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# *Committee Meeting*

of

## NEW JERSEY LEGISLATIVE SELECT COMMITTEE ON INVESTIGATION

*“The Committee will meet to consider an interim report prepared by special counsel”*

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**LOCATION:** Committee Room 11  
State House Annex  
Trenton, New Jersey

**DATE:** December 8, 2014  
10:00 a.m.

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

Senator Loretta Weinberg, Co-Chair  
Assemblyman John S. Wisniewski, Co-Chair  
Senator Nia H. Gill  
Senator Linda R. Greenstein  
Senator Kevin J. O’Toole  
Assemblywoman Marlene Caride  
Assemblyman Louis D. Greenwald  
Assemblywoman Valerie Vainieri Huttie  
Assemblyman Michael Patrick Carroll  
Assemblywoman Amy H. Handlin  
Assemblywoman Holly T. Schepisi



### **ALSO PRESENT**

Charles A. Buono Jr.  
Michael R. Molimock  
*Office of Legislative Services*  
*Committee Aides*

Jason Redd  
*Senate Majority*  
Kate McDonnell  
*Assembly Majority*  
*Committee Aides*

Frank Dominguez  
*Senate Republican*  
Keith A. Loughlin  
*Assembly Republican*  
*Committee Aides*

Tony Barkow, Esq.  
Reid J. Schar, Esq.  
*Special Counsels*

***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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**ASSEMBLYMAN JOHN S. WISNIEWSKI (Co-Chair):**

Good morning. I'd like to call this meeting of the New Jersey Legislative Select Committee on Investigation to order.

Michael, would you read the roll, please.

MR. MOLIMOCK (Committee Aide): Assemblywoman Schepisi.

ASSEMBLYWOMAN SCHEPISI: Present.

MR. MOLIMOCK: Senator O'Toole.

SENATOR O'TOOLE: Here.

MR. MOLIMOCK: Assemblywoman Handlin.

ASSEMBLYWOMAN HANDLIN: Here.

MR. MOLIMOCK: Assemblyman Carroll.

ASSEMBLYMAN CARROLL: Here.

MR. MOLIMOCK: Assemblywoman Vainieri Huttie.

ASSEMBLYWOMAN VAINIERI HUTTIE: Here.

MR. MOLIMOCK: Majority Leader Greenwald.

ASSEMBLYMAN GREENWALD: Here.

MR. MOLIMOCK: Senator Greenstein.

SENATOR GREENSTEIN: Here.

MR. MOLIMOCK: Senator Gill.

SENATOR GILL: Here.

MR. MOLIMOCK: Assemblywoman Caride.

ASSEMBLYWOMAN CARIDE: Present.

MR. MOLIMOCK: Co-Chair Wisniewski.

ASSEMBLYMAN WISNIEWSKI: Present.

MR. MOLIMOCK: Co-Chair Weinberg.

**SENATOR LORETTA WEINBERG (Co-Chair):** Here.

**ASSEMBLYMAN WISNIEWSKI:** We have a quorum.

To begin this meeting this morning, I'd like to provide this opening statement -- and I know Co-Chair Weinberg has one, as well.

This interim report marks a key step in this investigation into an abuse of power and threat to public safety. The Legislature has done all it could, at this point, to find answers to how this abuse happened, and stands ready to continue its work when more witnesses and information become available.

But it should be noted that this process is a shining example of how American Democracy and checks-and-balances are supposed to work. If not for this work that started in the General Assembly, the public would never have become fully aware of this threat to public safety; and, for all we know, the abusive behavior that has been represented by this action would have continued.

This process and the facts it brought to light for the benefit of all residents of New Jersey may well serve as a great example -- perhaps the greatest example of legislative oversight in our State's history. But, at this juncture, many critical questions remain unanswered. Several key witnesses have declined to cooperate in the Committee's work or were otherwise unavailable to provide testimony and other evidence. The Committee is also not in a position to currently conclude what the Governor himself knew about the lane closures, or when and how his knowledge of those events developed. While there is evidence that the Governor

was informed of the lane closures while they were in progress, the Committee cannot evaluate the reliability of this evidence as it has yet to hear from that witness -- David Wildstein -- who claimed to have contemporaneously told the Governor of the lane closures.

Even, however, if Bridget Kelly and David Wildstein acted alone, they did so with a perceived immunity in an environment, both in the Governor's Office and at the Port Authority, in which they felt empowered to act as they did, with little regard for public safety risks or steadily mounting public frustration.

We also still have questions about what the Governor knew. During his December 13 press conference, Governor Christie affirmed that no one on his senior staff or within his election campaign had any knowledge of the lane closures. Even putting aside Bill Stepien's counsel's claim that just the day before -- during a December 12 meeting at Drumthwacket -- Mr. Stepien had told the Governor that Wildstein had brought the lane closure idea to Stepien in advance, and that Stepien had told Wildstein to take it to the Governor's Office directly before the press conference, Kevin O'Dowd shared with the Governor Bridget Kelly's September 12 e-mail indicating that Kelly had at least been aware of the lane closures while they were in effect.

In his testimony before the Committee, O'Dowd stated that a -- using his words -- a *plain read* of the Governor's denial that his staff was not aware of the lane closures appeared -- again, his words -- *inconsistent* with Kelly's e-mail, which O'Dowd handed

to the Governor prior to his taking the podium for that December 13 press conference.

And those are not the only unanswered questions. We know, for instance, that Regina Egea monitored the Assembly Transportation Committee's December 9 proceedings and, by her account, texted Governor Christie that the witnesses were professional in their testimony. She described the messages to the Governor as *not at all substantive*, and did not recall receiving any response from the Governor. However, her cellular telephone records indicate that, in fact, it was actually the Governor who initiated the text conversation during Cedric Fulton's testimony. Regina Egea replied twice, and the Governor responded once during Mr. Fulton's testimony. Of course, the contents of these messages are currently unknown.

At 12:19 p.m., around the time that Fulton's testimony was concluded and Mr. Durando's testimony was beginning, Ms. Egea sent two more text messages to Governor Christie. During Durando's testimony, Egea sent two additional texts to the Governor, who immediately replied with a text of his own. Again, the contents of these texts are unknown.

Foye testified last on December 9, and in the course of his testimony, Egea sent three texts to the Governor. There is no record of any reply from the Governor, nor are there contents of Egea's texts.

Subsequently, however, we know that Egea deleted the texts in question, and testified that it was her normal practice to

delete texts when she no longer needed to refer to them. This is taking place, even as the Committee is inquiring about the very topic that the texts covered.

As these texts are responsive to the subpoenas issued, special counsel to the Committee asked the Governor's Office to produce copies of these texts that may have existed on the Governor's mobile device. In response, counsel from the Governor's Office indicated that it had been unable to locate any such texts on either the Governor's or Egea's mobile telephones.

Given Egea's testimony and the AT&T records, there is little doubt that the texts were composed and transmitted. The Governor's Office's inability to provide their contents indicates that both Egea and the Governor deleted these messages at some point in time. What's troubling is they both deleted the messages, and they are unavailable to this Committee.

What is clear is that the Governor's Office, despite everything else, responded very slowly and passively to mounting indications that serious harm had been inflicted on thousands of New Jersey motorists for political, rather than legitimate, policy reasons. The failure to respond more quickly and directly may have been the result of a series of mistakes involving failures to recognize warning signs, and failure to anticipate the seriousness of the problem facing the Governor and his Administration.

We also now know that the Governor's Office staff, on occasion, blurred the lines between their official governmental roles and their campaign objectives. The blurring of the lines

between the State and campaign activities erodes public trust and confidence in State institutions and public officials, and efforts should be made to address these issues. But the sequence of events, coupled with the Governor's Office's lack of curiosity regarding the actual origin and purpose of the lane closures, at least raises questions about whether key people in the Governor's Office, as events unfolded, took increasingly implausible explanations at face value because they knew or suspected, perhaps, a more damaging true story and preferred that it not come to light.

I find the Governor's "I knew nothing" defense to not only be, frankly, hard to accept, but a remarkably low standard for a Chief Executive's leadership skills. Why didn't he know that his top aides and appointees -- many of whom had offices right outside his own -- were doing this, allegedly at least, in his name as appointees of the Governor? When did pleading ignorance become an acceptable alternative to taking responsibility?

It is important to note that additional evidence could shed light on these open questions and may become available to the Committee in the future. The Committee will stand ready, at that time, to pick up its work should that happen. But for today's meeting, we have noticed on our agenda that we will receive and consider the report prepared, titled, "The Interim Report," by Jenner and Block. That is the only item of business that we will consider today. Any other items of business will be out of order.



With that, I turn this over to my Co-Chair, Senator Loretta Weinberg.

SENATOR WEINBERG: Thank you, Assemblyman.

Good morning, everybody. Today we will be voting whether or not to release an interim report of the New Jersey Legislative Select Committee on Investigation that was written by Reid Schar of Jenner and Block. This report is a compilation of information obtained from documents and testimony that every member of the Committee had access to.

Though I believe the report might have even been more comprehensive, it does provide a good chronology of what we learned to this point in our efforts to understand why, and at whose direction, lanes were shut down on the world's busiest bridge.

Documents to date have revealed abuses of power that reach into the highest echelons of the Governor's Office and the Port Authority. Those in positions of authority used their influence for their own political interests, putting the safety and the security of the public at risk.

Had the Assembly Transportation Committee and this Committee not done this work, the abuses might never have been exposed. Who knows what other schemes may have been carried out just because some government officials were in a position to do so?

After the George Washington Bridge lane closings, that gridlocked traffic in Fort Lee and put residents in danger for four days last September, the public was told there was a traffic study

and a communication failure with local officials -- and nothing more. That, of course, we now know was far from the truth.

The press also helped to shine a light on these abuses, and they, too, should be commended for their work.

The Joint Committee was established in January and conducted its work for almost a year. What we have found thus far is significant, particularly given the obstacles we faced -- among them, an ongoing U.S. Attorney's investigation that limited our ability to interview key players with direct knowledge of what occurred. When we started, none of us could have imagined we'd be here today with the information that's been uncovered. First, there was no evidence of a traffic study, and "the simple communication failure" was actually a concerted effort to make sure that no one in Fort Lee's official family had information about what was taking place.

There were egregious abuses in the Port Authority and the Governor's Office -- Bridget Kelly and David Wildstein, who were top officials in those offices, used the lever of power in government to set into motion a plan to shut down lanes, using a major piece of infrastructure as a political tool.

It is also clear that Bill Baroni, the Deputy Executive Director at the Port Authority, was aware of the lane closures before they were implemented; and Bill Stepien, the Governor's campaign manager, knew of the closures while they were ongoing. Baroni and Wildstein together ignored the pleas of the Fort Lee Mayor for assistance. When the Mayor raised, in a letter, the

possibility that the closure had “punitive overtones,” both men, for reasons still unknown, sent the correspondence to Stepien, the Governor’s chief political aide.

The Committee has also found through its work that laws were potentially broken. Bridget Kelly’s instruction to Christina Renna to delete an e-mail describing the Mayor’s frustrated phone call about the lane closures -- to which Kelly replied, “Good” -- may have violated the witness tampering statutes in New Jersey. Similarly, 12 text messages exchanged between the Governor and a top Administration official, Regina Egea, during the testimony of Port Authority officials before an Assembly Committee were apparently deleted by both parties.

We know within the Governor’s Administration, IGA staff, on occasion, blurred the lines between their official State and campaign activities. And there was a fear of reprisal within the Port Authority. Top officials testified that they considered the directive to close lanes, “wrong,” and yet both acquiesced.

And finally, in the aftermath of the lane closures, and as this story about a traffic study was floated to legislators, even a member of this body was used -- perhaps, unwittingly -- to disseminate information that corroborated the cover-up. We now know unequivocally there was no traffic study, and the communications failure was deliberate.

Critical questions remain. We have repeatedly made an effort not to take steps that would interfere with the ongoing Federal investigation, and, in doing so, we have avoided calling key

witnesses. To that end, we do not know what Governor Christie knew about the lane closures, or when and how his knowledge of the events developed. While it's been stated publicly that he was informed while they were ongoing, we have not been able to hear from the witnesses who could testify to that claim.

Even given what we don't yet know, what we have learned from testimony and documents so far is disturbing, and should be disturbing to every member of this Committee. It's clear that the Governor's Office showed a curious lack of curiosity to mounting indications that serious harm had been inflicted on thousands of New Jersey motorists for political, rather than legitimate policy, reasons.

This is an investigation that started with us, and that we hope will end with reforms that will improve the public's trust in government and ensure that this kind of abuse of power never happens again.

Many members of this Committee have called for reform, and this Committee is in a unique position to help spearhead that work. So while the U.S. Attorney continues its investigation, we can help move forward with that effort. The Port Authority reforms recently passed almost unanimously by the legislatures in New York and New Jersey are now sitting on both Governors' desks. They are a good first step. They will improve accountability and transparency, which is desperately needed; and three members of this Committee were intimately involved with the development of that legislation.

Just yesterday, tolls were increased as a result of a toll hike process at the Port Authority that intentionally kept public input at a minimum. As of this moment, a trip over the George Washington Bridge, paid for in cash, will be \$14. These two bills awaiting both Governors' signatures will put safeguards in place to protect against a manipulation of the process by this agency, going forward.

I know my colleagues on the other side of the aisle have been vocal in expressing the need for changes, and I look forward to us working together on that effort. It should begin with both Governors signing the Port Authority reform bills.

Thank you very much.

ASSEMBLYMAN WISNIEWSKI: Thank you, Co-Chair Weinberg.

Anyone else have an opening statement with regard to the interim report?

SENATOR O'TOOLE: Chair.

ASSEMBLYMAN WISNIEWSKI: Senator O'Toole.

SENATOR O'TOOLE: Thank you, Chair.

I heard your opening comments about the interim report would be the only report considered; however, the Senate and the Assembly rules allow -- particularly Senate Rule 12:5, 12:10b -- allow for the Minority to issue a Minority statement, provided they vote against the Majority report. And consistent with that -- the conclusion of the voting on that particular report -- the Republicans on this side will be voting, consistent with the allowance in the

Senate Rules 12:15, 12:10b, Assembly Rule 10:17c -- we'll be submitting our own Minority statement.

Having said that--

ASSEMBLYMAN WISNIEWSKI: Senator--

SENATOR O'TOOLE: Yes.

ASSEMBLYMAN WISNIEWSKI: --just a point of order with regard to your statement.

SENATOR O'TOOLE: Sure.

ASSEMBLYMAN WISNIEWSKI: The only item that will be voted on today will be the interim report. The interim report was provided to all Committee members, I believe at least four full business days before this meeting -- it might have been five. Everybody has had an opportunity to review it. None of the members on this side of the aisle have had an opportunity to do anything other than glance through the report prepared by the Minority in the hour or so before the appointed time of this Committee meeting. So that's going to be ruled out of order.

SENATOR O'TOOLE: The four business days you speak of-- I received it at 5:05 on Thursday, so if you're saying business days is-- Friday is one business day; that's the one business day that I received it--

ASSEMBLYMAN WISNIEWSKI: Calendar days.

SENATOR O'TOOLE: Now, I don't know when everyone else received it--

ASSEMBLYMAN WISNIEWSKI: Calendar days.

SENATOR O'TOOLE: I'm sorry -- excuse me?

ASSEMBLYMAN WISNIEWSKI: Calendar days.

SENATOR O'TOOLE: Oh, I thought you said *business* days.

ASSEMBLYMAN WISNIEWSKI: Calendar days.

SENATOR O'TOOLE: Okay.

Having said that that, let me move on to my statement.

ASSEMBLYMAN WISNIEWSKI: As long as it has to do with the interim report.

SENATOR O'TOOLE: It has to do with this Committee, and I'm going to read my statement.

When the SCI started 11 months, it had great potential to determine the reasoning behind the decision to reassign the lanes of the George Washington Bridge from Fort Lee the week of September 9, 2013 -- an incident that the public fully deserves to understand and -- just so we are clear what happened -- was wrong, inexcusable and something that should never happen again.

However, investigations of this nature belong in the hands of trained law enforcement officials -- which is why I wrote a letter to the U.S. Attorney, Paul Fishman, on January 27, voicing my concerns that the SCI Committee might impede any investigation being conducted by his office. After all criminal investigations are concluded, since we are not a prosecutorial body, then and only then should a Committee like this be constituted to fully examine the facts and adopt reform measures to ensure such a violation of public trust never happens again.

As we sit here today, we have no more new information as to the who, what, when, where, and why surrounding the GWB lane realignments than we did when the Committee first started January 27. The Majority party interim report, which was leaked to the press last Thursday, says exactly that: There's no evidence linking the lane realignments to the Governor. However, the leaking of the interim report, which Republican members of the Committee were not asked for or invited to the creation of, is yet another example of why this Committee is government gone wild. Instead, what we have here is a runaway Committee, perhaps driven by an agenda not routed in determining the truth, but rather by blind political ambition. As a result, the New Jersey taxpayers are on the hook for nearly \$9 million, which will only continue to grow.

Despite irresponsible, runaway conspiracy theories, and the best efforts of some to distort the facts, not a single shred of evidence has been uncovered by this Committee linking Governor Christie to those lane reassignments. Ultimately this Committee had the potential to follow the trail blazed by the much-heralded 2000 racial profiling committee here in New Jersey; or the national bipartisan 9/11 committee. The Select Committee on Investigation comes up woefully short.

We heard from Governor Tom Kean last week about what his thoughts are on independent investigations, and he said this isn't one of them -- and I think he speaks with some authority.



The Minority statement, put together by the Republican members of the Committee and our staff, outlines in 119 pages, 403 citations, 192 exhibits, and 4,600 pages -- all here (gestures) -- documents a detailed account of what occurred on this Committee - - most of it not covered, and most of it not seen publicly.

Here are some of the highlights that you'll find in greater detail in the Minority statement.

The Committee was formed--

ASSEMBLYMAN WISNIEWSKI: Senator, we're not going to get into the Minority report today. This is not a standing reference committee; there is one item on the agenda -- it's the interim report. I'd be happy to entertain discussion about the interim report.

SENATOR O'TOOLE: Chairman, since when are you in the business of telling members what they can say and what they cannot say? Nobody audited and said what you could write in your report, or your statement, or--

ASSEMBLYMAN WISNIEWSKI: I didn't write the report.

SENATOR O'TOOLE: --or in your opening statement, or for the last 11 months you've had free rein to do whatever you wanted, say whatever you want--

ASSEMBLYMAN WISNIEWSKI: I didn't write the report.

SENATOR O'TOOLE: Now, when we have our moment to respond after being kept in a closet for 11 months, you now want to say I can't say what I have prepared to say. This is not North Korea, John -- this is America. And you've said it best in your

opening comments: This is a shining example of democracy. You're now telling me, one of the four members who sat through every minute -- every minute of every Committee meeting I've been here. Now I have my moment to say something and you're trying to gavel me down. And that is inappropriate, and it's wrong.

ASSEMBLYMAN WISNIEWSKI: We're not going to consider the Minority report.

SENATOR O'TOOLE: I have a right in America to say what I want to say in my opening comments, John. Now you want to censure what I want to say -- what I want to say in my comments? Whether it has to do with this, or anything else, I have a right as an equal member of this Committee -- one of the 12 -- to say what I want to say. And you want to gavel me down because it doesn't suit your politics, or it doesn't suit your narrative, or it doesn't fit where you wanted to go with the bread crumbs 12 months ago, John. So let me say what I want to say.

ASSEMBLYMAN WISNIEWSKI: I haven't gaveled anybody down, Senator.

SENATOR O'TOOLE: You're interrupting my comments. I didn't interrupt yours.

ASSEMBLYMAN WISNIEWSKI: Senator, if you wanted to have a full discussion of this report, then you would have provided us with the same courtesy that you were provided with -- an opportunity to read whatever it is you have in this report.

SENATOR O'TOOLE: If you wanted the opportunity, John, you had 11 months ago to include us in. You told us, day one,

we couldn't talk to the lawyer you selected. You said to us, day one, we are not to have--

ASSEMBLYMAN WISNIEWSKI: Well, that's just not true.

SENATOR O'TOOLE: That's-- We have notes from our aides who actually wrote it down, contemporaneous when you said it. You said we couldn't talk to them, we couldn't phone him--

ASSEMBLYMAN WISNIEWSKI: You did talk to them; you did talk to them.

SENATOR O'TOOLE: We had to-- No, later on -- later on, I talked to him.

ASSEMBLYMAN WISNIEWSKI: In the same meeting.

SENATOR O'TOOLE: Absolutely. We had to funnel it through you, John. And you said we couldn't have conversations with him.

ASSEMBLYMAN WISNIEWSKI: Okay. Look--

SENATOR O'TOOLE: We didn't do a conflict search with him. We have no idea of the weekly phone calls you and Senator Weinberg had -- all the memos that went back and forth, all the e-mails. We, as equal members here, have a right to those. We were denied all of those.

ASSEMBLYMAN WISNIEWSKI: You've had a right to every single document that every member of this Committee had.

SENATOR O'TOOLE: That's absolutely not true.

ASSEMBLYMAN WISNIEWSKI: The fact of the matter is, is if you want to continue to mischaracterize the work of the Committee, as a State Senator, if you want to inaccurately describe

what your colleagues have done, then I suppose you can do that. The fact of the matter is, is that moments after OLS hit the send button on this report, I got a call from a national newspaper saying that they had been given two separate copies of this report from Republican members.

SENATOR O'TOOLE: Not me; I didn't get mine until 5:08. I can tell you right now on a stack of Bibles, I didn't give it to a single person.

ASSEMBLYMAN WISNIEWSKI: Okay, so--

SENATOR O'TOOLE: Can you say the same thing?

ASSEMBLYMAN WISNIEWSKI: So before this report -- I didn't give it to anybody -- before this report came out, so that everybody sitting at this dais had an opportunity to actually read it, we were getting calls because two Republican members leaked it.

SENATOR O'TOOLE: That's because you say so.

ASSEMBLYMAN WISNIEWSKI: Okay, continue.

SENATOR O'TOOLE: I will continue.

The Minority report, as we will detail in greater-- You know, when you talk about leaks, John -- February 10, we had a meeting; nobody had the subpoenas. Only you had them, and Reid Schar had them. Reid denied that--

ASSEMBLYMAN WISNIEWSKI: You saw them.

SENATOR O'TOOLE: --and I believe Reid -- he said he didn't leak them. You didn't say a word. You sat there in stoic silence; you didn't say a word. This Committee has been plagued

by leaks since day one and you've done nothing to stop it. We had to beg Reid Schar two months ago--

ASSEMBLYMAN WISNIEWSKI: Largely due to your efforts.

SENATOR O'TOOLE: Two months ago, we had to beg Reid Schar to ask him to give a memo to everybody about the consequence of leaking documents. It was routine for documents to be leaked from this Committee, and you, as the Chair, did nothing about it.

Having said that, if I can get back to my prepared comments.

The Committee was formed to stack the partisan deck against Republicans in a way that was merely window dressing in the name of bipartisanship. Committee members with potential conflicts were never addressed; Co-Chairs never shied away from the microphones and cameras to spread their prejudicial and predetermined outcomes; and law firm potential conflicts that needed to be addressed; a failed court case, thanks to the Co-Chair's outrageous public comments and subpoenas that were deemed to be a fishing expedition; a Committee that served as nothing more than a platform for partisan politics rather than an instrument of reform.

When the Senate-only Committee was formed on January 16, I said on the floor -- I said it, and I'll quote, "be very, very careful as we convene here today about drawing conclusions about facts we do not know. Some of us disagree with the Governor on

policy, some on politics. All that has to be put to the side. This is about a fact-finding investigation. I say to all -- let us wait until the fact-finding is done, and then and only then should we be drawing conclusions.” January 16.

Unfortunately, those words fell on deaf ears. Some Committee members recklessly and prematurely arrived at unsupported conclusions well before even the first witness was called.

Here are just a few of the prejudicial comments that destroyed the work and integrity of this Committee.

December 26, 2013. Co-Chair Wisniewski, on MSNBC, talked about the Governor’s national appeal by saying, “People need to know what his judgment is like, and I think they have to call into question his judgment.”

January 8, with Jake Tapper on CNN, Wisniewski said, “I don’t have any e-mail with the Governor’s name on it, but I find it hard to believe that his Administration wasn’t directly involved in orchestrating this.”

January 8, Co-Chair Wisniewski said to *PolitickerNJ*, “The Governor may have lied.”

On Rachel Maddow on January 8, Co-Chair Wisniewski shared his conclusion on this matter. “Clearly public assets were used for a political purpose to do improper things. There seems to be a violation of law.”

On January 9, while on NJTV, Wisniewski said, “I will tell you how high this goes -- it goes to the Governor.”

Return to Rachel Maddow show on January 9 -- his fourth TV show of the day -- Wisniewski said, "A public asset, a bridge, was used for political purposes. That's against the law."

On January 11, while on CNN *Newsroom*, Wisniewski proclaimed, "A crime has been committed." That same day, while on NBC *Nightly News*, Wisniewski stated the Governor stood a chance of being impeached.

On January 15, Co-Chair Wisniewski, while on CBS *Face the Nation*, professed, "The lane realignments were completed as an illegal and purely political maneuver."

On January 16, when the Senate voted to establish its own Special Committee, Co-Chair Weinberg, having done at least eight TV shows in the last eight days prior, stated on the Senate floor, "There are only three reasons for this to occur: to punish anybody, to get even with anybody, or just because we can (*sic*)."

February 27, Assemblywoman Watson Coleman, then a member of the SCI, on the record stated, "The Governor needs to think about resigning, and he needs to take all of his friends with him because this is sickening." The next day, she resigned.

All told there are over 100 television appearances -- check footnote 133 of our Minority statement -- by the Co-Chairs, and countless print interviews about Bridgegate. And some of these highlight, the Co-Chairs professed, from the very first day they knew laws had been broken, the Governor was responsible, and that impeachment was on the table.

Comments like these and many others did nothing more than show the Co-Chairs were -- either made for TV quotes or didn't care what the facts were, so as long as they were able to continue their desired narrative. This inflammatory conjecture, unsupported by facts, led to a national deluge of media and an unprecedented avalanche of speculative press stories.

The Democratic National Committee launched at least 21 videos and press releases targeting Governor Christie. In coordination with the New Jersey State Democratic Party, they even held a press conference at the George Washington Bridge using it as a political prop.

This rush to judgment did not go unnoticed by the media, and it began to question the true motives with this investigation. Stuart Rothenberg, on January 15, 2014, wrote for *Roll Call*, calling this inquiry, "A lynching," saying, "It isn't too soon to wonder when the accusations and media frenzy crossed the line from inquiry and investigation to political lynching." He goes on to say, "New Jersey and national Democrats are jumping on the story and pursuing other inquiries that they hope will uncover information embarrassing to Christie in the hopes of destroying his 2016 candidacy for President." He went on to say, "The smell now emanating from the Garden State isn't merely the pure sweetness of government. It also includes a pungent odor of partisan politics and pettiness coming from Christie's detractors."



On January 13, 2014, the *Star-Ledger* wrote, in its editorial, “What began as a minor controversy is now a massive pile-on: Everybody wants a piece of Bridgegate.”

January 16, 2014, David Gergen, while on CNN *Anderson Cooper 360*, noted, “As the public concludes this is just about politics, this is not about truth, it’s a way to smear Christie--”

On January 20, 2014, Mark Halperin of MSNBC commented, “Democrats have overplayed their hands somewhat. The criticism, for instance, of the Chairman of the Investigative Committee -- the Democrat -- I think he prejudged the case in some ways by saying he thinks the Governor is lying.”

On January 22, Jake Tapper, while writing for *Real Clear Politics*, wrote a piece entitled, “Christie getting more scrutiny from the media for Bridgegate than Hillary for Benghazi.”

I know that on October 14, a single web search on Bing -- if you put in “Christie” and “GWB” came up with over 29.2 million hits.

The pronouncements in the press of guilt and predetermined outcomes were just the beginning. We had the controversial hiring of the outside counsel. Before the resolution was even adopted to form the SCI, Co-Chair Wisniewski had already retained the Chicago-based firm of Jenner and Block. The lead attorney assigned to this from Jenner and Block was Reid Schar, a former Assistant U.S. Attorney in Chicago. I have no doubt that Reid is a very knowledgeable and able attorney. But the larger question is, should Jenner and Block even have been representing

the SCI? They certainly are a nationally recognized powerhouse firm, but perhaps they weren't the right fit for this bipartisan Committee. Since 1990, Jenner and Block, through its attorneys and PAC, have donated over \$3 million to recipients identified as Democrats; approximately 87 percent of their contributions to individual candidates were Democrats. And Jenner and Block had a two-year-long intimate relationship with the Democratic Party here in New Jersey.

In 2001 and 2011, Jenner and Block was specifically retained by the Democratic members of the Legislative Redistricting Committee to represent them, and them only, and the Democratic Party. Jenner and Block had been paid over \$760,000 for their representation. In fact, it was in 2011, it was Co-Chair Wisniewski -- then the Democratic State Chairman Wisniewski -- who signed the retainer agreement with Jenner and Block. This relationship was never disclosed prior to Jenner and Block being hired to serve as outside counsel to this Committee. And it was only after a staffer -- our staffer -- Googled *Jenner and Block* and saw a *Philadelphia Inquirer* article from January 31, 2011--

First meeting, Assemblyman McGuckin -- who was standing in for one of the Assembly members -- and I pressed Co-Chair Wisniewski for answers about this potential conflict which had never been brought to our attention. McGuckin said at that meeting, "I believe at the time you were Chairman of the State Democratic Party. Is it true that Jenner and Block represented the State Democratic Party in the past few years?" Wisniewski:

“Jenner and Block represented the Legislative Redistricting Committee.” McGuckin: “The Committee itself, or the Democratic members of that Committee?” Wisniewski: “They represented the Legislative Redistricting Committee. There are two subcommittees -- the Majority side, the Minority side; the Democratic side, the Republican side. I’m not sure what that has to do with this hearing.” McGuckin: “Perhaps it should have been disclosed; but, more importantly, as of this moment, you indicated you don’t have a retainer agreement with Mr. Schar. I think it would be appropriate to get an opinion about him -- whether he has any conflicts; or any other conflicts.”

Just to be clear: When asked about the potential issues with Jenner and Block’s representation to the SCI, to investigate a Republican Administration, given Jenner’s previous representation solely of New Jersey Democrats against Republicans, Assemblyman Wisniewski said, “I’m not sure what this has to do with this hearing.” He’s not sure what it has to do with this hearing. It has everything to do with this hearing. It went directly to the heart of the Committee’s credibility and the intent of the Co-Chair to conduct a fair and thorough investigation -- free of partisan politics or even the perception or appearance.

In the early stages, Co-Chair Wisniewski went so far as to tell the Republican members that we could not directly communicate -- and we have those notes -- with Reid Schar, and all communications should flow through the Co-Chair. Republican

members, at that time, were also denied access to a conflict search, legal memos, strategy, and even, for a period of time, all legal bills.

Putting aside the prejudicial comments by Co-Chairs Wisniewski and Weinberg, and potential conflicts regarding the outside counsel, it was the constant and persistent leaking of subpoenaed documents from this Committee to members of the media and others, both here in New Jersey and nationally, that proved to be the greatest disservice to the integrity of this Committee.

Before our February 10 meeting to discuss issuing subpoenas, the *Star-Ledger* published a list of all potential targets of the subpoenas. Walking into that meeting, Co-Chair Wisniewski, Senator Gill, and other Democratic members of the Committee joined with Republicans in expressing our frustration, annoyance, and outrage over having to read in the press about the subpoenas that the Committee was about to issue. In that meeting, we learned that only two people had the subpoena list -- Reid Schar and Co-Chair Wisniewski. Reid quickly and emphatically informed the Committee that the leak did not originate with him or his team -- and which I and most of the other people on the Committee to this day believe -- and Co-Chair Wisniewski sat there in stoic silence. That day our counsel informed us it was best for our inquiry if we refrained -- in his words -- trying this matter in the press. What happened after that meeting -- both Co-Chairs promptly held a press conference. Co-Chair Wisniewski then went back on the

Rachel Maddow Show in the evening, talking about the subpoenas and even confirming the target of one them.

According to three highly respected lawyers who represent key witnesses in this inquiry, by leaking confidential subpoenaed documents there was a violation of the Code of Fair Procedures Act. That violation is a disorderly persons offense, and can carry a sentence of up to six months per offense. Was this leaking criminal behavior? That is not for me to determine. What is important here is why it was routinely acceptable to leak subpoenaed documents. Why was it okay to jeopardize the work of this Committee and potentially expose all the members to criminal violations? Why? Was it because John Wisniewski had to guarantee he was on TV, making up his made-up theories? I ask that question. Given the unprofessional behavior and his total disregard to counsel's advice, could we fully expect Co-Chair Wisniewski to be fair, impartial, or credible?

Then we get to the court case before Judge Jacobson -- that bungled court case. Of all the individuals involved in this case, we all knew it was key to talk to Bridget Kelly and Bill Stepien to understand what happened. After they both were served with subpoenas, they invoked their right not to incriminate themselves, and they challenged the subpoenas.

In her ruling against the Committee and its enforcement of the two subpoenas, Judge Jacobson pinpointed two reasons with the case: Co-Chair Wisniewski prejudicial and prejudged comments had created a reasonable fear of self-incrimination; and the overly

broad fishing expedition-like subpoenas. Judge Jacobson stated, and I quote, "Committeeman (sic) Wisniewski has made several comments to the press suggesting that the conduct that formed the basis of the lane closure controversy could be criminal under both Federal and State law, and implicating Mr. Stepien and Mrs. Kelly in that conduct--" certainly contributed to "the defendants' 'reasonable belief' that evidence they produce could be used against them in a criminal proceeding."

That judicial commentary is shocking and is startling. Not only did the Judge determine that the defendants had an obvious right to invoke the Fifth Amendment, but she made it clear in no uncertain terms that it was a direct result of Co-Chair's Wisniewski's comments -- comments he made before a single witness had testified before the SCI -- that Mr. Stepien and Mrs. Kelly had this reasonable belief any documents they produced would be used against them in a court. While the most objective investigators typically will wait to make claims of guilt until after they thoroughly examine all the evidence, this was never the case with this Co-Chair.

Because of the overly broad subpoenas and Co-Chair Wisniewski's constant cascade of made-for-TV sound bytes, there was nothing that we could do other than watch this Committee start to fold. It was his -- I believe, in my opinion -- it was Wisniewski's desire to damage Chris Christie by any means necessary that -- this Committee was struck its fatal blow. After

that ruling, the wind was out of the sails on this Committee, and anything we did was merely and purely for political theater.

Our investigation was cut off at the knees thanks to the comments; and at that time what we should have done is move on to reforming the Port Authority. Instead, we paraded staffers from the Governor's Office before this Committee and learned nothing new. Six people testified and not a single one shed any light as to the who and why of the GWB lane alignments. That was a period of time that many of us would wish to forget. In the State House were employees, junior and senior, who walked around in fear of Co-Chair Wisniewski's constant threats of subpoenas, and the never-ending worry of being hauled before his Committee because their business cards simply said, "Office of Governor Chris Christie."

It was not lost on some that a few targeted were former prosecutors and employees of the U.S. Attorney's Office under Chris Christie. Maybe of the very same people were part of the Christie team that successfully prosecuted over 100 public officials in New Jersey, including former members of the Legislature. Maybe some Democrats viewed it as a delicious irony to see prosecutors subpoenaed or called to testify; to others, including myself, it was viewed as a perverse and twisted political payback.

Republican members of this Committee have long ago introduced bills to reform the Port. Democratic members of this Committee and Legislature have long introduced measures of reform. The Senate passed reforms; what did John Wisniewski do? He held those bills up; by blocking basic reforms of the Port

Authority he forced the Speaker to take the highly unusual step of removing those bills from his Committee and transferring them to the Assembly State Government Committee. What happens next, which should surprise no one -- John Wisniewski unilaterally introduced his own legislation; and, in making the changes to the Port that he wants, proving yet again to all observers that this Committee was merely a platform for some to advance their own agenda and not work in a collaborative fashion with anyone of either party.

I don't believe I've ever said Senator Weinberg speaks for me. But on October 24 in the *Bergen Record*, when talking about John Wisniewski's legislation, she took the words right out of my mouth. She said, "I disagree with this approach."

SENATOR WEINBERG: I did say that.

SENATOR O'TOOLE: Perhaps what could be viewed as the best summary to what the SCI was truly about, was what Charlie Stile wrote in the *Bergen Record* of his April 12 column. He wrote, "From the moment the first subpoena was issued, Democrats recognized the Legislature's investigation into the George Washington Bridge lane closures offer them an opportunity to weaken Chris Christie and maybe ruin his pursuit of the presidency. But the special legislative probe has also emerged as an opportunity -- and a challenge -- for a group of ambitious Democrats hoping to succeed Christie in 2017."

"The publicity has transformed the career of the panel's Co-Chair, Assemblyman John Wisniewski. Before the scandal,



Wisniewski was an obscure Middlesex County lawmaker who served a tumultuous term as the State Democratic Party Chairman. Now he is cast as the plainspoken, methodical David poised to take down Christie, the Republican Goliath.”

ASSEMBLYMAN WISNIEWSKI: Really?

SENATOR O'TOOLE: “He has the beginnings of name recognition, and is mentioned as a possible candidate for Governor.”

State and national pundits have long been saying this Committee was merely a vehicle to damage a potential Republican candidate for President in 2016, and for a Co-Chair to further his own political aspirations. Some believe that; some did not. Then we learn on October 23 that John Wisniewski attended a meeting -- to strategize and outline fundraising opportunities for Hillary Clinton to be the next President of the United States -- with political brokers from throughout New Jersey. This Committee had not concluded its business, a report has not been issued -- with what little has been found. But yet this Co-Chair of this Committee huddled with the top State Democratic players, focused on the future of the National Democratic Party. The optics of this are just awful.

While related or unrelated to the SCI investigation, the political juxtaposition of a pep rally for Hillary Clinton, while the Chair's reviewing the draft of a final governmental report of her potential rival, is monumentally stupid and staggeringly crass.

Even the most seasoned of political operators would agree that the timing of this is just offensive.

Alfred Doblin had an interesting opinion in the October 27 editorial when he said, "What troubles me is that Wisniewski is the Co-Chair of the Legislative Committee investigating the GW Bridge scandal. Politics are part of the Committee. Only a fool does not see that there may be some gubernatorial dreams inside the heads of one or two of the Committee members. A legislator charged with leading the objective investigation into the workings of the Port Authority should not be offering the definitive solution to an unfinished inquiry. This is bad public policy."

What started out as a Committee with great promise and potential to serve the people of the New Jersey never lived up to that potential. We could have gotten to the bottom of this mess, we could have worked in a truly bipartisan manner -- like we did with pension reform and the Constitutional Convention Committee. We could have reformed the Port Authority, we could have investigated other instances of fraud, and misuse of public dollars and resources. We could have done the job we were sent to do, we could have achieved a lot of public good. Instead, I would venture to say, this SCI Committee will go down as one of the greatest, the most expensive publicly financed failures in our State's history.

Given the above -- and more thoroughly detailed in our Minority statement -- the GOP members will be sending this report to the Attorney General's Office and ask that an independent

prosecutor be appointed to investigate the possible misuse of tax dollars for political purposes.

Thank you, Chair.

ASSEMBLYMAN WISNIEWSKI: Thank you, Senator.

I have a confession to make. I've been doing all of this to elevate the political career of Senator Weinberg. (laughter)

SENATOR WEINBERG: He's actually my foil.

ASSEMBLYMAN WISNIEWSKI: Assemblyman Greenwald.

ASSEMBLYMAN GREENWALD: Chairman, thank you.

I've been-- This January, I'll enter my 20th year in public service. And I don't think in 20 years I've ever seen the lack of professionalism and disrespect towards another colleague.

I didn't hear anything in the statement today from our colleague -- one criticism about the report that was prepared by the attorneys for the Committee; not one factual discrepancy or dispute -- which is why we're here. We're not here to attack individual members of this Committee or the Legislature.

There's a lot that was said, though, about whether or not this Committee was launched because of some kind of perverse payoff. I have to ask the question as to whether or not -- and I haven't had a chance to read the Minority statement that was given to us an hour before the Committee, or -- I don't remember the number of -- 400-some exhibits or the 1,400 pages, obviously, in an hour. But if that is somehow some perverse payoff for this legislative body, that is -- unfortunately to the Republicans --

controlled by Democrats, for asking the very question of, "Why was the Bridge closed and who closed it?" -- that's the only reason why this Committee was formed.

Throughout the almost-year that this Committee has been operating, Republican and Democrats alike have agreed that there was an abuse of power, and that this Bridge was not closed for a study but that there was an abuse of power. That is, by definition, a crime. Now, we don't know who committed that crime. And as I said from the first day I served on this Committee - - that I didn't think we were going to have some Perry Mason moment where somebody was going to break down in front of us and say, "You got me. It was the butler, in the pantry, with a butcher knife."

And the reality is that, what the work of this Committee did was raise significant questions that, when they were originally raised by the Transportation Committee and subpoenas were issued, there was an attempt to squash that effort. The Port Authority would not respond to the subpoenas. The Port Authority would not respond to legitimate OPRA requests -- and in New Jersey, it's part of our right to have access to government records. It was a constant push that led to this Legislative Committee, that then unearthed this tragedy that took place and this abuse of power.

I can speak for myself; I know Senator O'Toole said it's his opinion. I will tell you, I have said point-blank that there's been no evidence that has been presented before this Committee that

suggests, to this point, that Governor Christie was a part of planning the closure of the Bridge -- but somebody was; somebody was. When this Committee was formed it was chastised, as an allegation, that this Committee was formed to somehow accuse the Governor of a crime. Yet the report, which no one has -- I haven't heard one factual dispute about the report in the four days that it's been out there, or again today -- says that there is no evidence yet before this Committee that Governor Christie was a part of planning this Bridge closure.

So it was not some political witch hunt. It was designed, again, solely to understand if there was an abuse of power, who ordered it, and why. And somebody should pay for that.

Now, if we want to talk about conflicts and the allegations against the attorneys -- the truth of the matter is, the attorneys also prosecuted Democratic governors in other states, and I don't hear that come up at all. I also know that the law firm of Gibson Dunn was the receiving firm of the subpoenas that were originally sent to the Port Authority and were part of the process of not responding to those subpoenas. However, they were the firm that was selected by the Governor's Office to issue the report that cleared him, from the Executive Branch, with no oversight of any wrongdoing.

What bothers me the most is this Minority report -- that, again, I've only been briefed on and have not had a chance to address. But when, after the vast majority of these members-- And I feel comfortable talking about it, because I was blessed by not

being named in this report, because I do no work at the Port Authority. But the attack against members -- the hypocrisy of attacking them individually, in their private lives and the citizen's Legislature, and threatening to turn them over to the Attorney General's Office; the hypocrisy that, when everyone acknowledged there was an abuse of power and that we wanted to know why the Bridge was closed, not one member, at any time, from the Republican Party -- at any time -- said, "We should turn the Bridgegate matter over to the State Attorney General's Office." They never did that. Yet the members who asked the question of why was there an abuse of power -- they want to funnel them into the Attorney Generals Office for investigation and possible criminal indictments.

When we talk about that pervasive fear, that payback -- what you heard Port Authority employees talk about -- the fear of reprisal -- this is what they were talking about. And it is ironic to me that the tactic implemented by the Republican Party in this state, when something is challenged against them -- not in a partisan way, not a Democrat or Republican-- The people who were impacted by the closure of the Bridge, the children who had their first day of school and were on a bus for four hours, the families who said and were the victims of the comment, "I hope they were Barbara Buono supporters" -- those very people don't look at this as Democrat or Republican; they just want to know why. They want to know why the Bridge was closed and who did it. And the

truth of the matter is, every one who has been a part of this process should want to know the answer to that question.

And the response is not a glaring, bipartisan rebuke of an absolute lack of curiosity. You heard the witnesses who did testify; I think they added great value, to be honest with you. They pointed us in certain directions; they helped, actually, through the work of this Committee and their testimony, launch a U.S. Attorney's investigation. Because as Senator O'Toole said, this is not a criminal body. And the U.S. Attorney's investigation will help us get to the bottom of what happened, because they do have the resources, they have the manpower, they have the skill sets to find out exactly what happened and why.

But there was literally nothing from the other side of the aisle that was just at all curious about the lack of curiosity from the front office as to why -- why this Bridge was closed. It was, about, "Well, why are the reporters calling?" or, you know, "We don't have anything to do with this," or, "I don't know why that e-mail or text was sent." But it was never about why the Bridge was closed.

But the reaction, with no warning, no sharing of information, is to issue this Minority statement that, in very many respects, issues the actions that were accused around Bridgegate -- to bully, threaten, and intimidate those who would have the audacity to ask why was there an abuse of power, and who was involved?

And Chairman, I find that to be the saddest tragedy of this entire process.

I want to thank the witnesses who came to testify, and having the courage to do so. I want to thank the attorneys for their work on this. The report that we are here to address today is a factually based report and a timeline. I know a lot of people reached out to us afterwards and said, "Well, there's nothing new." Well, the *nothing new* is the fact that over almost 9, 10 months -- over a course of weeks, and months, and days -- new information kept coming out. And this report is a timeline of those events, and who knew what, and when they knew it. And that report is very telling -- it is very telling to the people of New Jersey, and it may raise some unanswered questions. But it is an opportunity for the public and the taxpayers to ask the same questions that this Committee was alerted to, as Republicans and Democrats, and tried to ask those questions.

The truth of the matter is, once the work of this Committee was done and a United States Attorney's investigation was launched, yes, there were people who are fearful of their own security, their own safety, their own criminal reprisals against them, who chose not to testify. But as I said from day one -- I know everybody wants to rush to get to the final chapter and hear what is the conclusion to this story -- those investigations take time, and I believe that we will get a conclusion to that story. I don't know how high it will go; I don't know who it will ultimately land on. But we will eventually know, and the story will come out. And look, there is a slight possibility that the U.S. Attorney's Office could come out and say, "You know, just no wrongdoing here." I



don't know if anyone truly believes that; I think that there will be someone who will be accused of overstepping their bounds -- but that still maintains an opportunity.

So Mr. Chairman, I thank you for the opportunity to speak, and I'd like to make a motion to make public, including in a prominent place on the Legislative Home Page, and transmit to the Senate and General Assembly, the Interim Report to the New Jersey Legislature regarding the September 2013 closure of the George Washington Bridge access lanes in Fort Lee, New Jersey, and any exhibits attached thereto as prepared by special counsel.

ASSEMBLYMAN WISNIEWSKI: Thank you, Majority Leader Greenwald, for the motion.

Is there a second?

SENATOR GILL: Second.

ASSEMBLYMAN WISNIEWSKI: Seconded by Senator Gill.  
Any discussion by members of the Committee?

ASSEMBLYWOMAN HANDLIN: Yes, please.

ASSEMBLYMAN WISNIEWSKI: Yes, Assemblywoman Handlin.

ASSEMBLYWOMAN HANDLIN: Thank you.

I know that a comment was just made that we should -- a couple of comments were made -- about how it's so important for us to focus our comments on the report itself. So I'm just going to say a couple of words about the report itself. I will be brief.

I just want to point out something, that all of you presumably have taken note of because all of you presumably have

read the report. It begins with an executive summary -- which is pretty short; seven paragraphs. I didn't count the words, but I would guess it's, maybe, about 600, 70 words. And within those 600 or 700 words, you will find there are comments after comments after comments admitting explicitly that after reviewing tens of thousands of documents and taking dozens of hours of testimony, we have ended up exactly where we started -- with no insights even remotely worth the \$9 million price tag.

What we paid for were the following:

"Many critical questions remain unanswered."

"It is presently unknown."

"The Committee is unable to reach a conclusion."

"It is likewise currently unknown."

"The Committee is not in a position currently to conclude."

"The Committee cannot evaluate the reliability of the evidence."

Need I go on?

I can't support the issuance of a \$9 million press release. I know I'm not allowed to make a motion, so I will make the following observation -- that if this Committee is to continue its repetitive and directionless activities, those activities should be funded, not by the taxpayers, but by the Democratic State Committee.

ASSEMBLYMAN WISNIEWSKI: Assemblywoman Schepisi.

ASSEMBLYWOMAN SCHEPISI: I actually have a question.

I see that this is on interim report; and I think we've had, even in the report Assemblyman Greenwald just reiterated it -- there's a potential for crimes to have been found; the U.S. Attorney is currently doing an investigation.

My question -- and maybe it's best for legal counsel on this -- is if this is an interim report, and if the goal is to bring additional people in some time in the future to testify -- in the event that indictments actually came forth, under what scenario would it be plausible that the U.S. Attorney would allow us, as a legislative Committee, to call in any witness who was material to provide testimony to us during an ongoing criminal case?

ASSEMBLYMAN WISNIEWSKI: You're asking for an answer to that hypothetical?

ASSEMBLYWOMAN SCHEPISI: Yes, because I just want to understand -- if this is an interim, if we're looking to bring in people to get answers to the who's, what's, why's, but yet there's a large consensus that crimes may have been committed, that indictments may come down, I don't see any real ability for us to ever recall anybody who would be able to answer those questions. So why is this interim, what are we doing, what's our game plan?

ASSEMBLYMAN WISNIEWSKI: Well, before I consult with counsel on that, it's interim because we're not done. I mean, this report summarizes what the Committee has done through this point in time -- all the facts that we've received, all the testimony

we've heard; and it summarizes what we know and, just as importantly, summarizes what we don't know.

You know, as an attorney, that one of the most important issues that formed our consideration about not wanting to call certain people before this Committee was that, pursuant to Judge Jacobson's ruling, testimony in front of this Committee becomes immunized testimony -- and therefore a risk that before the relevant investigative agencies had an opportunity to do their due diligence, public testimony might impede that investigation by immunizing it. Once they have made their decisions, that is not necessarily the issue any longer.

MR. SCHAR (Special Counsel): The question is difficult to answer because there are scenarios in which the U.S. Attorney's Office could chose ultimately not to prosecute anybody; in which case, they might have no issues with us calling additional witnesses. There are scenarios in which -- and this is with no inside information, pure speculation -- which they could bring very narrow charges against a set of individuals that would open up our ability to call further individuals. And they may well communicate a lack of concern with us going ahead and doing that; that is to say, they would be okay with us doing that.

And there are scenarios in which they could bring very sweeping charges -- which would make it difficult to, at least for some period of time, call in any individuals. So it's highly, highly dependent on what, if anything, the US. Attorney's Office does. And because of that, there is certainly the possibility that additional

witnesses could be called. Whether that is soon, or further down the road, is very difficult to predict.

ASSEMBLYMAN WISNIEWSKI: Assemblywoman Huttle

ASSEMBLYWOMAN VAINIERI HUTTLE: Thank you, Mr. Chairman.

If I may go back just to clarify Assemblywoman Handlin's numbers. I think you quoted something like \$9 million on this report. Just for clarification, there is an estimated total of about \$8.7 million, and out of that \$8.7 million, \$6.5 million was the Gibson Dunn report. And to the report and the document that we're supposed to be talking about today -- I don't think this report compares to anything Gibson Dunn was. I think Gibson Dunn's report was quite sensational; it was based on opinions. It was actually reading the *Enquirer* compared to this report -- which was very factual, done very professional; in my opinion, very nonpartisan.

So I think when we're talking about \$9 million -- or an estimate of \$9 million -- \$6.5 million was on sensationalism exonerating the Governor. It was actually a whitewash, in my opinion, since we're talking -- we're giving our opinions today. And the report today, for only -- I shouldn't say *only*; it was expensive -- but the report -- the costs are an estimated \$1 million for a professional document that this Committee had done for about a year's worth of work.

So I just wanted to make that clarification for the record, Mr. Chairman.

Thank you.

ASSEMBLYMAN WISNIEWSKI: Thank you, Assemblywoman.

ASSEMBLYWOMAN HANDLIN: Excuse me, may I respond? I think it's critical for me to respond--

ASSEMBLYMAN WISNIEWSKI: Sure, Assemblywoman Handlin.

ASSEMBLYWOMAN HANDLIN: --because I understand Assemblywoman Huttel did not have the advantage of having read our Minority report. I understand that, so I will clarify, so there's no misunderstanding here.

On page 117 of our Minority report, it lists the following costs: Jenner and Block hired by Democrats to serve as Select Committee counsel, \$1,061,392.98 as of November 2014; Leon Sokol, private counsel to New Jersey's Senate Democrats, also used by the Committee, \$42,906.44 as of June 2014; New Jersey nonpartisan Office of Legislative Services, \$34,621 as of August 2014; New Jersey partisan legislative staff, \$166,368, as of September 2014; outside legal costs incurred by several firms used to represent State employees, \$672,576.91 as of mid-2014; Port Authority of New York and New Jersey outside legal fees, \$301,003 as of July 2014; Gibson, Dunn and Crutcher, outside legal counsel that investigated the Governor's Office's, \$6,520,000 as of August 2014.

All told, estimated total -- \$8,798,868.33; and, of course, the bills are still coming in. So that is where the \$9 million comes

from, and that is the price tag that we must -- if we are fair-minded -- associate with the issuance of this so-called interim report, which, again, in my view, is a press release.

ASSEMBLYMAN GREENWALD: Assemblywoman; through the Chair, I apologize.

ASSEMBLYMAN WISNIEWSKI: Majority Leader.

ASSEMBLYMAN GREENWALD: We're playing catch-up a little bit, and I appreciate you listing those costs.

You also, apparently, from listening to the testimony of the Senator -- there is an allegation that Jenner and Block was conflicted because they had served as redistricting counsel. And for the people around the country who are watching this, redistricting is split up evenly between Democrats and Republicans; both sides have counsel. And the nonpartisan, independent tie-breaker casts the vote based on facts presented by both sides. But that's a side point.

But they were indicated as having a conflict because they served in that role. On what page and what chapter is the conflict raised about Gibson Dunn?

ASSEMBLYWOMAN HANDLIN: Well, that's not within our purview. We've never had any-- We never hired--

ASSEMBLYMAN GREENWALD: Okay, I'm just curious.

ASSEMBLYWOMAN HANDLIN: We never hired Gibson Dunn, did we?

ASSEMBLYMAN GREENWALD: No, I just wanted to make sure that there was-- Is there anything in here-- You raised a lot of questions; was there anything in here?

ASSEMBLYWOMAN HANDLIN: Again, it had nothing to do with the workings of this Committee.

ASSEMBLYMAN GREENWALD: Okay. So there is nothing in the Minority report that raises any question of conflict about Gibson Dunn?

ASSEMBLYWOMAN HANDLIN: You'll read the Minority report; draw your own conclusions.

ASSEMBLYMAN GREENWALD: But no, you have read it. I'm just asking you.

ASSEMBLYWOMAN HANDLIN: Drawing my own conclusions? No.

ASSEMBLYMAN GREENWALD: So it's a yes or no question.

ASSEMBLYWOMAN HANDLIN: No -- no.

ASSEMBLYMAN GREENWALD: There is nothing is here that raises a conflict about Gibson Dunn?

ASSEMBLYWOMAN HANDLIN: The Minority has to do with the workings of this Committee.

ASSEMBLYMAN GREENWALD: But unfortunately, Assemblywoman, it doesn't. Because if you're going to just raise questions about the work of this Committee, the only control we had was hiring Jenner and Block. But you listed all the costs. So if you're going to list all the costs and make allegations against



members of this Committee, you should have also raised questions about that.

But I haven't had a chance to read it, so maybe it'll be enlightening once I see it.

ASSEMBLYMAN WISNIEWSKI: Thank you, Assemblywoman.

Just before we go to you, Assemblyman Carroll, also know what's not broken out here is how much of this \$6.5 million charged by Gibson Dunn is responsible for aiding the Administration in responding to subpoenas from the U.S. Attorney's Office. That's certainly not something that this Committee is responsible for. An allocation of \$166,000 for partisan legislative staff, and \$34,000 for OLS -- I guess if we weren't doing this work, they would all go home and not show up for work. So obviously it's justified there.

Assemblyman Carroll.

ASSEMBLYMAN CARROLL: Spectacular cross-examination, Counsel. I am deeply impressed.

But I have a question for you, Mr. Chairman, if I may. Since you are not a member of the media, to my knowledge, will you reveal your sources and tell us what reporters told you that Republicans leaked these documents?

ASSEMBLYMAN WISNIEWSKI: No.

ASSEMBLYMAN CARROLL: Okay. Because, you see, I'm concerned about that. Because I know I didn't do it; I took an informal poll, and I know that--

ASSEMBLYMAN WISNIEWSKI: I didn't say member of this Committee.

ASSEMBLYMAN CARROLL: Okay.

ASSEMBLYMAN WISNIEWSKI: I said *members* -- members of--

ASSEMBLYMAN CARROLL: I just want to note that I got this, again, at the same--

ASSEMBLYMAN WISNIEWSKI: Not members of this Committee; but obviously, Republican members, is what I was told.

ASSEMBLYMAN CARROLL: Okay. I was just going to say at the same time as we got the-- I received my report -- my copy of it -- the same time as Senator O'Toole did. And, quite literally, within a number of minutes people -- members of the Fourth Estate were calling me up on the phone asking me to send them copies of it so they could confirm that what they had was real. And I'm not casting any aspersions one way or the other, because I don't know where they got it from.

ASSEMBLYMAN WISNIEWSKI: It's very troubling.

ASSEMBLYMAN CARROLL: I'm just simply saying that I note that I got a copy of the Minority report more or less contemporaneously, and that didn't leak.

ASSEMBLYMAN WISNIEWSKI: You didn't share it with us.

ASSEMBLYMAN CARROLL: How about that? (laughter)

ASSEMBLYMAN WISNIEWSKI: Anyone else?

ASSEMBLYMAN GREENWALD: Mr. Chairman, I had made a motion on the--

SENATOR GILL: And I had seconded.

ASSEMBLYMAN WISNIEWSKI: Assemblyman Majority Leader Greenwald has called the motion.

May we have a roll call, please?

MR. MOLIMOCK: On the motion to make public in a prominent place on the Legislative Home Page, and transmit to the Senate and General Assembly the Interim Report to the New Jersey Legislature regarding the September 2013 closure of the George Washington Bridge access lanes in Fort Lee, New Jersey, and any exhibits attached thereto as prepared by special counsel.

Assemblywoman Schepisi.

ASSEMBLYWOMAN SCHEPISI: No.

MR. MOLIMOCK: Senator O'Toole.

SENATOR O'TOOLE: No.

MR. MOLIMOCK: Assemblywoman Handlin.

ASSEMBLYWOMAN HANDLIN: No.

MR. MOLIMOCK: Assemblyman Carroll.

ASSEMBLYMAN CARROLL: No.

MR. MOLIMOCK: Assemblywoman Vainieri Huttie.

ASSEMBLYWOMAN VAINIERI HUTTIE: Yes.

MR. MOLIMOCK: Majority Leader Greenwald.

ASSEMBLYMAN GREENWALD: Yes.

MR. MOLIMOCK: Senator Greenstein.

SENATOR GREENSTEIN: Yes.

MR. MOLIMOCK: Senator Gill.

SENATOR GILL: Yes.

MR. MOLIMOCK: Assemblywoman Caride.

ASSEMBLYWOMAN CARIDE: Yes.

MR. MOLIMOCK: Co-Chair Wisniewski.

ASSEMBLYMAN WISNIEWSKI: Yes.

MR. MOLIMOCK: Co-Chair Weinberg.

SENATOR WEINBERG: Yes.

ASSEMBLYMAN WISNIEWSKI: The interim report is released. It will be available on the Office of Legislative Services website, along with the exhibits.

This meeting stands adjourned.

**(MEETING CONCLUDED)**