of the law. Examples include, but are not limited to, not telling the Governor about the allegation against Mr. Alvarez and not interviewing Mr. Alvarez about the allegation. After Mr. Cammarano and Mr. Platkin made the joint decision to instruct Mr. Alvarez to leave State government in March, they should have diligently followed up to make sure he left, and they should never have told Ms. Brennan he was leaving unless they made sure this promise was fulfilled.

Also, the instructions to Mr. Alvarez should have been memorialized in writing.

Much of the testimony in the report raises troubling issues, because some of it was evasive and misleading.

Once again I'd like to thank all of you for all of your work and your dedication; and this is why I vote "yes" on the report.

MS. WOZUNK: Co-Chair Weinberg.

SENATOR WEINBERG: Thank you; and I join in all of the remarks made by the Co-Chair.

And I'd also like to add a particular thank you to our legal team, who really guided us through this system, through this procedure, and asked pointed questions, even though sometimes I didn't want them to be doing questioning.

So I want to say thank you to the three of you for the fine work that you did here.

And in addition to what my Co-Chair said, I'm going to add one more point.

I think law enforcement failed Katie Brennan also. I think the fact that the Middlesex County Prosecutor released all of that information without giving her any advance notice, in absolute contradiction to the Attorney General's rules and regulations-- And I would hope that the Attorney General's Office looks into this and makes sure that these kinds of things don't happen again.

And I'd like to also point out, in terms of the Hudson County Prosecutor, we still have a discrepancy on when he was informed. He gave us two different dates. He told us, at one point, that he was informed about the lack of charges being pressed against him in October, which would have been a month-and-a-half before Katie Brennan was informed.

Then he said -- or through his attorney -- the record was corrected to say, "Well, they never really informed him; proactively he asked them. And in February -- which would have been two months after

Katie Brennan was informed -- he was informed that no charges were to be pressed.

So I think that's a discrepancy that I wish we had had the answer to. But I really want to add into the record that besides all the people in the system -- and I agree, so much, with what Eliana said -- it is not the system that failed Katie Brennan; it is the people who made up that system. And that includes law enforcement, as well as all the people named in this report.

So with that, I am voting "yes;" and again, thank everybody for their hard work here.

MS. WOZUNK: The motion to adopt and to make public, including in a prominent place on the legislative home page; and to transmit to the Senate and the General Assembly the report of the New Jersey Legislature Select Oversight Committee, concerning the hiring of Albert J. Alvarez as Chief of Staff of the New Jersey Schools Development Authority, and any exhibits attached thereto, as prepared by the Special Counsels, is approved.

SENATOR WEINBERG: That concludes our business today, unless anybody has anything.

Assemblyman.

ASSEMBLYMAN JOHNSON: Madam Chair, if I may; real quick, briefly.

I too would like to thank our legal team for their guidance and assistance. This extensive, well-written report speaks for itself.

Thank you.

SENATOR WEINBERG: Anybody else? (no response)

MS. ALITO (Special Counsel): Thank you.

MR. HAYDEN (Special Counsel): Sure you don't want to follow up? (laughter)

SENATOR WEINBERG: I'm quitting while I'm ahead.

That concludes our business for today.

Thank you.

**(MEETING CONCLUDED)**