

PUBLIC HEARING

before

ASSEMBLY TRANSPORTATION AND COMMUNICATIONS COMMITTEE

on

NEW YEAR'S EVE FREE-RIDE PROGRAM

Held:
January 23, 1985
Room 348
State House Annex
Trenton, New Jersey

MEMBERS OF COMMITTEE PRESENT:

Assemblyman Wayne R. Bryant, Chairman
Assemblyman Thomas P. Foy, Acting Chairman
Assemblyman John W. Markert

ALSO PRESENT:

Laurence A. Gurman
Office of Legislative Services
Aide, Assembly Transportation and Communications Committee

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ASSEMBLYMAN WAYNE R. BRYANT (Chairman): Good afternoon. This is the Assembly Transportation and Communications public hearing dealing with the Free-Ride Program of New Jersey Transit, which took place during New Year's Eve.

I would ask that a few rules be complied with. If you wish to have conversations or discussions which are not pertinent to the hearing, would you please take them into the hallway so that the people who are testifying will have the courtesy of being heard? Secondly, if, in fact, there are any questions a potential witness wishes to pose, please do so through the chair. The chair will then decide who will respond to them.

As I announced before, I have asked my colleague, Assemblyman Foy, to chair this hearing. I will be relinquishing the chair and Mr. Foy will be calling all witnesses. I expect everyone to extend the same courtesy to him as they would extend to the chair. Assemblyman Foy?

ASSEMBLYMAN THOMAS P. FOY (Acting Chairman): Thank you, Mr. Chairman. Good afternoon, ladies and gentlemen, members of the Committee, members of the press, the public, Commissioner Sheridan, Mr. Premo, and other State officials. The purpose of the hearing today, in my opinion, is not for anyone on this Committee or anyone else to engage in any kind of a witch hunt. What has occurred has occurred. New Year's Eve is over. An enormous number of problems have arisen, at least as have been reported to me, with respect to what occurred on that particular night in relation to the Free-Ride Program. The purpose of this hearing will be to find out precisely what happened, and then perhaps to develop some guidelines and recommendations, or, if necessary, some legislative action to deal with these particular problems so they do not reoccur in the future, and so that whatever it is we have can be improved to alleviate the kinds of distress the riders experienced on New Year's Eve, 1984.

Assemblyman Markert is here. He is the ranking Republican member of the Committee; he is the only Republican member of the Committee here today. Assemblyman Bryant, Chairman of the Committee, has graciously allowed me to chair this hearing for several reasons.

One, from the standpoint of constituents, I really do not have any particular axe to grind. I come from a farm county down in South Jersey which doesn't have any mass transit in terms of the kinds of trains which experienced these problems on New Year's Eve. I did not get the report from my constituents; the report came from constituents in many other municipalities throughout the State. So, there was a feeling, notwithstanding my membership in the Democratic party, that I could bring a certain objectivity to chairing this particular hearing inasmuch as I did not have direct contact with the incidents as a result of constituent complaints from the Seventh District.

There are a lot of people who wish to testify here today. With that in mind, we are going to try to expedite this hearing as quickly as possible. I would ask you to keep your remarks and presentations as brief as possible, while fully allowing for discussion of the subject and, also, to be prepared to respond to specific questions that may arise from the Committee at various times during the course of the hearing.

At this time, because Assemblyman Bocchini has another commitment, I would like to ask him to appear as our first witness. Assemblyman Joseph Bocchini of District 14.

ASSEMBLYMAN JOSEPH L. BOCCHINI, JR.: Thank you, Assemblyman Foy. Members of the Committee, staff, and those of you who are here today: I will be very brief in my comments.

My particular reason for being here this afternoon is the result of a letter I received from a constituent. That constituent is Richard A. Canning, who resides in South Brunswick. I spoke to Mr. Canning personally and told him that if he had no objection, I would like to read the letter he sent me concerning an incident regarding his son into the record. With that, I will proceed to read the letter. I really have no follow-up statements after that. I'm sure there are many more people who have a lot to say today. The letter is dated January 2, 1985 and is addressed to Assemblyman Joseph L. Bocchini. It reads as follows:

"Dear Assemblyman Bocchini: Enclosed for your information is a copy of an article that appeared on the front page of today's Newark

Star-Ledger. I call it to your attention because my son and two friends were among the scores of people who were assaulted on the one-thirty a.m.--

ASSEMBLYMAN FOY: (interrupting) Excuse me, Assemblyman Bocchini. Will you please slow down a little bit because we have to pick this up on the recorder and I want everyone to be able to hear exactly what you are saying.

ASSEMBLYMAN BOCCHINI: (continuing) "New Jersey Transit train out of Penn Station, New York, bound for Trenton, New Jersey.

"My son was attacked by a gang of eight young males on the train shortly after it left Penn Station. He advised me that the assaults/robberies, etc. continued against other passengers until he disembarked in New Brunswick, and that at no time during the ride of some two and a half hours did any train personnel or transit police make an appearance. Since such an utterly lawless situation was allowed to prevail, I feel compelled to make the following recommendations.

"Since this 'free ride' program was initiated by the State of New Jersey in conjunction with local transportation officials, I suggest that it be totally discontinued. I am not questioning the intent of the program, which is quite laudable. However, the inability, on a practical level, to ensure a safe ride for the law-abiding passengers nullifies the good intent of the program.

"Obviously, there was a breakdown in planning by New Jersey Transit officials in that, by their own admission, sufficient police were not available. I sincerely doubt that they even have the number of police that would be required to control the large numbers of hoodlums who were on this and other trains. Would that New Jersey Transit had been as zealous in providing adequate police protection as they were in publicizing the program.

"I am outraged by what was allowed to happen on these trains, and request that your office take the necessary steps to prevent a repetition of the above, by seeing to it that the 'free ride' program is terminated. To do anything less would be a gross disservice to the citizens of New Jersey.

"I look forward to hearing from you on this matter."

In essence, that concludes what I want to say. The only parting comment I would make, Tom, members of the Committee, and those here today, is, you know, sometimes the best laid plans of mice and men get put asunder. Obviously, that is what happened here. I regret that I have a constituent who had to suffer this. I don't know what the consequences of the hearing will bring. My only suggestion is, obviously if we as a State -- regardless of how good-intended we try to be in providing something -- cannot provide the auxiliary service that must go along with it, we certainly should not proceed in such a fashion again because we are obviously jeopardizing the health, safety, and welfare of the people of this State in an instance like this. Thank you.

ASSEMBLYMAN FOY: Thank you, Assemblyman Bocchini. Perhaps the members of the Committee have some questions. Assemblyman Markert?

ASSEMBLYMAN MARKERT: Thank you, Mr. Chairman. Assemblyman Bocchini, do you know whether or not this individual availed himself of the free services the year before?

ASSEMBLYMAN BOCCHINI: There was no indication of that. I spoke with Mr. Canning last night and he did not mention it. If you like, I will certainly check with him and advise the Committee on Thursday when we are in session.

ASSEMBLYMAN MARKERT: I would like to know if he rode the year before and utilized the free passage. I know I didn't hear anything the year before, so I don't know whether or not at that point in time he felt it was a worthwhile situation. If you could get that information to us, that would be great.

ASSEMBLYMAN BOCCHINI: Certainly; I will call him for you this evening.

ASSEMBLYMAN FOY: Also, Joe, will you please make a copy of that letter available to the Committee so we can include it in the record of these proceedings?

ASSEMBLYMAN BOCCHINI: Before I go downstairs I will find a room up here where I can get sufficient copies made, and I will bring them back to you.

ASSEMBLYMAN FOY: Is there anything else from the members of the Committee? (negative response) All right, thank you, Assemblyman Bocchini.

ASSEMBLYMAN BOCCHINI: Thank you.

ASSEMBLYMAN FOY: The next witness who has requested to testify, and who has some individuals with her, is Assemblywoman Jacqueline Walker of District 13. Assemblywoman Walker?

ASSEMBLYWOMAN JACQUELINE WALKER: I will ask the people who are with me to step forward.

ASSEMBLYMAN FOY: I would appreciate it if, after you have made your remarks, everyone would identify themselves for the record.

ASSEMBLYWOMAN WALKER: Do you want me to do it afterward?

ASSEMBLYMAN FOY: You can do that in the beginning if you want to.

ASSEMBLYWOMAN WALKER: I want to thank you for having this hearing and for allowing me to come down here. I am from District 13 which, as you know, is one of the points of the New Jersey Transit trains. I received many letters and many phone calls. I had people coming into my office. What I heard I found very difficult to believe. I think what we are doing here is good because we are doing it in a constructive vein. I personally find it very difficult to make these public criticisms with the Commissioner and Mr. Premo here, but I think this is something that really needs to be done, if we can move on with it.

Like everyone else, I heard a lot of publicity about the Free-Ride Program. I assumed that New Jersey Transit was going to assure those riders of the trains safe and free transportation on New Year's Eve, thereby encouraging people who drink to leave their cars at home. The Governor personally endorsed this program and encouraged the public to take advantage of it. What resulted was an administrative blunder of the worst sort because the public was placed in physical danger and many were injured, hurt, and frightened for their lives.

I think this Committee and the public deserve to know exactly what occurred on January 1, 1985. Several of my constituents wanted to be here today. Two were able to come; many could not due to the fact

that they had to work. I am going to ask Gerald Ryans of Howell, New Jersey, in Monmouth County, and also Sgt. Dunn of Long Branch in Monmouth County to testify. However, first I want to relate to this Committee comments I received from my constituents over the phone and in person during the week following the incidents.

Wayne LeWald of Old Bridge called to let me know that he rode the trains and that he and his companion were locked on the train for three hours before the train left Penn Station. People were fighting and punching at windows and doors, and when that didn't work, they started punching each other. Several riders were hurt. There was no visible security. One man was hit in the face and seemed to have a concussion, but no one was there to help. There was no air and no one told the riders what was going on.

Danielle Cubik of Old Bridge told me that 70 people were in her car and that after the train was loaded, it sat in the station with the doors locked for one and a half hours before an announcement was made over the loudspeaker saying that there was a delay due to crew problems. Mrs. Cubik told me people were punching out the windows for air and fights started. One passenger maced another passenger. "I was lucky to get home alive," she told me. "I saw someone get hit in the head with a bottle."

George Hoff of Old Bridge told me that he is a regular commuter to New York City so he knows about the train schedules. As a matter of fact, he had a schedule in his pocket. A train was due to leave at 12:40 a.m. He and his date arrived at Penn Station early. The station started to fill up rapidly, and no train. More and more people arrived, and still no train. The loudspeaker was silent. Finally, the 12:40 arrived at 1:30 a.m., and there was a stampede like nothing he had ever seen before while riding New Jersey Transit. At first everyone got a seat and was quiet, but after one hour, the train didn't move and the people were going stir-crazy. Someone took over the train microphone and kept up a constant chatter of jokes and comments addressed to young ladies which could be heard in all the cars. I cleaned that up for the purpose of this hearing.

Finally at 2:15, the loudspeaker came to life and someone announced there was a problem with crew shifts and no driver was available. Meanwhile, a young boy of about 15 years of age was stabbed. He was obviously bleeding while a woman tried to carry him to the front of the train to seek help. The train finally moved at 3:30 a.m., but it had to stop in Newark, Rahway, and South Amboy so that local police could come on board to assist. The train arrived in Matawan at 5:15 a.m.

I have also submitted to you a letter I received from Mr. and Mrs. Burt Resnic of Elberon, New Jersey, in Monmouth County. Evidently this is an elderly couple who took advantage of the free ride into New York that night. They described it as one of the most horrible experiences they had ever had. They were almost knocked over in a stampede.

In conclusion I want to ask some questions, through you, Mr. Chairman, of New Jersey Transit:

What preparations did New Jersey Transit make to handle the crowds that they and the Governor encouraged to use the Free-Ride Program?

Was the security adequate for the situation?

Why in the world were people locked inside cars in the station for hours like cattle?

At the very least, why weren't the loudspeakers keeping people informed?

How were passengers allowed to take over the train's microphones?

How many crew members were on duty and was the amount adequate?

What happened to the train schedules?

Last, and probably most important, how can we guarantee public passenger safety and the restoration of public confidence after this experience?

Mr. Chairman, we want New Jersey to maintain a safe transit program, but already there is fear setting in as a result of the experiences on New Year's Eve. The current publicity about the New

York subways only exaggerates that fear. We can't let our transportation system be taken over by violence and fear.

I would like to take this opportunity to ask Mr. Gerald Ryans, who is on my extreme left, to relate his experience to you.

ASSEMBLYMAN FOY: All right, fine. With respect to the questions you posed, we will make a copy of your statement available to Mr. Premo. He will be speaking later on in the program, and I'm certain he will be able to address some of the issues you raised at that time.

Mr. Ryans, thank you for coming today. We will appreciate hearing what you have to say.

GERALD RYANS: Okay. On January 1, between 3:30 a.m. and 4:00 a.m., I was on the #139 bus route of New Jersey Transit going from New York City to Freehold. Actually it was going to Lakewood. We were pulling into the terminal at Freehold, when for no reason, 10 people -- as they were getting out -- jumped me. The bus operator did absolutely nothing. As a matter of fact, when I wrestled one of the suspects to the front of the bus and managed to get a hold on him, the operator told me to let him go. I advised the operator, "No, close the door. I am going to drive this guy to police headquarters and turn him in, and then round up the rest of them." He said, "No." With that, I threw the guy out the door, and the operator closed the door and took off. I managed to get to the Shop-Rite in Freehold Township. I then called the Freehold Township Police Department and they responded. The police report taken there is the first page of the exhibit section of my written statement. Unfortunately, the incident happened inside the borough, so it was turned over to the borough police. Please see Page 2 of the exhibit section.

I went through the normal criminal procedure of looking at mug books the following day, but, of course, as you know, it is rough to get a judge to even go along and convict anyone on such a basis, unless he was pulled off the bus. Now, in that melee, I lost a pair of glasses. The frames were broken. Upon hitting the ground, the lens itself got scratched. Plus, I have dental work in my mouth, and that definitely got messed up due to my injuries. Unfortunately, I can't

make copies, but this is what the glasses look like now. They didn't look like this before.

Basically, the operator didn't want to get involved. I was told by a New Jersey Transit claims investigator: "Well, you have to file with the Violent Crimes Board." I said, "Wait a minute. I tried to apprehend one of the suspects." He said, "That's too bad, but you are still going to have to file with the Violent Crimes Board." I said, "No. When I ride a New Jersey Transit bus, you are supposed to guarantee me, not 100% safety, but a reasonable amount of safety. That was never done." These same people were causing a problem up at the Port Authority. No words ever transpired between myself and these 10 particular persons.

I also made some calls on my own. I started out by calling Mr. Premo's office. I talked to Robin. Robin then referred me to Anthony Grazioso. Anthony Grazioso referred me to Louis Wassong. Louis Wassong referred me to Bus Claims; Bus Claims referred me to Violent Crimes; and, Violent Crimes sent me back to New Jersey Transit. There is no way I can get my glasses repaired. I do not have that kind of money. If you look at the last page, you will be able to tell that the glasses are very, very special to me. There is a letter from my doctor, Dr. Edward Seigle, of Freehold. What am I going to do? As of yesterday, this hadn't been assigned a claim number. Of course, I have the claim forms, but the claim forms are basically doing no good whatsoever without a claim number. I cannot start getting my things replaced. The State keeps talking about Violent Crimes. I received a call from the same claims investigator, saying, "Well, it's strange. Violent Crimes is handling all the other cases." I advised him, "That's terrific; then you won't have any trouble getting your money back. I want mine out of you people because you are supposed to guarantee me a certain amount of safety."

ASSEMBLYMAN FOY: Let me ask you a couple of questions, if you don't mind.

MR. RYANS: Sure.

ASSEMBLYMAN FOY: I'm sure the Committee members will also have some questions. First, was the bus ride you were on a part of the Free-Ride Program?

MR. RYANS: Yes sir, it was.

ASSEMBLYMAN FOY: Had you ridden on the Free-Ride Program the previous year?

MR. RYANS: Yes.

ASSEMBLYMAN FOY: Did you experience any problems at that time?

MR. RYANS: No, but I heard that there were sporadic incidents up in North Jersey. See, some of the bus drivers are friends of mine.

ASSEMBLYMAN FOY: But, the year before you didn't experience any problem? This was the first time it occurred?

MR. RYANS: Yes.

ASSEMBLYMAN FOY: And, this time you were assaulted and attacked, is that correct?

MR. RYANS: Yes. I'll be honest with you, Mr. Chairman, if it goes on next year, I am going to carry something to protect myself if New Jersey Transit cannot do it.

ASSEMBLYMAN FOY: Are there any questions from the members of the Committee?

ASSEMBLYMAN MARKERT: No, you asked the question I was going to ask.

ASSEMBLYMAN FOY: Mr. Ryans, I'm grateful that you took the time to come to testify today. With respect to your specific problem regarding the claim, I am going to ask Mr. Premo's indulgence, and ask you to stay to talk to him after the hearing. Perhaps he can take a personal interest in this to see if we can get it expedited for you in whatever fashion it can be handled. I don't know what the procedures will be. When Mr. Premo testifies, I will ask him. But, in terms of your specific case, we will see if we can address that as quickly as possible.

MR. RYANS: Begging your pardon, but this is not just for myself; it is for all the other people too.

ASSEMBLYMAN FOY: I want to find out what his policy is, but I want to try to get you taken care of today if we possibly can.

MR. RYANS: Well, yes.

ASSEMBLYMAN MARKERT: We're interested in your case. We will certainly hear about procedures through testimony. If they are different, you'll be here to hear them.

MR. RYANS: I most certainly hope so, but to continue on, I would definitely state that if any such additional free rides do occur, the dispatchers in New York City and in Penn Station should have the authority, at any point, if they find that anyone is causing a problem, to refuse to allow him to board any such mass transit, even if it is free. There is absolutely no reason for me to be in danger.

ASSEMBLYMAN FOY: I understand. Thank you very, very much. Assemblyman Markert?

ASSEMBLYMAN MARKERT: Do you know whether an incident report was filled out by the bus driver?

MR. RYANS: From what I was told, yes. He filled out a witness report.

ASSEMBLYMAN BRYANT: Did he describe the incident in that witness report?

MR. RYANS: Yes, plus I managed to get him to court for one particular trial on the sixteenth. He did testify at that trial in Freehold Borough.

ASSEMBLYMAN BRYANT: Assemblyman Foy, there is one other thing before you go on. Assemblywoman Walker asked that the letter attached to her statement be made a part of the official transcript.

ASSEMBLYMAN FOY: Sure. Sergeant Dunn?

SGT. JAMES DUNN: Good afternoon. My name is Jim Dunn. I am a sergeant with the New Jersey Transit Police and a spokesman for the New Jersey Transit Policemen's Benevolent Association, Local 304.

I can understand Mr. Ryans' concern for his glasses. Two years ago I pulled someone out from the front of a train in Long Branch, and New Jersey Transit still has not reimbursed me for a \$14.00 pair of sunglasses. So, I can understand his grief with that.

That brings us to the topic of New Year's Eve. It is the position of the PBA that in order to have the public ride in a safe fashion, too many police officers would be required, as well as train personnel to properly supervise the passengers aboard the trains. I am

specifically talking about train service because our police department does not take care of bus operations. We are strictly confined to the rail operations end of New Jersey Transit.

I was on duty from three to eleven on New Year's Eve, and I was on duty from three to eleven on New Year's Day. Because of my superiors refusing to grant access to actual statistical information -- although we requested it under the Right-to-Know law -- I am at a loss for specific statistics. However, from what my membership can tell me, at no particular time were there more than 12 to 14 transit officers on duty in both New York and New Jersey. We're talking about 14 police officers versus 23,000 commuters.

From my particular observations on my three to eleven shift, which was really preceding the celebration atmosphere of the people going into New York, the majority of the people were already intoxicated on their way into New York. We observed -- myself and Officer Charles Wayne, who worked out of Long Branch Station that particular day -- numerous persons exiting motor vehicles at parking lots at every train station we stopped at, blatantly consuming alcohol, which we really couldn't do anything about. We're talking about several hundred people. Once they got out of their vehicles and were observed drinking, if they saw one of us who was in uniform, naturally they would go off to the side, or something like that, or would try to discard the beverage. They went from drinking to urinating in public. When they got finished with the urinating, they got into the AM/FM portable stereos. Basically it was just one vicious circle. We had approximately 500 people getting on the last eastbound train in Asbury Park, and about 200 people in Long Branch. It was train #3334; it was about 10:30 at night.

The train was not properly equipped to pick up the 500 people in Asbury Park, much less Long Branch and beyond, yet there were no provisions for the crew or the train dispatcher to execute an alternate plan.

We believe New Jersey Transit's intent is good, but we fail to recognize any evidence that they could substantiate, statistically or otherwise. The fact remains that our police officers did observe

people in an intoxicated state board the trains prior to New Year's itself, after exiting motor vehicles. It certainly did not curtail them from drinking while driving. The converse is true. Once a person gets back from celebrating in New York City and he gets off the train at the train station, how does he get home? Well, he gets in his motor vehicle and he drives home.

So, we fail to see where, in any substantial situation, anyone could prove to us that it curtailed the initial motivation of the program, which was drunken driving. We feel that this was not an isolated incident. It was isolated in magnitude perhaps. This is probably the most serious incident I can recall in terms of quantities of people being involved in crime while on a train. However, we very often experience similar types of activity on board trains, specifically on many other holidays, such as St. Patrick's Day, or Easter, at rock concerts in New York, people going into Madison Square Garden for athletic events, and these kinds of things. I can recall about a year and a half ago we were prenotified about a concert in New York, and we actually had 10 police officers on one train because we anticipated a problem.

On New Year's Eve and New Year's Day, we had almost the entire tour of duty for the entire system. More than half of the Transit Police Department was off. We find that to be pretty absurd. Part of the reason for not putting more police officers on duty was because New Jersey Transit did not want to incur the additional expense of holiday pay for the officers. We find no one has made any comment otherwise.

To sum up, all I can tell you is this: For the first time in my entire career as a police officer -- and I wasn't even on a train; I was off the train in a radio car patrol -- I was scared, because if anything happened, there wouldn't be anything we could do to save anyone, whether you are talking about an assault, a mugging, a knifing, or a fire. The people who knocked all those windows out on the trains didn't realize that those windows are on hinges for emergency purposes. They just knocked those windows out because they had fun knocking them out.

We had graffiti inside cars from spray paint. We had excessive amounts of blood on interior seats. We had emergency tool kits containing a crowbar, a hammer, and a saw ripped from the walls in each coach, which were used, in some cases, to assault some of the passengers. We even had some emergency cord handles pulled completely off the walls. That is what makes the train stop immediately upon being pulled. We had one train with Transit police officers assigned to it. That was the last westbound train from New York City to Bay Head on the North Jersey coastline that Assemblywoman Walker was talking about. This train was not intended to have any police officers ride it. In fact, we had no officers detailed to ride any trains that night. The three officers who rode this particular train were pulled from their regular posts in Penn Station in Newark, only because the crew refused to move the train beyond Newark unless they received police protection. The three officers were ordered to get on the train and, somewhere down around Hazlet, they experienced a situation which almost blinded all three of them. A beer bottle sailed straight across one of the coaches and broke a window. These three officers should not have been put on the train in the first place. The train never should have left Newark. The three officers should not have walked from the vestibule of the coach into the coach if they had a problem they could identify.

Two years ago on a concert train, which was a lot less serious in nature than what we had here, we had a police officer's gun ripped from his holster in Hazlet Station. That is one of the things we fear the most when we are riding the trains. It is a very closed-in atmosphere. All we have to do is get knocked down on the ground once, get overtaken by a group of people, and they can get our guns out very easily.

We were not provided with partners on the motor patrol, which we also felt was a very unsafe circumstance. Our radios don't work on the trains or off the trains the majority of the time. We have complained about a lot of these problems to our superiors. We get a lot of promises, but we don't see anything delivered. We have about 60 police officers right now who are pretty dedicated, professional

individuals. The 14 of us who were out there on each tour of duty laid a lot on the line, but we were out there and we did what we could.

We're saying that the program should be terminated. In order to have sufficient police protection, train personnel, and equipment for the trains, it would be too much of a cost burden on the State of New Jersey. That is all I wanted to say.

ASSEMBLYMAN FOY: Thank you, Sgt. Dunn. I have a couple of questions and perhaps members of the Committee do also. At the outset, you indicated that the problems on New Year's Eve were particularly flagrant. They involved excessive drinking, boisterousness, rowdiness, and overcrowding. There was inadequate security and general misbehavior. You indicate that your recommendation with respect to New Year's Eve would be to eliminate that program because it is cost-prohibitive to try to police that kind of activity given all of the circumstances.

I thought, from part of what you said, that there was a perception on your part that there is generally inadequate security. Is that a proper conclusion?

SGT. DUNN: On a day-to-day basis, that is correct. We have gone on a tour of duty in the Transit Police Department with one person on patrol for the entire State, or sometimes two. We have 350 miles of track; we have about 140 train stations and 70,000 daily commuters. I challenge anyone to tell me that that is adequate. I really do.

ASSEMBLYMAN FOY: You indicated that on New Year's Eve you had the perception that you were fearful about being in danger in terms of your life and your person. Do you regularly feel that way?

SGT. DUNN: No, I do not.

ASSEMBLYMAN FOY: But on that particular night you felt that way?

SGT. DUNN: That is correct.

ASSEMBLYMAN FOY: Thank you. Are there any questions?
(negative response) Thank you very much, Sgt. Dunn, and thank you, Assemblywoman Walker.

ASSEMBLYWOMAN WALKER: Thank you.

ASSEMBLYMAN FOY: The next witness I would like to call is Mr. Irvin McFarland, who is the State Legislative Director of the United Transportation Union.

So that everyone understands the procedure I am employing here, I am calling the citizen witnesses, the union witnesses, and the municipal witnesses first, so that the Commissioner, the Director, and his staff will have the opportunity to make notes about all of the various complaints, charges, and issues which are raised. Then they will be able to respond to them at one particular time, and we will not have a continuous back and forth dialogue. I am doing that in the interest of time, but also in terms of attempting to have the matter flow properly. Mr. McFarland?

IRVIN MCFARLAND: Assemblyman Foy, members of the Committee: It is indeed a pleasure to testify before this Committee. I have with me today the Chairman of the General Committee of Adjustment for New Jersey Transit. I also have two conductors who are employed by New Jersey Transit; they would also like to make a statement, with your permission.

My name is Irvin McFarland. I am the State Legislative Director of the United Transportation Union, with offices located at 375 West State Street, Trenton, New Jersey. The membership of our organization consists of enginemen, conductors, trainmen, bus operators, mechanics, and ticket agent personnel employed by Amtrak, ConRail, and New Jersey Transit Corporation.

My remarks will be made with the intent to assist in this inquiry into the Free-Ride Transportation Programs in effect New Year's Eve and New Year's Day and the bad experience forced upon our regular commuters and the employees of New Jersey Transit who were on duty.

First, I would like to state for the record, the United Transportation Union is not opposed to the Free-Ride Programs. We feel Mr. Jerome Premo, Executive Director of New Jersey Transit, was demonstrating to the riding public that New Jersey Transit is concerned about their safe passage and urges them to use public transportation, rather than operate their private cars before and after celebrating New Year's Eve.

The masses of people who took advantage of this Free-Ride Program were not regular commuters; in fact, they were not even part-time riders of New Jersey Transit. They were people who thought they could have a party while riding the trains and buses free, with total disregard for the health and safety of others.

We, the officers and members of the United Transportation Union, feel that New Jersey Transit should provide adequate police protection on the trains, in the stations, and on the platforms, when such programs as free rides are offered, to ensure the safety of our regular commuters.

In conclusion, I would like to make a suggestion that New Jersey Transit print and distribute free-ride coupons to their regular riders one or two days prior to New Year's Eve. Before boarding the trains and buses during the free-ride period, they could present the free-ride coupons. I believe this suggestion would give our regular riders a fair chance of enjoying a free ride.

Thank you for this opportunity to appear before your Committee.

ASSEMBLYMAN FOY: Thank you, Mr. McFarland.

MR. MCFARLAND: I have a further statement. There were a lot of remarks, favorable and unfavorable, directed towards the members of the train crews and their non-presence in these acts of violence against our commuters. I would like the Committee to understand that on some of our trains with 900 passengers, we have one conductor and one trainman, which is totally inadequate.

At this time, I would like to introduce Mr. Russo, who is the Chairman of the Committee of Adjustment.

ANTHONY J. RUSSO: I would like to thank the Committee for allowing me to come before them to testify. My name is Anthony J. Russo. I am the local Chairman representing the 600 conductors and trainmen who operate the trains of New Jersey Transit.

The first thing I would like to say to the Committee is, I heard in the beginning that there were no incidents reported about about the free rides of a year ago. I would like to tell the Committee that we have a conductor, Mr. Anthony Genovese, who was beaten up a

year ago on the Free-Ride Program on New Jersey Transit. He is still out of work and may never return to work. I have a letter with me from a conductor, Michael Ferlise, who worked the 3:30 a.m. train from Newark Penn Station to Raritan on New Year's Eve, or New Year's Day.

ASSEMBLYMAN FOY: Would you like to read that letter?

MR. RUSSO: Yes, I would. The letter is addressed to Patrick Mangan, who is our Legislative Representative, and it was turned over to me.

"Dear Brother Mangan: On January 1, 1985, New Jersey Transit offered free rides on its trains and buses to the public for the purpose of cutting down on drunk drivers. By presenting this program, they have taken the drunk driver off the road and brought vandalism, harassment, and assault to the New Jersey Transit Rail and Bus System.

"I was the conductor of the extra passenger train which left Newark Penn Station at 3:30 a.m. to Raritan on New Year's. At Roselle Park Station, a passenger told me he was assaulted and his money taken by a group of youths. I offered him police assistance at Cranford. He told me he did not want any trouble. He just wanted to leave the car accompanied by me, which we did.

"After leaving Grant Avenue Station at Plainfield, a fight broke out between approximately 15 youths, resulting in one stabbing and two eye injuries. The victim of the stabbing approached me. I called for police assistance at Dunellen, which is the next station; I also called for medical assistance by the Dunellen rescue squad. They assisted the victim; they also found two youths with eye injuries. One eye injury could have been very serious. For the majority of people on the train, no one wanted to say anything. They were frightened and nervous.

"In my opinion, NJTRO should abandon this program because it has only brought vandalism to its equipment; it has also endangered its workers. I believe security on these trains would have helped some people, but not most. Groups of youths and young adults made their way from car to car harassing passengers and smoking in cars that were not smoking cars. When told to put the cigarettes out, they did so until I left the car, and then proceeded to light them up again. I feel that

my life was endangered when I tried to break up the fight at Grant Avenue. I was just lucky not to get hurt myself since it was a group fight.

"I hope in the future I do not have to work under these conditions again. I am sure I speak for most of the men. I feel the Free-Ride Program was responsible for the rowdy crowds and should not be continued next year. Fraternally, Michael Ferlise."

I have a copy of that for you.

ASSEMBLYMAN FOY: We would like it for the record.

MR. MCFARLAND: Mr. Chairman, may I introduce another representative of our organization who is employed by New Jersey Transit? His name is Mr. George Madeya. I might add, Mr. Chairman, that some of Mr. Madeya's remarks will go beyond the Free-Ride Program into the normal operation of New Jersey Transit. However, I think they are germane to this hearing because these aren't just New Year's Eve happenings. These things happen many, many times throughout the year, as the police officer testified, at concerts, special programs, and things like that. George?

ASSEMBLYMAN FOY: Mr. Madeya, how do you spell your last name?

GEORGE MADEYA: M-A-D-E-Y-A.

ASSEMBLYMAN FOY: Thank you. Please go ahead.

MR. MADEYA: My name is George Madeya. I am an alternate Legislative Representative for the United Transportation Union, which represents the New Jersey Transit trainmen and conductors.

As Mr. McFarland said, some of these things are not going to be directly associated with New Year's Eve, but I think in order for us to understand this, I have to get these things across.

I would first like to express thanks to this Committee on behalf of the employees of New Jersey Transit and the commuting public, for being given the opportunity to be here at these proceedings. It took the sadness of the atrocities of New Year's Eve to get us to address this problem.

In order for an educated assessment of the overall situation to be made, I feel it necessary that you have a total perspective of

the lines in question, which I hope to give you. The audacious behavior of individuals on New Year's should not be directly associated with the Free-Ride Program, but the underlying causes should be examined. New Jersey Transit has successfully sponsored many such programs throughout the years, such as the Hoboken Festival, circus trains, and the last run of the GG I, without incident. We must look at the underlying problems that exist on these lines and understand that New Year's Eve was not the cause, but was more an invitation to the unsavory element which currently plagues us.

The problems experienced are as manifold as the ridership we carry, from the legitimate commuter to the homeless, the indigent, the drug addicts, the parolees, the pickpockets, the prostitutes, the derelicts, the criminally insane -- we get them all. The proximity of the rail lines to various prisons, job-corp sites, and halfway houses makes it an ideal mode of transportation. Numerous escapees from prisons head directly for the train station, and armed guards are often seen coming into the station.

Our brothers in New York have been shot and killed. Others have been viciously beaten and robbed from points in Trenton and Bay Head to New York. From alcohol and drug use to spewing obscenities, harassing and robbing passengers, and violence -- it's all there. I have personally been spit on, degraded, threatened with both physical violence and robbery, had bottles thrown at me, and have witnessed a numerous host of such acts. It should be noted also that 90% of these incidents occur after the hours of darkness, the acts themselves being as nocturnal as the animals who commit them.

Concerts in Madison Square Garden are another problem. The group performing seems to dictate the class of clientele. The heavy metal and rock groups spell disaster for anyone on the train that night. They used to board the train with cases of beer; there was drinking and the smoking of dope. There was throwing of cans and bottles at will. The trip in is bearly tolerable; the ride back disastrous. The drunken and stoned not only vandalize equipment and throw their empties at will, but they harass people, interfere with the movement of the train, etc. Gang fights frequently break out amongst

themselves. At least one crew member has sustained serious head injuries from an attack.

From one extreme to another, all of these incidents have a common factor. On New Year's Eve, all of these problems came at once. Numerous passengers were assaulted, robbed, and thrown from their seats. Youths roamed from car to car, shutting off lights after finding a likely victim, and proceeding to rob and beat him. Vandals did untold thousands of dollars worth of damage to equipment, kicking out windows, slashing seats, and casting cans and bottles about. Numerous individuals reported people urinating and defacating on seats and floors. Crew members were threatened by bands of youths, forcing them to seek safety in between stations as best they could. From fear, passengers left the train before their stops and sought out other means of transportation.

All of these incidents have one common factor: little or no police presence or protection. One of the setbacks of insufficient officers on the train is the difficult task of getting assistance in between major terminals. The lawless have a tremendous grapevine and are well aware of these facts, and they frequently control their actions accordingly. It would seem, however, that since the incidents of New Year's Eve, the local departments have been more responsive than in the past, though they, too, are subject to manpower shortages. When we see people walk off a train, people who have harassed passengers, abused them, vandalized equipment— A man had a firecracker exploded in his ear and suffered a permanent hearing loss. The individual who perpetrated this act was let go because of the unavailability of police, or because there were no police riding the train. When decent people fear the thought of riding at night, as is happening now, it is time for a change.

I believe this Committee has the power to do something, and I hope this problem will be addressed.

ASSEMBLYMAN FOY: Thank you, Mr. Madeya. Do you have any questions, Assemblyman Bryant?

ASSEMBLYMAN BRYANT: The only question I have is for Mr. McFarland. You stated that on many of these trains, at least on New Year's Eve, there were only two personnel.

MR. MCFARLAND: Yes, sir. That is the standard crew for those trains.

ASSEMBLYMAN BRYANT: Does it matter how many people are on the train?

MR. MCFARLAND: No, not at all.

ASSEMBLYMAN BRYANT: So, in other words whether you have 200, 500, or 900 passengers, you would have the same number of crew?

MR. MCFARLAND: With 200 people, we could control and man the train properly, but when it becomes 500, 600, 700, 800, it is totally impossible. You cannot get through the aisles. They stand in the aisle and block you.

MR. MADEYA: When they have concert trains, additional ticket collectors are added, but we're looking at four, or maybe five, people on a 10-car train, with in excess of 1,200 people on that train, with little or no police.

ASSEMBLYMAN FOY: Mr. Madeya, if I may encapsulate your statement in a phrase, it is your perception that New Year's Eve is really the tip of the iceberg in terms of the recurring problems which exist with respect to the various lawlessness, as well as the lack of security. Is that correct?

MR. MADEYA: Exactly.

ASSEMBLYMAN FOY: Thank you very much.

MR. MCFARLAND: Mr. Chairman, if I may, I have one other representative, who has taken statements from the crew members who were involved. Mr. Patrick Mangan.

PATRICK MANGAN: My name is Patrick Mangan. I am a Legislative Representative for the New Jersey Transit employees. In light of all of the other statements here, it would be foolish for me to just keep on repeating the items which have been brought up about the windows being broken and everything else. I have a statement here from one of our members, George Duffala, which I will read:

"I, George Duffala, a member of Lodge 60, would like to complain about New Jersey Transit's Free-Ride Program. I worked December 31, 1984 on Train #5436, 9:21 p.m from Raritan, and felt under stress because of the pressures of the hundreds of passengers under the

age of 25, and about 80 under the age of 18. Seventy percent of the passengers had booze with them and, at that hour, a handful were pretty wise.

"I feel that New Jersey Transit, by not having cops on the trains, had no regard for my safety, for the safety of the rest of the crew, or for the other regular passengers. I feel an investigation into the practice of free rides, and into the people responsible for the crazy idea, is warranted.

"If they would like to continue the practice, I suggest they man the trains with New Jersey Transit officers."

Now, Harold Kushman, one of our members, Sue Woodward, Steve Warnick, Tom Jackson -- all of these people have talked to me about the same thing. People with busted noses walking through the trains--

ASSEMBLYMAN FOY: (interrupting) Excuse me. Did Susan Woodward work on the 1:30 scheduled run from New York to Trenton? Is she a conductor?

MR. MANGAN: Yes, she is a conductor. Her train number was 5383.

ASSEMBLYMAN FOY: Her mother called me about the problems which existed on that night, and I will get to that when my turn comes to talk. However, I am well aware of what happened on that one.

MR. MANGAN: Okay. Well, she was very much afraid for her life, the same as most of the other people. Harold Kushman, who also worked, is a man who never took any grief or anything from anyone. He got off the train shaken and white, he was that scared for his own life and safety. You have to understand that if there is an eight-car train, there are 16 doors on one side that have to be handled and taken care of if they go from one area to another area where they would have to change train sides.

ASSEMBLYMAN FOY: On an eight-car train, what would be the normal complement of UTU membership -- your workers?

MR. MANGAN: On that particular night, two men.

ASSEMBLYMAN FOY: A conductor and a trainman?

MR. MANGAN: Yes, a conductor and a trainman; it would be the same thing on the Raritan Valley Line.

ASSEMBLYMAN FOY: They do not necessarily have to be men?

ASSEMBLYMAN FOY: No, I should have said train persons; I'm sorry, sir. On that particular night, just about every train was manned by two persons. As a result, not only was it impossible to be in every car to see and to be seen, but it was almost impossible to handle the traps. The work had to be done mostly from outside, because you couldn't even get in to pass through the cars.

ASSEMBLYMAN FOY: Assemblyman Bryant?

ASSEMBLYMAN BRYANT: Is that the same number of persons available on a normal route when people are paying for the ride?

MR. MANGAN: No, not necessarily. Take the regular morning trains, some of them have four or five, or even as high as six people at times.

ASSEMBLYMAN BRYANT: Let me get a comparison. On a regular train ride, how many people are there per day?

MR. MANGAN: If you are talking about commuters--

ASSEMBLYMAN BRYANT: (interrupting) I understand there were about 23,000 people that night.

MR. MANGAN: If you are talking about a commuter train during the morning rush hour, a train can have anywhere from four to six people on it, depending on the need and what is required. During a holiday, most of your ticket agents are off. Normally, there is an extra collector or two put on for them. As a result, there were no ticket agents to worry about the Free-Ride Program; therefore, the minimum amount of people were manning the trains, which was two people.

ASSEMBLYMAN BRYANT: So, you might have less during this rush of people than you would have normally on a regular commuter train.

MR. MANGAN: Definitely.

ASSEMBLYMAN BRYANT: Thank you.

ASSEMBLYMAN FOY: Thank you, Mr. Mangan. Thank you, Mr. McFarland. At this time, I would like to call Pamela Brown, who is representing the Borough of Metuchen.

PAMELA BROWN: Thank you. My name is Pamela Brown. I am a Councilwoman from Metuchen. I am also the Police Commissioner there. Metuchen, as you know, is located along the main corridor. I bring a letter from the mayor, which speaks for the mayor and the council. I

thank you, Assemblyman Bryant and members of the Committee, for the opportunity to be here today.

ASSEMBLYMAN FOY: Thank you for coming.

COUNCILWOMAN BROWN: The letter reads as follows:

"To Assemblyman Bryant and members of the Committee: I am writing to you on behalf of myself, the Council of the Borough of Metuchen, and the citizenry, who are somewhat aghast at the very serious incidents which took place in the very early morning hours of January 1, 1985 on the New Jersey Transit trains traveling south from New York.

"I will not attempt in this letter to recount all of the details of the stories, since they have been well publicized." And, from the testimony today, you certainly have heard more than enough personal experiences. "It seems somewhat incomprehensible to us, the governing body, that the train was even permitted to leave Penn Station in New York with what must have been realized to be a very volatile situation. If this was not realized by the trainman at that point, it must have been realized by the time the train pulled into the Newark Station.

"Local on-board security forces and other security forces would surely have been able to neutralize any such situation, given the proper manpower. The law enforcement agencies at the stations south of Newark certainly have far more limited resources to deal with such a situation involving large numbers of people. Additionally, communities such as Metuchen may have as few as three officers on duty, and so would be severely hampered in dealing with providing assistance for such civil disobedience.

"The point we would like to make to this Committee is that there should be some standard operating procedure to deal with virtually any emergency situation. You are not addressing only New Year's Eve, but any emergency situation throughout the Northeast Corridor. When an incident such as this does happen, it is imperative that it be dealt with in a swift fashion, utilizing all of the manpower that may be available along the corridor.

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"In the case of Metuchen, our police department was notified of the incident when the train was in Metro Park. The Metuchen Police Department -- which is a 28-man department -- was responding to another life-threatening situation, ironically, which involved a CPR saving of a life, at that exact time. When the police car got to the train station, the train was leaving. This was presumably the pattern throughout the entire journey. Effective communication must necessarily include the ability to communicate over a greater distance than the two to three short miles which separate the Metro Park Station from the Metuchen Station.

"The events of the morning of January 1 must have been extremely traumatic for those who had to endure hours of travel in an extremely threatening situation. Some of our own residents were subject to this trauma, and I believe they have communicated with this Committee.

"We urge you and your fellow Committee members, in coordination with other State and rail agencies, to devise a comprehensive plan to provide a high level of security."

I would like to add that I represent Metuchen on the County Transportation Coordinating Committee, which David Crabiell chairs. That body has put together a formal resolution to this Committee which lists countywide concerns. Specifically, the kind of resident and commuter relief we are interested in seeing involves specific guidelines for municipal response along the corridor, to assist the police on board, if there are any. There needs to be some kind of an early alert process -- communication is poor -- for the local police departments. The local police do work with New Jersey Transit, and have been, in responding to emergency situations, but the communication is poor. The area assignments of New Jersey Transit security appear to be inadequate on a regular basis during daytime hours. I would suggest when there are any kinds of special projects, or special times when large groups of people will be using the trains, that additional procedures should be put into place.

According to our Chief of Police, any improvement that could be implemented would be greatly appreciated by the municipalities along

the corridor because of their experiences in the past, and their frustrations in coming to the assistance of what usually turns out to be residents on board the trains. While we realize there are 1,400 trains a week, and there are 10 lines, there is also a good healthy ridership on New Jersey Transit, and a monthly income of \$6.5 million. I would assume that some of this money could be diverted to alleviate the problem for the people who use the trains. The vigilante mentality that exists in New York is certainly not appropriate for New Jersey Transit, which services a large number of people of all ages. I am hopeful that this Committee can provide security for the people who use the trains, not only on New Year's Eve, but during commuting hours, for recreation, and whenever they want or need to use public transportation.

ASSEMBLYMAN FOY: Thank you, Councilwoman Brown. I appreciate your taking the time to come down here to offer us your thoughts regarding this matter.

I have a couple of questions for you so that I can understand the municipal relationship to New Jersey Transit. You indicated that you believe a standard operating procedure should be devised and implemented. May I assume from that fact that there is no current emergency response relationship with New Jersey Transit regarding the municipalities?

COUNCILWOMAN BROWN: The local municipalities do come to the assistance of New Jersey Transit and take people off the trains.

ASSEMBLYMAN FOY: Do you mean people with health problems, or—

COUNCILWOMAN BROWN: (interrupting) Well, for drunkenness, fights, and that kind of thing. The municipalities have responded. The procedure is inadequate; inadequate would be my word. That is my judgment from what has been described to me by the Chief of Police.

ASSEMBLYMAN FOY: What I am trying to understand is, if a problem occurs with a New Jersey Transit train while it is in Metuchen— Say there is a fire on a train, does the Metuchen Fire Department respond?

COUNCILWOMAN BROWN: Absolutely.

ASSEMBLYMAN FOY: And, if there were a health problem, if someone was having a heart attack, would your local ambulance service respond?

COUNCILWOMAN BROWN: Yes, they would, provided that the communication-- The communication process is poor.

ASSEMBLYMAN FOY: Okay. And, if there was some sort of altercation while a train was in Metuchen, would your local police department respond?

COUNCILWOMAN BROWN: They would respond.

ASSEMBLYMAN FOY: All right. Do you receive any financial assistance from New Jersey Transit, recompense or remuneration for that provision of service?

COUNCILWOMAN BROWN: Gee, I laugh, no we don't. No, this is part of the security system.

ASSEMBLYMAN FOY: Your concern is that you are not given adequate notice, in a sense, about problems which are occurring.

COUNCILWOMAN BROWN: The procedure seems to be very unclear as to how the municipality can provide a backup. What I have heard today in testimony is that there appears to be an inadequate, perhaps, number of security people on the trains or people who can come to the assistance of passengers on the trains. There are area men assigned by New Jersey Transit to specific areas to provide security. They are in cars; they're out. The police departments generally try to contact those persons, or those persons will contact the police departments if they need help. The process is just not formalized.

ASSEMBLYMAN FOY: Is there a specific municipal liaison whom officials at New Jersey Transit deal with regarding these matters and issues?

COUNCILWOMAN BROWN: They deal with the police department in terms of security and with our borough administrator in terms of general matters.

ASSEMBLYMAN FOY: I mean, at New Jersey Transit, to your knowledge, is there someone you can call who handles municipal relations, or whatever?

COUNCILWOMAN BROWN: There probably is, but I would not be the person you would call.

ASSEMBLYMAN FOY: Okay. Assemblyman Bryant?

ASSEMBLYMAN BRYANT: I would like to ask a follow-up question. When you talk about this formal relationship, are there regional meetings -- let's say there are five or six towns where the train stops -- between the police departments and New Jersey Transit's police to formulate procedures?

COUNCILWOMAN BROWN: No, not to my knowledge.

ASSEMBLYMAN BRYANT: That is basically all I wanted to know.

ASSEMBLYMAN FOY: Okay. Thank you very much, Councilwoman Brown. I appreciate it.

Michael Underwood, Legislative Chairman, Brotherhood of Locomotive Engineers will be our next witness.

MICHAEL UNDERWOOD: Good Afternoon. My name is Michael Underwood. I am State Legislative Chairman for the Brotherhood of Locomotive Engineers. I am here today with Mr. Edward Dubroski, who is District Chairman for the Brotherhood of Locomotive Engineers.

Like most other groups that have addressed this Committee, we are deeply disturbed about the incidents that took place New Year's Eve, and we are concerned about having adequate protection provided in the future so as to ensure that this never happens again.

From testimony that was already given, it appears that the biggest problem -- or one of the major causes of this incident -- was the lack of adequate police protection.

I would like to question how much protection would have ensured the safety of the public? You heard a police officer testify before regarding the incidents he experienced, and the fears he felt. I have my doubts about any group of police officers providing the protection that would be necessary to ensure safety.

We feel that the Governor's Free-Ride Program was well-intentioned. However, we feel that it is an example of a well-intentioned program that went sour.

I would also like to say that after all the information which was provided during testimony is examined, and after an analysis is made, unless we can come up with an adequate solution which would provide one hundred percent safety to the operating personnel on these

trains, as well as the commuting public, then the program itself should be discontinued. Thank you.

ASSEMBLYMAN FOY: Thank you very much. Mr. Dubroski?

EDWARD DUBROSKI: Good afternoon, gentlemen. I want to thank you on behalf of our Committee for this opportunity to speak. My name is Edward Dubroski. I am District Chairman of the Brotherhood of Locomotive Engineers, and I represent engineers who are employed by New Jersey Transit, Amtrak, SEPTA, ConRail, and Metro North. The B.L. & E. is hopeful that this hearing will develop a method by which the incident precipitated on New Year's Eve will not recur.

We would like this Committee to be aware that similar incidents have occurred in the past. There are many events taking place in New York City which attract large amounts of people, both young and old. Therefore, additional trainmen and extra police are needed to assist the train crews.

Another thing that must be considered is commuter and employee safety in train stations. Last year, in Penn Station, New York, a engineer was shot and killed. The killer shot six other people and he has still not been apprehended.

The B.L. & E. has met with AMTRAK officials, trying to find ways to improve police protection for employees and commuters. The City of New York refuses to provide additional police to help with the vagrants who have made the train station their home. These vagrants are intimidating commuters by making them pay to have their bags carried. If AMTRAK has these people arrested, they only reappear the next day, since there is a lack of jail space.

I feel that the State of New Jersey has an excellent drinking law, which prohibits the use of alcohol until the age of 21. The problem arises when young people are enticed by a state whose drinking laws are not as rigid, and by the free transportation which transports them to that state. If free transportation is to be provided, the extra protection must also be provided. Thank you.

ASSEMBLYMAN FOY: Thank you very much. I appreciate your taking the time to come down here.

Assemblyman Bryant?

ASSEMBLYMAN BRYANT: I would like to ask a question that I probably forgot to ask some of the other people. In the planning stage, was the Brotherhood of Local Engineers invited to participate in the planning, in terms of what would make an adequate and safe trip, considering what might happen on that day?

MR. DUBROWSKI: No, sir.

MR. UNDERWOOD: No, I don't believe any group was invited to attend.

ASSEMBLYMAN BRYANT: Thank you.

ASSEMBLYMAN FOY: Thank you very much, gentlemen.

At this time I would like to call two of the riders, Frida McLaughlin and David Chwaszczewski.

FRIDA McLAUGHLIN: Thank you, Mr. Chairman. I am here on behalf of my son, John. He and a party of seven, both male and female, went to New York City on New Year's Eve. Unfortunately, none of them could appear today because they are all back in college.

I will just read you this, as it was related to me. My son and seven of his friends, male and female, ranging in ages, from 19 through 24, boarded the train at Penn Station, New York. The lights were on in the car for about 10 minutes and the doors were closed.

Suddenly, the lights went out and for the next 20 minutes the assaults took place. My son assisted a friend, who was trying to protect two girls. Another acquaintance was kicked numerous times.

At this time, John's date, Dianne Earnst, from Marlboro Township, was being assaulted. Her coat was ripped open and jewelry was ripped from her neck by three blacks. By the time my son got to her, her thumb had been severely bitten. When I say severely bitten, it was hanging. Her nail was off. It was brutal. Literally, it was just severed.

My son and a middle-aged man managed to pull the assailants away. One of the assailants jumped up on a seat and kicked the man in the head.

It is estimated that eight blacks created the melee. Their ages were between 18 and 24.

The lights went on and the doors opened. Either Transit police or New York City police told them to get off the train, or to change trains. No assistance for their wounds was considered. No apprehension of the assailants occurred. There were no conductors or police on the train when the assaults took place.

Upon arriving home, at 5:30 in the morning, we had to take them to the Riverview Hospital in Red Bank, to the Emergency Room. Their injuries were such that the doctor in charge would not touch them. He called in a plastic surgeon because of the severity of the wounds.

At this point I am going to show you a picture of John and another picture of how he appeared after the assault.

ASSEMBLYMAN FOY: Would you pass those up here, please?

MS. McLAUGHLIN: Yes. His suturing was all through his lip. Skin had to be cut. Many, many stitches were put inside his mouth, to the point where for one week he maintained a liquid diet. His hair was missing in spots. It was just an absolutely brutal evening.

The incident was reported to New Jersey Transit and forms were submitted to us, filled out, and returned. Also, Detective Riccardi called regarding a photocopy lineup. My son has agreed to look at the lineup, although he feels that nothing will be accomplished, as the train was dark when the assaults took place.

I would like to tell you that my son participated in the free ride last year. He enjoyed it very, very much, as did some of his friends who were with him this year. However, he did comment last year that he felt very secure because there was an officer on the train -- in his car, in particular.

I feel this is really very unfortunate. It is a sad day when one can't go where one pleases without having this kind of assault take place.

I did want to make this statement on behalf of the kids, for the record. Thank you.

ASSEMBLYMAN FOY: Thank you very much.

ASSEMBLYMAN BRYANT: Excuse me, I have a question. You said that at the time they were on the train, the lights went off for about 30 minutes and there was no conductor on the train.

MS. McLAUGLIN: Nobody.

ASSEMBLYMAN BRYANT: Then the police did come onto the train?

MS. McLAUGLIN: The doors opened. Finally the doors opened, and then the police did board the train. They were unable to identify, though, if the police were Transit or New York City police at that point.

ASSEMBLYMAN BRYANT: Whatever authority it was, no one wanted to deal with the injuries there, and those persons had to travel? What distance did they have to travel before someone took them to the hospital?

MS. McLAUGLIN: Well, they traveled from Penn Station, New York to— They were actually supposed to come into Little Silver. We are from Rumson. But, that couldn't be. They had to go to Matawan. They could not take that train. They called another friend with a car in order to get everyone home. Now, this was 5:30 in the morning, at which time we had to take him to Riverview.

ASSEMBLYMAN BRYANT: And it started at 3:30?

MS. McLAUGLIN: It was on the last train that left. I think it was 2:30 or 3:00 o'clock; it was somewhere around that time.

ASSEMBLYMAN BRYANT: And, during this three-hour hiatus there was no one? At the time they arrived at the station, there were no calls made to have an ambulance ready, or whatever else was necessary?

MS. McLAUGLIN: No. The first person they saw was in Matawan.

ASSEMBLYMAN BRYANT: Thank you. I'm sorry to hear about this.

ASSEMBLYMAN FOY: Thank you. Yes, sir. You are going to have to pronounce your name and spell it.

DAVID CHWASZCZEWski: Okay. It is David, and the last name is Chwaszczewski. That is C-H-W-A-S-Z-C-Z-E-W-S-K-I.

First of all, I think they got it wrong when they said I was a rider. I was an employee of New Jersey Transit, and for four years -- now, this is going back to New Jersey Transit's predecessor, ConRail -- I have been dealing with Congressman James Florio, complaining about the exact situation you heard these people testifying about today.

Now, for Mr. Premo to go on and say he didn't know anything about this until this incident happened, I would like to read a letter to you from Mr. Florio to Mr. Premo. I will not read the whole letter, but it is dated May 2, 1984, to Mr. Jerome Premo, Executive Director, New Jersey Transit, McCarter Highway and Market Street, Newark, New Jersey.

"Dear Mr. Premo: I have been contacted by a number of employees of New Jersey Transit Rail Operations, who have expressed serious concerns to me regarding...management practices.... These concerns raise important questions which I would appreciate your addressing.

"In particular, these employees have expressed concern about the lack of police protection on trains and in stations. Lack of adequate police protection can endanger both employees and passengers.

"As you are aware, recently there have been several tragic events in Penn Station, New York. In addition, concern has been expressed about the need for police protection on late night trains, particularly after major events, such as concerts in New York."

Mr. Premo's answer, which took some two months to receive is as follows: "With respect to the lack of adequate police protection, particularly the recent tragic events at Penn Station, please be advised that NJTRO takes every action within its power to ensure the safety of its employees and passengers.

"However, I am sure you are aware that the responsibility for securing police protection for employees and members of the public at Penn Station, New York, is solely within the jurisdiction of AMTRAK."

Well, that is very good, but Mr. Florio's comment was, "On trains and in stations;" he didn't just isolate it to Penn Station, New York.

I was a conductor with New Jersey Transit. I have, on several occasions, been pushed, shoved, and spit at by people who come on the train drunk and rowdy. If you make a complaint to your superior, which I did in a letter-- I told my superior about these recent-- Well, it was 1981 when I wrote the letter to him. I will let you gentlemen look at these, rather than read the letters. Anyway,

what they do is, if you complain about the facilities-- As was said, there are 10 cars and two men, and if somebody goes by, they are stopped. They said before that there was no trainman available. Guess what? They are going to pick on whoever was on that train, and they are going to discipline that man.

Now, you heard people say that there was no train personnel in sight. Would you go out there with that kind of a crowd? That is the first thing; you are the authority figure. If you are three hours late, who do they come to? They come to the conductor. I have had people take punches at me because the train was an hour late, there was no heat, or there were no lights.

I don't know what Mr. Premo is thinking of, because he says they were not aware of this. He was made aware of this in May. He took two months to answer, so, naturally, he must have taken his time to figure out what he was going to say and how he was going to say it. His wording was actually, "It is Amtrak's jurisdiction," so don't worry about anything else -- you know.

Mr. Florio also wrote a follow-up letter, because he was not satisfied with that.

ASSEMBLYMAN FOY: All right, thank you. Are there any questions? (no questions) Thank you very much. I appreciate your taking the time to come here today.

Why don't I call Mr. Premo at this time. I believe he has the Commissioner and his Vice President for the railroad with him.

COMMISSIONER JOHN SHERIDAN: Mr. Chairman, if you will indulge me, I would like to go first, if I may.

ASSEMBLYMAN FOY: Fine, Commissioner.

COMMISSIONER SHERIDAN: Mr. Chairman, members of the Assembly Transportation Committee, I am here this afternoon as Chairman of the New Jersey Transit Board of Directors. With me are Jerry Premo, Executive Director of New Jersey Transit, and Alan Dustin, Vice President and General Manager of New Jersey Transit Rail Operations.

With your permission, Mr. Chairman, I would like to preface the report on the events of New Year's Eve and early New Year's Day, which Mr. Premo and Mr. Dustin will provide, with some remarks. The

report will fully detail events and circumstances, as we know them, which resulted in a series of incidents on our transit system during the New Year's Eve Free-Ride period.

I will tell you that I find being here a very difficult experience. I am absolutely convinced I should be here. I should hear this first-hand. We have spent a lot of time on this. Jerry has spent even more time than I have -- with us and with his staff -- over the past weeks, trying to figure out what we did and did not do. I will just tell you at the outset that we did not perform as we should have. We should have, and we could have, done a much better job of planning and preparation. As Chairman of New Jersey Transit, I feel I share the blame for that.

I can assure you that during the remainder of my tenure as Chairman, to the extent it is humanly possible, this will not happen again. The safety of passengers on our public transportation system must be our highest priority. There cannot be any excuses for the breakdown of safety which occurred, and I will not make any excuses.

I hope that the people who were hurt, harmed, or inconvenienced in any way will accept my sincere apology for this event.

I believe we at New Jersey Transit have set some pretty high standards for ourselves. I would think that-- I believe this to be true: Overall, the agency's performance has been excellent. I won't tell you we don't make mistakes; we make them every day. We make mistakes because we are trying to do better.

Having said that, I would like to add a few comments before I turn this over to Jerry. First of all, I appreciate the constructive attitude of the Committee in dealing with this issue. I think we all can and should learn from this terrible series of events, and I appreciate what the Committee is trying to do.

I do have one concern that I feel compelled to state. New Jersey Transit, in my opinion, is a young, energetic, imaginative organization that has proven it does a good job, overall. I believe it has lived up to, and will continue to live up to -- or exceed -- the great expectations this Legislature had for it when New Jersey Transit

was created five years ago to meet the public transportation needs of the State.

The organization was well-conceived by my predecessor, Lou Gambaccini, and this Legislature. It was set up in a way that would allow it maximum leeway to do the job and relieve it of many restrictions that some other governmental agencies have which have caused those agencies to be laden with red tape and cautious to the point of being unable to act.

I believe you want and need the kind of agency here that will try new ideas and new and better ways of doing things. I believe neither of us wants an agency that is so worried about making mistakes, and so concerned about criticism, that it becomes afraid to try change.

We both want the kind of agency described in a recent best seller, "In Search of Excellence." We want a dynamic, energetic agency that is constantly looking for a better way, a better way to improve our bus and rail system, and make New Jersey better; an agency that is looking for new and different ways to attract people out of their cars and onto buses and trains.

It is this kind of spirit and attitude that will make New Jersey great. It is this kind of spirit and attitude that will make New Jersey Transit great. It is this kind of agency that the Governor, the Board, and Jerry Premo have tried to create in New Jersey. It is this kind of agency, I think, that the Legislature envisioned and hoped for when it created New Jersey Transit.

Thus, I think it is perfectly appropriate for this Committee to look into the situation of New Year's Eve. We welcome constructive criticism; we hope we can learn from it. We have to know what went wrong and why it went wrong, but, I am hopeful that you will do it -- and I believe from what I have seen today that you will -- in a way that will not kill the spirit or sap the morale of the very fine people who work at this fine, young organization.

Just in summary, we desperately need to learn from this mistake -- and it was indeed a mistake. I believe we will learn from it and we will do better as we go forward.

I thank you for your patience and for listening to me. I just wanted to make that point, because I hope you all agree that this agency has performed as well as any governmental agency I have seen.

ASSEMBLYMAN FOY: Thank you, Commissioner. For my part, I am not one who is ever inclined to throw the baby out with the bath water, so you don't have to worry about that. There are good things done by New Jersey Transit, and our role here is to try to improve on those good things, try to make them better, and ensure that the things that didn't turn out so well do not happen again.

You have had the opportunity -- however uncomfortable it may have been -- to hear just what the people are saying. That is our function too. We must respond to the people who were elected or appointed to serve. That is why I am glad so many officials are here.

I do have one question for you, as Chairman of the Board of Directors. Prior to this year's New Year's Eve incident, did you have any contact with the Executive or staff about it? What was your role, with respect to the planning process, regarding the New Year's Eve Free Ride Program?

COMMISSIONER SHERIDAN: Let me tell you this: Last year was the first year we did it. When I say last year, I mean New Year's Eve beginning 1984, ending 1983. There was considerable discussion about the program at that time between Mr. Premo and myself. I don't specifically recall whether it involved other staff besides Mr. Premo, but I thought I knew and understood the program well. I made a very strong recommendation to the Governor that he endorse the program, which, on my recommendation, he did.

My recollection of what happened that year was that it was a very successful program. If there were incidents, I don't believe any of them came to my attention. If there were incidents, I think, at worst, they were sporadic.

I think when you hear from Mr. Premo today you will understand that we did not have a system-wide problem this time. Even though there were several events, they were isolated in certain areas.

ASSEMBLYMAN FOY: With respect to New Year's Eve, 1984, was it your recommendation to have the Administration continue with the program?

COMMISSIONER SHERIDAN: Jerry and I discussed it. It was my personal recommendation that we go ahead with it again this year.

ASSEMBLYMAN FOY: Was there any resistance on the part of the staff of the Executive Director regarding that decision?

COMMISSIONER SHERIDAN: Absolutely not.

ASSEMBLYMAN FOY: Was there any reluctance on their part?

COMMISSIONER SHERIDAN: No. I think we were lulled into a false sense of security because of what happened the year before.

ASSEMBLYMAN FOY: Okay. Thank you, Commissioner.

Assemblyman Bryant?

ASSEMBLYMAN BRYANT: As Chairman, Mr. Commissioner, one of the things I am interested in is sort of a follow-up to the previous questions. I understand you said you adopted a program, but in my mind there might be a difference between a program which offers free rides and how many trains will run. Was the plan that was going to be implemented brought before the Commission, in terms of how the details of that plan were going to be worked out?

COMMISSIONER SHERIDAN: No, I can't tell you it was. If it was, I don't have a good recollection of being involved in the details. If you mean numbers -- the exact number of trains, the exact schedules, and the exact personnel complement -- I don't believe I was involved in that.

ASSEMBLYMAN BRYANT: As Chairman, let me ask you this: Subsequent to this event which happened, did New Jersey Transit look at it in terms of the full planning scale? It seems to me that when you run trains, and you run them free, there are a couple of things involved. You probably have more passengers, and you probably have a different type of passenger riding those trains. It seems to me that New Jersey Transit, as a corporation, should look at a plan it is going to implement, and have backups in terms of what will happen if there are any mishaps.

COMMISSIONER SHERIDAN: Mr. Chairman, you are absolutely right.

ASSEMBLYMAN BRYANT: I am Monday-morning quarterbacking now.

COMMISSIONER SHERIDAN: I understand that, but obviously when something does not go the way you would like to see it go, and you are aware of the circumstances-- We have prided ourselves at New Jersey Transit with trying to address those kinds of problems.

I knew very well, and it specifically came to our attention, that there were problems on concert trains. It came up at our Board meeting six or eight months ago, and there were specific directions given to staff to deal with that. I believe that we have made a major increase in terms of personnel. Why there was no sense that the free ride might bring about the same kind of a problem, the kind of a problem that occurred this New Year's Eve, I don't know. I can just tell you that it was something that did not occur to me. Perhaps it should have occurred to me. It did not.

I guess we just had a sense that things went so well last year, we just did not anticipate this kind of a problem. We probably should have, but we did not.

ASSEMBLYMAN BRYANT: Had staff previously requested more security funds in their budget for New Jersey Transit?

COMMISSIONER SHERIDAN: There has been a request, not by staff but there was a request, that I became aware of, from the PBA that we add additional security personnel.

What we are always doing, in all of these cases, is balancing various issues. I can tell you that we could not afford-- I am not saying we can't put police on a New Year's Eve train when we know there is going to be a problem, but we cannot afford, as a transit system, to have police personnel on all our trains. That would absolutely bankrupt an organization.

I am not saying that the PBA suggested that. We have known that we had security problems at Penn Station in Newark. We made a dramatic increase in personnel. One of the reasons for the Penn Station transaction was because we thought security was inadequate. We got sufficient funds and we did a lot to beef up security at that station. Today, Penn Station in Newark is a vastly different place than it was a year ago, in my opinion -- and I go through there quite regularly. It is a vastly different place than it was a year ago, when

there was an inadequate security force and a lot of vagrants and other people hanging around the station, using it as a place to hang out. I think that has largely been put to rest. That does not occur there any more. It is also a visibly attractive place, compared to what it was before.

We also have -- and I am sure Jerry will get into this -- offered free rides on our trains and buses to any policeman in uniform in the State, in order to encourage them to use our trains and buses and to encourage an atmosphere of safety. We have put special signs on the sides of our buses, push-button signs, that signal the police to let them know there is something going on in the bus, so they can come to the aid of the particular situation.

We have done many, many more things in the security area that I am sure Jerry will tell you about. We have already beefed up the complement of police on the railroad, over and above what it was pre-ConRail takeover, but I am not absolutely sure about that. We have put major security cameras in our North Broad Street train station, and we have, on order, a major capital investment for security cameras at Penn Station. So, it is not as if safety is not on our minds. It is on our minds. We want a safe system. We believe we have, overall, a safe system. Compared to any other transit system it is safe.

Unfortunately, we did have these incidents which we did not anticipate. I can tell you, like any other issue we have tackled at New Jersey Transit, I believe we can address this and we will address it.

ASSEMBLYMAN FOY: Thank you, Commissioner.

Mr. Premo?

JEROME C. PREMO: Thank you, Mr. Chairman and Assemblymen. To my right is Alan Dustin. He is Vice President and General Manager of our rail operating subsidiary.

Let me get right to the central point of this hearing: What happened New Year's Eve on our buses and trains? In a nutshell, we carried over 70,000 riders, far more than the first year of our Free Ride Program a year ago, and vastly beyond the 12,000 or so riders we carried on New Year's Eves in the past, prior to the initiation of the

Free Ride Program. Worded differently, we carried 58,000 more people a few weeks ago, on New Year's Eve and New Year's morning, than we carried early in the '80s and in the previous years.

Nearly all of these riders enjoyed the safe, dependable ride we are in business to provide. However, a few thousand late-night riders, mostly on our rail lines out of New York and Newark, suffered long delays -- as you have heard here -- and did not enjoy the safe and dependable ride that is our hallmark.

Frankly, a lot more people boarded our buses and trains, particularly our trains into New York, than we expected. A whole host of factors, which, if you like, I can explain in detail, resulted in delays coming into New York, causing, in turn, delays leaving New York, thus creating the problems we are hearing about.

I would like to put this year's Free Ride Program into context. We had about 50,000 people in our buses and trains a year ago, and it was a success. It was a success, not only as viewed by us at N.J. Transit and by many around our State; it was viewed as a national model by bringing home to people the importance of public transportation day in and day out, not just on New Year's Eve. It provided safety and dependability for people by getting them out of cars and providing them with an alternative to driving. It also dealt with the broad societal issue of drunken driving.

The simple fact of the matter is that the success of our initial year of free rides accrued a sense of comfort within N.J. Transit that our operation this year would go equally well. We did not expect the crowds that rode, especially on our trains.

Why were there a lot more people on our buses and trains this year? It was very warm on New Year's Eve; that was one factor. The fact that the ball in Times Square was going to drop for the last time -- or at least that is the current configuration -- led to a bigger turnout.

The regional meeting regarding free fares, not only on N.J. Transit but on the Transit Authority's lines in New York, publicized, far more broadly, the availability of the program than existed previously.

Our own campaign to discourage drinking and driving was a factor. And, finally — and this is something that can't be formally quantified — the drinking age is different in New York than it is in New Jersey.

The net effect of all these factors was to create a far greater ridership than we had a year ago, more, in fact, than we were prepared for.

What did we do on New Year's Eve in terms of bus and train service? A year ago, just N.J. Transit bus operations provided free service. Understandably, the private operators wanted to do their part by providing public transportation for citizens in areas where private operators run. So, we had a total of six bus companies that are under subsidy contract with N.J. Transit, plus 27 private companies, providing bus service. Essentially, there was no problem on any of these carriers. We will be reimbursing the private carriers for expenses incurred as part of this program.

Second, our bus operation, which, as you know, operates in 20 of New Jersey's 21 counties, provided a lot of service during this 8:00 P.M. to 8:00 A.M. period. We ran the 213 buses that are regularly scheduled during this period, and we put on 33 extras. Ridership went up 40 percent, from the nearly 35,000 of a year ago to slightly less than 50,000 this year.

We ran buses all over the State, with particular emphasis on our local service. We ran some buses into Philadelphia from South Jersey. And, from North Jersey we ran buses into the Port Authority Bus Terminal in Midtown Manhattan.

Finally, with respect to our railroad operations, during this 12 hour period — again, from 8:00 P.M. to 8:00 A.M. — we operated 81 regularly-scheduled trips, and we put on some extra trains as well. We adjusted the schedule a bit — for example, out of Hoboken — to provide a later, a 2:00 A.M. rather than a 1:30 A.M., departure from Hoboken, but we added three extras in our original planning. One was on the North Jersey Coastline, one was on the Raritan Valley Line, and one was up into Bergen County, out of Hoboken.

Finally, as the evening progressed and we got a sense of the extra-heavy ridership that was occurring, we made arrangements for an extra train to service the heavily-used northeast corridor.

So, in effect, we had the 81 regularly-scheduled trains and four additional trains. Ridership increased 50 percent, from around 15,000 to nearly 23,000 this year.

Rick, if you would help me, we can show you where this ridership was. This is a map of our rail system, and it is important to get a sense of where these riders came from and where they went.

On the Hoboken Division, which runs into Hoboken -- the blue line -- you can get a sense of this. We had a train up into Bergen County, and our old Morris and Essex. Now, the new Morris and Essex line goes out to Summit; it then splits and goes up to Morristown and down to Gladstone. On that line, we had about 4,100 riders. That was up from 2,700 a year ago. So, we had a relatively modest increase and, I would emphasize, no problems at all of any consequence on that service operating out of Hoboken.

On the other hand, our so-called Newark Division has three spurs: The northeast corridor, which comes from Trenton, upward through New Brunswick, Metro Park, right up through Elizabeth, Newark and into New York's Penn Station. That is the basic northeast corridor line, owned by AMTRAK. Feeding that line are two lines that are principally-- Well, there are two lines: One is the North Jersey Coastline, operating all the way from Bay Head up through Asbury Park, Long Branch, and all through Matawan, the Amboys, and then up into the corridor, into Newark, and into New York.

And, finally, there is our Raritan Valley Line which runs from the western part of the State in the more dense ridership area of Somerville, Raritan, Plainfield, and Westfield. It then connects again into the corridor, and in.

On this line, our ridership increased from 12,600 to nearly 19,000. So, I appreciate your patience as we give you a sense of where this is, because this, in turn, sets the stage for some of the problems we had.

Quick context: We said we would run free bus service and free train rides from 8:00 P.M. to 8:00 A.M. Some people interpreted this as creating an opportunity for continual free rides: show up at a train station, get on a train, and off you go.

What we tried to do, but clearly failed to do adequately, was to communicate the fact that this was on our regularly-scheduled service, plus the extra trains. All the press releases spoke to the issue, but we somehow didn't do what, as N.J. Transit, we try regularly to do, which is to make that extra effort. In these circumstances, we did an inadequate job of emphasizing to the people when the last trains or buses were leaving. This was particularly a problem at the New York Port Authority Bus Terminal, where some people came in after the bars closed at 4:00 A.M. and asked, "Where is our bus? It is time to go home." We just don't run buses all night long to everywhere. So, we had some problems -- not at all as reported in the press though -- regarding the Port Authority's Bus Terminal.

What is the story on a few late trains? We had long delays on a number of trains. This was caused by a combination of the late arrival of equipment and-- What we had was a train that was supposed to get into New York at 11:43 P.M. It was coming from Bay Head. A train coming from New York stopped. It was delayed at South Amboy for a while. Rick, will you point out where South Amboy is on this map?

There was a report of a stabbing on the train. When running a train, we don't announce that there is a possible stabbing on the train. You simply don't do that. You have a delay and you make up some reason for it and you say, "We appreciate your patience."

We had a report of a stabbing. We went through the train. We were unable to ascertain, or to validate, this claim. But, we had a delay there. The train continued on and the brother of the individual who happened to be stabbed on this train came forward to one of our crew members and said, "I am afraid my brother is going to bleed to death; you have to help us." So, we subsequently stopped the train in Rahway. In each instance, we called ahead for police help. The police helped us. We got an ambulance arrangement, but further long delays occurred while we got the fellow off, made sure we had an ambulance, and that everything was taken care of.

We had a whole lot of people on this train, and they weren't very nice anyway because many of them were too young and they were drinking. So, we had a train arrive in New York, not at 11:43, as scheduled, but rather it arrived in New York at 1:06 A.M. That train wasn't fit to turn around and go out, despite the fact that the train was supposed to leave New York at 12:40 in the morning.

We had to clean the train. We subsequently had equipment problems on that train. And, if there is anything, in retrospect, that leaps forward from our analysis of what occurred, it was the lack of backup equipment -- lots of trains just sitting around for the worst case to materialize. We didn't have it. We didn't plan for the worst case. Therefore, we didn't have a train ready to move out of New York filled with people, on time. We had to wait.

Then, as I said, we had equipment problems with the train. That was part of the reason for the 20-minutes of darkness on the train that was mentioned previously.

The train that was supposed to leave at 12:40 ran into lots of problems. It left very late and it created chaos in New York. It affected not only New York; we had, in Newark, a train -- since we can't run trains into New York from our Raritan Valley Line -- to connect out to Somerville, and the like, and the people there were anxious.

We had a decision to make, of course, during this whole period, and that is part of the dilemma and also the excitement of managing and operating public transit. You have to make judgments all the time.

One individual said we shouldn't run trains. Well, what were we going to do with 1,600 people on a train in New York? At some point we had to leave, or else we would have had a genuinely chaotic situation in New York.

Our goal was to, as best we could, move out smartly from New York and Newark, get people to their destinations, and get them off the trains, because there was really ultimately no way, given the overcrowding and the like, to solve the problem once it developed.

Now, in Penn Station, New York, AMTRAK marshaled its forces to deal with the situation by saying, "Hey, these are free trains. We should not have people in the waiting area upstairs; we should get them down the stairs and onto the trains." But, when we ran into the equipment problems, what resulted was packed trains that were delayed longer, and the situation just built on itself and a mess resulted. We are not going to, in any fashion, suggest we had anything other than a mess.

We can go into more detail, as much as you want, on each train, the number of people on the trains, and the crews. Most of our trains had, for example, six cars and three individuals working the trains. In some instances there were less. We weren't collecting fares, and that is one of the basic objectives of our ticket collectors, for example.

The basic point of all of this was that some of the late-night trains ran into problems. They were overcrowded with noisy and often drunk riders, many of them under 21, and all of them encountering delays. These delays just intensified the situation.

What about security? I hope you will be patient as we recall the situation of a year ago. We based our expectations this year — obviously Monday-morning quarterbacking, and maybe not as well as we should have — on the experience of last year, which was clearly an overwhelmingly positive success. We had more officers on this year than last year, but only slightly more.

AMTRAK had nine officers in Penn Station, New York, and we had, at Newark— Let me see. Excuse me. AMTRAK had nine in New York and two in Newark, instead of their usual complement of four or five. So, they were up from what they had. We had seven officers explicitly on duty at Newark Penn Station. We had officers at other locations, including Hoboken and our Broad Street Station, and a couple of them came over during the night to Newark's Penn Station.

Our normal complement would be four or five officers, but with the additional police who came over from our Broad Street Station, we had nine there. In addition to N.J. Transit officers, as I said, we had a couple of AMTRAK officers at our Newark Penn Station.

In terms of formal injuries that have been reported to us, we had a total on the system of 16 injuries, although thankfully none of them required hospitalization. Please understand, I am not in any fashion suggesting a disregard for the seriousness of the injuries, including the son of the woman who was here previously. I am merely stating the fact that none of the individuals were hospitalized overnight, that I am aware of.

Regarding the damage to our equipment, we obviously had filthy cars that required a significant effort to clean up.

In terms of formal damage and the kicking out of windows, we were able to be put them back in. The glass was not shattered in the windows. We experienced 17 slashed seats in our entire set of cars. The estimated damage was \$1,000 from all of this.

What lessons did we learn from all of this? First and foremost, we must do better advanced planning. I personally failed to direct N.J. Transit management to do the kind of "what-if" contingency planning that is the hallmark of how we at N.J. Transit do business. We were lulled into a misplaced sense of confidence by our earlier New Year's Eve success. It was my fault, and I can assure this Committee and the riding public that it will not happen again.

Better contingency planning would have resulted in our having many more backup trains and buses available to carry the higher-than-expected ridership, and to fill in for any equipment problems.

We need to better coordinate our efforts with AMTRAK and with the Port Authority of New York and New Jersey, in both the operating area and in the area of security.

Likewise, as Councilwoman Brown indicated, we need to do a better job with local police departments who share our concern for safe public transportation.

We have a good relationship with local government. The response is terrific. The fact is, we need to do better contingency planning, "what-if" planning, and we need to ensure that we provide maximum advance notice to local governmental units along our train lines in situations like this, or St. Patrick's Day, or rock concerts, or other such things.

In using our own police, we need to do better planning. Worded simply, these able and dedicated officers have to be used in the most effective manner possible.

Looking back at New Year's Eve, I didn't plan for all the possibilities; rather, I planned for the probabilities. We were overwhelmed on the Newark train side that late at night, and we, our riders, and our workers suffered the consequences.

But -- and I hope this isn't just a lame "but" -- tens of thousands of others throughout our State benefited greatly from the safe, dependable, free service that we and the private bus companies provided.

Should we offer free service next New Year's Eve? I believe our Board should consider this issue in November, or in early December. By then, we will have had much more experience with services somewhat akin to our New Year's Eve service, such as St. Patrick's Day train service into New York, and future rock concert trains.

It seems to me that there is no need at all to rush into a decision now about service to be provided more than 11 months from today. That doesn't mean, by any stretch of the imagination, that we shouldn't be continuing -- as is occurring now -- a careful, thoughtful, internal examination.

I can assure you of this, however: Each of us at N.J. Transit will do everything in our power to operate the safest, most dependable service possible, not just on New Year's Eve, but day in and day out.

Mr. Chairman, you have asked questions repeatedly here today about planning. You are right on target. Good planning is good management. We have, in my opinion, the best management team of any public transportation system in this nation. We are a team of proud, innovative thinkers and operators who love to succeed. We want to serve our citizens well and, in turn, receive the respect that we are striving to earn.

Let me conclude with three personal thoughts, if I may, Mr. Chairman. I appreciate your patience as I go through this.

One, we failed to do "worst case" planning, and that is my fault. I apologize to those who were so inconvenienced, threatened, and injured by what happened, just as I am pleased that so many other tens of thousands of our riders benefited from the provision of free service.

Two, I am affronted as a citizen by the irresponsibility of many of our younger citizens, who acted like "jerks," or worse on a few of our trains on New Year's Eve. I am saddened and upset by their behavior.

Three, you are right on target to ask us to report to you on our service. You, the Legislature, set up N.J. Transit and we are always available to report to you on our progress and on our problems.

That is an overview. We are doing a lot to assess this situation. We have talked to our employees. We have talked to each other. We have thought about it. And, I have tried to encapsulate the conclusions, Mr. Chairman.

ASSEMBLYMAN FOY: Thank you very much, Mr. Premo. I appreciate your taking the time to come down here, and I appreciate your efforts regarding a thorough analysis of what you perceived to be the situation, its shortcomings, and what you hope to do in the future to obviate this ever occurring again.

I have some specific requests, before we get into questions, regarding additional information we will need from you and your staff, and from the Commissioner, in order to properly conclude these hearings — because we do intend to have another hearing.

Now that the Governor has called for a report from you, it may very well be that if you supply us with a copy of the Governor's report, it will answer the questions I have, and will give us specific information.

Let me advise you as to what we need. One, I would like to see what, if any, internal planning memos you have regarding this year's New Year's Eve situation — the Free-Ride Program. That would include the minutes of any meetings you might have had with the Authority, or anything like that.

Two, I would ask you to have your staff compile a comparative analysis of last year's incidents regarding criminal activities -- vandalism, damage, and things like that -- with what occurred this year. We would like to be able to compare the situation with relation to the increase in ridership that occurred.

In addition, we would also like to know the personnel statistics and the specific lines that ran, as you mentioned on your chart. It would probably be helpful if we could have a condensation of that chart made available to the Committee -- something in 8 1/2" X 11" form, so that we can look at it and understand it. Then we would like to have your thought analysis regarding what specific things you intend to do in the future in, A, an "any-case" situation, when you decide to have a New Year's Eve Free-Ride Program and you anticipate it going well; and, B, a "worst-case" situation for 1985, if all does not go well and you have something akin to a repeat of this year. So, let us see something like that, in terms of some game plans you might have.

You also heard some comments today regarding the fact that while New Year's Eve was the incident which brought this to the public's attention, there might be recurring problems on a number of your lines, whether they are in relation to an event such as a concert, or whether they are in relation to a time of night, or a particular run and its ridership. What is your particular mode of addressing those issues going to be?

Last, we would like something regarding your relationship to the employees, in terms of having regular input from them in relation to problems that occur. I don't know if you have a suggestion box or a complaint form, or whether you have labor/management meetings monthly, asking the union heads to come in and tell you what is going on. We need to know the procedures that are followed when things occur which are abnormal. What does the employee do? What is the mechanism used to advise you? And, what is the followup on the part of management, in terms of addressing those issues?

So, those are all the informational things I need. I will let Assemblyman Bryant start off with questions.

The hour is getting late and I would propose to do a couple of things. One, I would like to conclude with Mr. Premo and the Commissioner's staff in terms of questions. I would then like to take a brief recess. I am going to have to leave because I have a legal appearance to make on behalf of a client down in Burlington County, for which I am already late. I will be later if I don't get out of here soon.

I will ask Assemblyman Bryant to stay, if possible, and conclude the rest of the hearing. I know we have some additional witnesses who would like to testify today. If, because of your personal scheduling problems, you prefer not to testify today and you would like to come back or submit your statements in writing, I am sure we can accommodate your requests.

But, after we finish questioning Mr. Premo, I am going to have to excuse myself. I apologize for that. Assemblyman Bryant will again Chair this meeting. Thank you. Assemblyman Bryant.

ASSEMBLYMAN BRYANT: Mr. Premo, thank you for your quite adequate comments. I do agree that in most areas New Jersey Transit has done an excellent job. Unfortunately sometimes -- at least in your statement -- it almost sounds like the "Tale of Two Cities." I hear all the people testifying about what a big problem it was, then it seems like we kind of gloss over that and we talk about the tens of thousands of people who enjoyed themselves, and about only having \$1,000 in damage, and 16 reported cases. I imagine there were many more reported cases than that.

This always reminds me of the theory that if one person is suffering an injustice, then we are all suffering an injustice. So, it doesn't seem like the weight of those who had a great time outweighs those who had a bad time. I don't want to leave this hearing -- at least this Chairman doesn't want to -- with the impression that because 40,000 people had a great time and 2,000 people had a bad time, that that is a tolerable limit. Also, there is the comparison theory: Everybody else is so bad, and we just happen to be better in a particular area, so, all of a sudden, we are great. It all depends on what you are comparing it to, because if they are both rotten apples,

one might be more rotten than the other. In this particular isolated incident I think we did a very, very poor job.

I still have not heard what the planning mechanism was. I am not talking about the program. What was the plan? How was it started and developed, and what was the analysis that went into the plan?

DIRECTOR PREMO: Let me speak to that, if I may, Mr. Chairman. I will also do my best -- as I thought I tried to do in the written statement -- to make it clear that we did a lousy job for those people who were affected by this service. If I have, in any fashion, suggested other than embarrassment, disappointment, and regret for the inconvenience and harm that was done, then I didn't craft it the right way.

On the other hand, the only reason I wanted to emphasize the full program was because you asked for a report on the New Year's Eve program. That is the context for that.

With respect to the planning that occurred, specifically, for that portion of our service which was a problem -- and there is no doubt it was -- we built on what we did last year. We had an operating plan in effect last year. We examined where we thought we might have extra service.

ASSEMBLYMAN BRYANT: I don't mean to interrupt you, but I want to start to get into more detail: "We," who are "we"?; how was that first plan developed?; and, were unions involved? Because I believe, from a management technique standpoint, you always deal with those who have to execute the plan, and if anyone is going to be very involved, they should have some input. I am not sure that they had any input into what would be an overall plan. This doesn't mean management has to accept their input.

It is very, very easy for me -- I can only tell you this because I ran the Transportation Department in Camden County -- to sit and make decisions. However, I always thought it was necessary to have the people who had to carry out the orders or the plan, at least give me their analysis as to what should be in the pot. I am not sure, because I am still not getting any answer to that. We -- I don't know who "we" is.

DIRECTOR PREMO: I, Jerry Permo, based on the success of last year, did not say, "I want a new, formal, written plan." What I indicated verbally was, "You should carry out the program with the energy level of last year." But, we had to, just as we did a year ago — I did -- add extra service. We had to change our trains out of Hoboken to a later hour.

Alan Dustin, running the railroad, in turn, talked to Ron Potkul, his Chief Transportation Officer. They discussed it at the staff meetings of our N.J. Transit Rail Operations Unit. Ron Potkill, in turn, talked to the two individuals who head the Newark Division and the Hoboken Division. In turn, they talked to their men. Ron Potkul, the Chief Transportation Officer for the railroad, approved the operating plans that were put forward by the two Trainmasters in charge of the Newark and Hoboken Divisions. So, those are some of the individuals involved. I can lay out an organization chart, as a followup, in order to give you a sense of who, specifically, was dealing with these matters.

ASSEMBLYMAN BRYANT: I think that is what Mr. Foy has asked for, except we would like you to start with the year 1983. We might as well find out who did the '83 plan, and what input went into the '83 plan. Maybe instead of organizing, we will know who had the input.

But, more importantly, you told me you added trains because, evidently, there was some communication that there were more trains to be added. What I have to know is, in your system how come you can't add personnel? It seems to me it is almost balanced: If I know I need more trains, I also know I might need more personnel.

DIRECTOR PREMO: We did add more personnel in order to run those trains. Obviously, we staffed the trains.

ASSEMBLYMAN BRYANT: I am saying besides the people who were on the train. It would seem to me that if, all of a sudden, there was going to be such a great impact upon the system, and if it was decided there were going to be more people riding, and more trains were going to be needed -- now I am not just talking about the person who runs the train and the trainmaster, I am getting into the security end of this -- it might dawn on me that I might need more security people because I

am going to be impacted so heavily. This wasn't something I learned through statistics a day later; I learned it as the day was going on.

DIRECTOR PREMO: Well, the problems we encountered were principally encountered after midnight, at which point we could not add additional people. It was already New Year's morning in New York and we just didn't have extra people hanging around.

I have already said we didn't do adequate planning. The lack of adequate planning meant we didn't have an extra crew sitting around.

As it relates to the extra trains I made reference to, we had extra trains going up into Bergen County on our Bergen Line. So, we had a crew for that line. We had a later train going out of Hoboken on the M & E. Rather than leaving at 1:30, after listening to our employees talk about the complaints regarding the 12:30 departure, after listening to their complaints of a year ago, and after listening to our riders, we switched the last train out of Hoboken. I didn't switch it. Dusty and his people -- his Chief Operating Officer and the Transportation Trainmaster for the Hoboken Division -- made the decision to move it to two o'clock. I reviewed it and I said, "Fine. Of course we are going to run a train at 2:00 rather than 12:30, because if you run it at 12:30 people can't get to the train from Times Square, New York."

Third, we added an extra train out of New York on our North Jersey Coastline because we knew we were going to have heavy boardings, based on the prior year's experience. So, we built on that previous experience.

Finally, with respect to running a train on the Raritan Valley Line out of Newark, this was similar to the situation out of Hoboken. We were confronted with the last train leaving at about 12:30 -- I think that is what our schedule says -- and that simply didn't provide adequate time for people who might be in New York to take either one of my trains or PATH over to Newark and then, in turn, make a connection to get out to Westfield, Plainfield, and beyond.

So, I guess what I am saying is, we had crews, by definition, on each one of those trains. The question is whether there were enough individuals assigned to those trains, and we took the view, in the

planning, that we weren't collecting tickets on those trains. We hadn't had any problems the prior year. We were operating from a planning premise, built on the prior year, and we didn't do "worst-case" planning. That is why, from a security perspective, we didn't have lots of people assigned to those trains.

ASSEMBLYMAN BRYANT: Do you add more security people when you have rock concerts?

DIRECTOR PREMO: We do. We did not approach this with a rock-concert mentality. Again, obviously, in retrospect -- improperly, but based on the success of the prior year, as I said directly here -- we were lulled into a false sense of security and confidence about what would occur.

ASSEMBLYMAN BRYANT: The only question I have is, I don't think you can have it both ways. You can't take the drunks off the highways, put them onto mass transit, and think you are not going to have some of the problems you would have with a rock concert, or anything similar to that -- if that was the premise used when you did it. It would seem to me that should have been put into the equation when you made the analysis: We are going to have people who are going to be operating under the influence of hallucinating drugs, or alcoholic kinds of things. You told me that is why you started the program.

DIRECTOR PREMO: I am trying to make the point that we had a situation which was very positive the previous year; we didn't have to add major amounts of security at all. Everything fell into place. That was our mistake.

ASSEMBLYMAN BRYANT: I might not be asking the right question. Let's assume there was a riot in Newark. How do you get people? Let's say you need additional personnel, what do you do?

DIRECTOR PREMO: I'm sorry, did you say how do we get people off the trains?

ASSEMBLYMAN BRYANT: No, how do you get more security people? What you are telling me is that there wasn't a crew on, but I am assuming there must be some backup mechanism. Assuming I know there are "X" amount of additional people -- or whatever is happening -- is there a mechanism in New Jersey whereby you can call in more security?

DIRECTOR PREMO: We can work out arrangements with the Newark Police, as we can with lots of other police. We can do that. We didn't do it during New Year's Eve.

ASSEMBLYMAN BRYANT: How about internally? Don't we have any way to call on anybody?

DIRECTOR PREMO: We did seek to have our police work overtime. We contacted many of our police and they made a judgment that they didn't want to work overtime. We were doing this as part of our contingency planning, in advance, but because we were unable to determine that we would have a crisis, or an emergency, on our hands, we could not force our police employees to work. They made a judgment that they preferred not to work, and we ultimately said, "We think the force that is here is going to be adequate, based on our experience of the year before."

ASSEMBLYMAN BRYANT: I am just going to ask this question because the lady told me about the lights going off for 20 minutes. I know that was equipment failure. Do you lock people in? Don't we have any mechanism to let them out of the cars during that period of time? There was no mechanism to let them out?

DIRECTOR PREMO: Well, I wasn't on the train, and I wasn't aware that we had locked all the doors on all our trains. I was completely unaware of that.

ASSEMBLYMAN BRYANT: I am talking about a particular train, I am not saying--

DIRECTOR PREMO: (interrupting) I understand.

COMMISSIONER SHERIDAN: That was the first time I heard the doors were locked.

ASSEMBLYMAN BRYANT: Well, I think maybe we should investigate that. Two people actually testified to the fact that the doors were locked and the lights were off. It would seem to me that there must be some kind of contingency program to let people out when we have equipment failure, as opposed to keeping them locked in.

DIRECTOR PREMO: Obviously, that is going to be among the issues at the top of the list, and a follow-up will be done immediately.

ASSEMBLYMAN BRYANT: Maybe you can explain something to me about Amtrak. What kind of communication system do we have with Amtrak? Because I am really concerned when someone tells me a person was hurt, it was reported, and nothing happened -- nobody called an ambulance or anything. That to me is-- I just don't understand it. She had to wait until she got home, to another station. I don't know what kind of damage was done, but it seems to me that-- Do we have a system whereby if something like that is reported to a conductor, or someone else -- any train personnel -- they immediately call for rescue?

DIRECTOR PREMO: Yes, sir. Day in and day out, at New York's Penn Station, on Amtrak, and all along the corridor, we handle instances, period.

ASSEMBLYMAN BRYANT: But, when it is in New York it is Amtrak's responsibility, not ours, from a police or a security standpoint?

COMMISSIONER SHERIDAN: That's correct -- on the platforms and in the concourses.

ASSEMBLYMAN BRYANT: In the concourses?

COMMISSIONER SHERIDAN: Yes, and on the platforms.

ASSEMBLYMAN BRYANT: Well, I would just suggest that maybe we should have some meetings with them in terms of making sure they cooperate with our personnel in those instances.

COMMISSIONER SHERIDAN: I agree.

ASSEMBLYMAN BRYANT: Okay, Mr. Commissioner and Mr. Executive Director, at this juncture I understand that the PATH people have to leave. Thank you for coming in.

I know what Mr. Foy is talking about, but some people want to testify at a night hearing, at a hearing that is held in the evening, so we can get more information. So, we will probably be scheduling one. We will try to work it out with your schedules. It may be held up in Middlesex County, or somewhere up there.

We appreciate your testimony and if there is anything else you want to provide to us in writing, please feel free to do so. Hopefully, we can work out this problem.

DIRECTOR PREMO: Thank you.

ASSEMBLYMAN BRYANT: Mr. Kelly, General Superintendent of PATH and Mr. Butcher, Manager, Port Authority Bus Terminal. Thank you for coming to the hearing. I understand you have testimony to give to us. Please feel free to give us any information you have.

RICHARD R. KELLY: In the interest of time, Mr. Chairman, I have prepared testimony which I am prepared to read into the record, or if you have that written testimony, I will respond to questions -- whichever you prefer.

ASSEMBLYMAN BRYANT: First of all, we will put this person's testimony into the record. (speaking to hearing reporter) Mr. Kelly, you did provide at least one paragraph, I guess it is on the third page, where it says, "Extensive advance planning and coordination between PATH staff and police personnel enabled us to generally contain the incidents that occurred." Maybe you could give us some more insight into that statement.

MR. KELLY: Mr. Chairman, we do not normally collect fares on trains; we collect fares at the turnstile. So, to go to a free-fare system, or program, requires a great deal of planning. We have to go out, empty all the turnstiles, take all the money that is out in the system back into the coin room, close down all the turnstiles, and make them freewheeling. Naturally, we have to take turnstile readings at the beginning and at the end of the program, so that we know how many passengers we carried under the program. We also have to put the coins back into our change vending machines and open up the stations. And, you don't do that without a tremendous amount of logistical planning, because there are 13 stations involved in two states, and 14 miles of system.

If you advertise an 8 o'clock start on a program, you must freewheel all turnstiles at all 13 stations by 8 o'clock, which is what was advertised. That is what we proposed to do, and that is what, in fact, we carried out.

We, too, had a very good experience last year with the Free-Fare Program on New Year's Eve. We carried some 36,000 passengers during that program.

This year, we had a 45 percent increase in our ridership on the system, and we carried some 52,300 people on PATH trains during that 12-hour period, from 8:00 P.M. to 8:00 A.M.

What we had this year, going in, was a plan to deploy our police force, to gain the maximum flexibility of that police force. We went in; our Captain was in on our system -- our Police Captain, the commanding officer -- as well as my Assistant General Superintendent for Operations. They were in throughout the entire evening. They were supplemented by a Commanding Officer, a Lieutenant, two Sergeants, and 15 police officers, as well as a desk officer.

The deployment of these police officers throughout the system included the assignment of two police officers at each major terminal station, which accounted for 10 of those 15, as well as the assignment of police Sergeants, in motor vehicles, in New York and New Jersey, so that they could respond to any of our stations, in both states.

In addition to that, we also had a three-person police patrol out of Journal Square, our headquarters in Jersey City, with a car, able to respond to any location on the system.

In addition to that, we established a two-person train patrol which was assigned to ride trains between Journal Square and Hoboken, disembark at Hoboken, board the reverse train, and come back to Journal Square. We found that by having them disembark and board another train, we would actually get more deterrence because we would create an awareness of more police officers on the system, and it also increased flexibility. That was the plan we went into the evening with.

We based the entire operation on the success of last year as well, wherein we had four incidents -- four arrests. There was no vandalism; there was no graffiti; and there was no rowdyism on our system last year at all. We did not anticipate the success of the program this year. We were quite surprised by the 45 percent increase in ridership. We attribute that to the extreme increased level of notoriety in the media, as well as the increased coverage by all the participating agencies. But, there is also another big factor, which Mr. Premo mentioned as well, and that is the apparent last dropping of

the ball in Times Square, which prompted more people to come out in the very pleasant weather of that evening.

Also, it was a Monday evening, and not a Sunday evening. Last New Year's Eve was a Sunday evening. That escaped us too, and we attribute a great deal to that fact, in retrospect. We carry more people on a Monday evening than we carry on a Sunday evening, to which we added the free-ride people. So, that, in and of itself, created increased ridership for us, we believe. There is no way to prove that, but that is our assumption.

ASSEMBLYMAN BRYANT: Let me ask you a question. It seems as though security became one of the hallmarks of whatever plan you had -- either from '83/'84 or '84/'85.

MR. KELLY: Security is always a hallmark, and it is an absolute responsibility of any transit operator. You provide a service, but you also provide a secure service.

We also have the ability to rely on other Port Authority facilities for police response, if needed. In fact, we had several incidents this year which prompted our requesting that assistance.

We had an incident due to an altercation in Hoboken, wherein we requested -- or put on notice -- the Hoboken Police Department and the Holland Tunnel Police Department, in the event we required response. It did not turn out that that was the case, but nevertheless it was possible.

We had an incident at about 2:34 A.M. on a train coming out of the World Trade Center to Journal Square, wherein someone chose to ride between cars -- on the anti-climbers over the equipment -- and, going around a curve, the individual lost his balance and fell between the cars and sustained a ruptured spleen. He was pinned between the cars. That created a one-hour delay in our service.

The philosophy of our operation and our security, in an operation like this, is to get the passengers onto our station as fast as possible, let them board our equipment as fast as possible, and carry them to their destination without disruption -- again, as fast as possible.

We believe that any unnecessary delay in the service, or delay at a station, creates a problem in and of itself with people who were out there celebrating, and just reveling in general. In fact, we had an indication that this was very true when we had an individual injured and we lost an hour in our service. When we attempted to extricate him, we had a response from the World Trade Center Police to assist us in that regard, as well as the New York City Police Department Emergency response crew -- medical, but also police. Both responded and rendered assistance.

But, once we stopped running the trains for that hour between the World Trade Center and Newark, we immediately began to get a backup of people on the stations, and the altercations increased. It is sort of a bump-and-run sort of thing. People were drinking, and it was a very confined area and there were very crowded conditions. That creates problems.

ASSEMBLYMAN BRYANT: Thank you, Mr. Kelly, I appreciate your testimony today.

MR. KELLY: You're welcome.

ASSEMBLYMAN BRYANT: Mr. Butcher.

ERNESTO BUTCHER: My name is Ernesto Butcher. I am the Manager of the Port Authority Bus Terminal. Like Mr. Kelly, I would like to dispense with the reading of my statement; you already have it.

ASSEMBLYMAN BRYANT: We will make your statements part of the record. We do have your testimony, now is there anything else you would like to add?

MR. BUTCHER: Just to add that at the bus terminal we approach New Year's Eve from a very different perspective than some of the other transit operators, simply because we are the central focus -- in essence -- of the New Year's Eve celebration, because we are right on Times Square. So, we have had many years of experience in preparing for these sorts of things; and, basically, planning for it is essential to us.

There are any number of things we do to protect the bus terminal, including erecting a steel wire fence around the north wing, which is primarily a plate glass front. We have to protect that.

In addition, security becomes a major concern of ours. Normally, we have a complement of officers who operate on midnight tours. For a New Year's Eve situation, we double that complement in order to ensure that we can survive the celebration.

This year, the numbers were much larger. We had somewhat anticipated that need, simply because of the temperatures and the widely-advertised program for free rides, as well as this being the last year the ball would drop in Times Square. So, we were relatively prepared for the crowds.

What we were not prepared for was not having the additional buses that were required to move people out. So, the fact that there weren't enough buses caused people to mill about and, while waiting for transportation, create some disturbances. There were some minor scuffles, but, for the most part, they were well-contained.

Most of the incidents that occurred in the vicinity of the bus terminal -- meaning outside of the bus terminal -- were because of the Times Square crowds. I think this was the reason why the press talked about "incidents at the bus terminal." But, in effect, what really happens is, very often the bus terminal serves as an oasis. People get into trouble on the street and they come into the bus terminal simply because they know it is safe there and they can find aid.

So, that was pretty much our situation on New Year's Eve.

ASSEMBLYMAN BRYANT: You pointed out two things. Shortly after midnight, when I guess a lot of people wanted to come back to New Jersey, there seemed to be a shortage of buses from New Jersey to bring those passengers back at that critical point in time.

MR. BUTCHER: That's correct.

ASSEMBLYMAN BRYANT: So, you are saying that possibly, in advanced planning -- if we repeat the free-ride program -- we might want to look at the time right after midnight in order to have many more buses available so as to avoid a stackup of people.

MR. BUTCHER: Certainly, that would be our major suggestion.

ASSEMBLYMAN BRYANT: I also found it interesting that you typically have a midnight tour with 15 police personnel, but on New Year's Eve you had 30.

MR. BUTCHER: That's correct.

ASSEMBLYMAN BRYANT: What made you envision that on New Year's Eve you should have double the security?

MR. BUTCHER: Well, understand, we have had experience with New Year's Eves for a number of years. We have come to understand that that this is the kind of complement we require on New Year's Eve in order to properly--

ASSEMBLYMAN BRYANT: (interrupting) Handle the crowds?

MR. BUTCHER: Yes, handle the crowds, and provide safety for our patrons.

ASSEMBLYMAN BRYANT: So, therefore, security becomes -- I am guessing again -- one of the hallmarks that you take into consideration when these main events take place -- whether it is New Year's Eve, or a big concert, or something else?

MR. BUTCHER: That's correct. There are any number of things we do, including trying to maintain the waste cans, keeping them empty, so that people don't have missiles to throw. You gain experience as you go along.

ASSEMBLYMAN BRYANT: Let me ask something else of Path: How many miles do you have?

MR. KELLY: 13.9 miles.

ASSEMBLYMAN BRYANT: And, how large a police force do you have?

MR. KELLY: We have 83 members on the police force in the 1985 budget.

ASSEMBLYMAN BRYANT: I'll have to find out what we have; I think we only have about 14.

MEMBER OF AUDIENCE: We have 63.

ASSEMBLYMAN BRYANT: 63? And, how many miles do we have?

MEMBER OF AUDIENCE: 350.

ASSEMBLYMAN BRYANT: We have 350 miles? There is a decided difference between 13 miles and 350, even though you might be going to different places, and there is a big difference between 85 and 63 police officers.

I would like to thank both of you, gentlemen. I am sorry I held you up. I know you are going to another meeting. Thank you for coming.

MR. KELLY: Thank you.

MR. BUTCHER: Thank you.

ASSEMBLYMAN BRYANT: We appreciate it.

Mr. Herman, from Amtrak. You might be last, but you are not least. You are definitely not least; we appreciate your taking the time to sit through the other testimony.

For the record, would you introduce the other gentleman, please?

ROBERT HERMAN: I am accompanied by Robert L. Strempek, Superintendent of Police for Amtrack's New York Division.

I really don't have a written prepared statement, but I have been jotting things down. My name is Robert Herman. I am General Superintendent for the National Railroad Passenger Corporation, which is known as Amtrak, on the New York Division.

The New York Division extends from Trenton, New Jersey, to New Haven, Connecticut, to Poughkeepsie, New York, which is about 75 miles from Grand Central.

I am the Chief Amtrak Operating Officer in this territory, and I have line authority for all our functional departments. As I said, Robert L. Strempek, Superintendent of Police for this territory, is with me here today.

On December 31st -- the evening of December 31st -- until the early morning hours of January 1st, we had additional management personnel on duty in the New York/Newark areas because of the holiday program. We had our Transportation Superintendent, a Terminal Superintendent, three Transportation Managers, a Rules Examiner, and an Assistant Division Operator, all on duty -- which is outside their normal assignment, or work schedule.

Around 10:00 P.M. on the evening of December 31st, our Terminal Superintendent, Mr. F. C. Hampi, was concerned that there was inadequate scheduled train service because of the volume of people arriving in New York on New Jersey Transit trains -- inadequate train service to take them back from New York.

He contacted New Jersey Transit's Assistant Chief Dispatcher at Hoboken and told him of his concern. The Assistant Chief Dispatcher contacted New Jersey Transit's Senior Trainmaster who called back saying, "We have authority to turn a train, which operates from Trenton to New York, back as an extra train from New York to Trenton. It is to leave at 2:00 A.M."

The only extra service that New Jersey Transit had programmed from Penn Station, New York, prior to that was one extra train, which meant that between approximately 12:10 A.M. and a scheduled departure at 2:00 A.M., there were three regular trains and one extra train scheduled. With this additional train, it meant that we had three regular trains and two extra trains to handle the volume of traffic.

We had Amtrak police on duty at New York's Penn Station, at Newark, and at Trenton. Our division police department, on the New York Division, consists of 115 commissioned officers. We have recently augmented that force by approximately six additional officers, but they do not have commissions at this time.

On duty at Penn Station, New York, we had a total of 13 officers, 10 in uniform, working from 4:00 P.M. to midnight, and we had 11 officers on duty from midnight to 8:00 A.M.

Since New Jersey Transit has purchased the Newark station, we only have responsibility for the platform areas in Newark. At Newark, we had five police officers on the platform from 4:00 P.M. to midnight. They were on duty in that area. And, we had two from midnight to 8:00 A.M.

In Trenton, we had four working 4:00 P.M. to 12:00 A.M.; four working midnight to 8:00 A.M.; and, we had a police car on the road that was later ordered to return to Trenton when the problems materialized.

Although we realize there were a greater number of incidents, we have only recorded on our division logs a total of 26 incidents during this period.

Now, as Mr. Premo stated, the train that operates on Amtrak's northeast corridor, number 3334, is scheduled to arrive at 11:35 P.M. This train operates on Amtrak's northeast corridor from Rahway to Penn Station, New York. We received it late at Rahway from New Jersey

Transit, and we had a report from the Hoboken Assistant Chief that there had been a stabbing on the train. It also had some problems in route with an emergency application of the brakes. The crew reported that someone had operated the emergency brake belt inside one of the cars -- the sixth car -- and they reset it; it was then on the move. It was delayed an additional 17 minutes as a result of that.

This train was scheduled to turn, in Penn Station, New York, for train 3301, which is due out of there at 12:40 A.M. Because of the late arrival, and because of the condition of the train, it was necessary to clean the equipment. Our report indicated that the equipment was so littered that it was necessary for Amtrak's mechanical force, which performs the mechanical inspections and cleaning of equipment for New Jersey Transit at Penn Station, New York, to clean the equipment before we could board any passengers.

The train was ready to board passengers at around 1:37 A.M. We then had a report that there was a stabbing on the train, and we sent police to the train. About this time, we lost what we call the MA, which is the motor alternator that supplies the light and heat to the train.

This train operates in a push-pull mode. It has a locomotive on the front end arriving in New York, and then it shoves the train from New York with a cab car on the head end. It was necessary for us to cut the engine off the east end of the train and run it on the west end. That accounts for the 20 minutes, or so, that this train was in the dark, because there are emergency lights on the train, but they are not the normal lights or heat. It was necessary, because of mechanical problems in one of the cars, to cut the engine off and run around the other end of the train.

The crew told us that they would not leave without police protection. We had -- I believe it was a Captain, wasn't it, Bob? -- a Captain of Police from Amtrak ride the equipment leaving New York, although he indicates in his report that he was only able to ride in the rear two cars, between New York and Newark. He indicates that we had no New Jersey Transit police on duty in Penn Station, New York, and when we got to Newark, they attempted to get additional police there.

About the same time, the train I referred to earlier, the one we had authority to operate at 2:00 A.M., had a New Jersey Transit Trainmaster on it because they did not have a conductor for the train. It was our understanding that the conductor refused to take the train with the conditions that existed on it.

After the train departed Penn Station, New York, it only moved approximately four or five car lengths; however, it was still within the confines of the station, stopped, with equipment problems. Actually, the way the cars are designed, if one of the doors is open, you cannot apply power to the cars.

The Trainmaster got down on the ground, attempting to see what the problem was, the doors closed, and the train took off without the Trainmaster on it. He was left on the ground in the Penn Station area.

We held the train at Newark, attempting to get the Trainmaster over there, but that just compounded the problem because the people, when they were standing around in Newark, started kicking windows out, and we had all sorts of problems with that.

Amtrack, not as a result of this, but in an attempt to be more responsive to the various commuter agencies we deal with, has just recently changed our reporting responsibilities, and any day-to-day matters now come under the General Superintendent on the Division. As a matter of fact, we have scheduled meetings with Alan Dustin, the Vice President and General Manager of New Jersey Transit, in an attempt to communicate better. We had the meeting scheduled for today, as a matter of fact, and we had to postpone it because of this hearing. We presently have one scheduled for the 30th.

We are trying to be responsive to the various commuter agencies' needs. We did not experience any problems similar to this the previous year. Amtrak has very little service during this period. We have a train that leaves Penn Station, New York, at 11:59 P.M., and our next train doesn't leave there until 3:52 A.M. The 11:59 train makes quite a few intermediate stops in-between; it is a New York/Philadelphia train. But, our train that leaves at 3:52 A.M. only stops at Newark, Trenton, and Philadelphia, en route to Washington.

So, we had no problems with our service. The first train out was really gone before the crowds came.

We are certainly willing to answer any questions we can from the records we have here with us.

ASSEMBLYMAN BRYANT: You say around 10 o'clock in the evening there was a request for more trains?

MR. HERMAN: Yes, our Terminal Superintendent, when he came in and saw our people who were coming in to work— He was coming back in that night to work because of the holiday period. This fellow is very experienced in this area. He has worked in the New York area for approximately 13 or 14 years. It was at that time he contacted the Hoboken Chief and told him that in his opinion there was insufficient service to take the passengers back out of New York.

It really doesn't make much difference. New Jersey Transit was operating on a holiday schedule, but their service between midnight and 1:30 A.M. was the same, and there was only one extra train scheduled during that period. So, that is when—

ASSEMBLYMAN BRYANT: But, the decision regarding that train was totally New Jersey Transit's?

MR. HERMAN: Yes, sir, that's correct.

ASSEMBLYMAN BRYANT: Also, I think you said in your testimony that at the time, and I am trying to remember if it was the 1:30 train or the one at 12 o'clock-- The train that left at around 1:37 -- or at least that was when it was ready to board -- was scheduled to leave at 12:40, I think.

MR. HERMAN: Well, that actually left two hours and twenty-four minutes late. That is what time that train left; it was scheduled to go at 12:40 A.M.

ASSEMBLYMAN BRYANT: Is it my understanding that at that time there were no security people from New Jersey Transit?

MR. HERMAN: There were no security people at Penn Station, New York. We have the responsibility for policing portions of Penn Station, New York. The Long Island Railroad Company also has some portions of Penn Station, New York, that are their responsibility to police.

ASSEMBLYMAN BRYANT: Well, who is responsible for the train? Let's assume it is leaving the platform in Penn Station, New York, to go to, say, Newark.

MR STREMPEK: The platforms in Penn Station, New York, are the responsibility of the Amtrak police.

ASSEMBLYMAN BRYANT: And to get on the train?

MR. HERMAN: To get on the train is our responsibility.

ASSEMBLYMAN BRYANT: That is your responsibility?

MR. HERMAN: Yes, and at Newark and Trenton, right now.

ASSEMBLYMAN BRYANT: Okay.

MR. HERMAN: New Jersey Transit does have police officers who ride their trains in our territory. We normally only respond to requests from them. We have quite a few requests from their crews for evasion of fares, or things like that, and we do respond at Newark, at Trenton, and at Penn Station, New York to these requests.

ASSEMBLYMAN BRYANT: Were you involved in the planning with New Jersey Transit for New Year's Eve?

MR. HERMAN: No, sir.

ASSEMBLYMAN BRYANT: Either this year, or the year before?

MR. HERMAN: Well, I have only been on this job a year. I came to the job in January of 1984.

ASSEMBLYMAN BRYANT: Well, let me ask another question then, because we are always open to the future. We can't stop what happened in the past. Do you think it is important for New Jersey Transit and Amtrak to be involved in some planning, if, in fact, we decide to have another New Year's Eve, or something like that?

MR. HERMAN: Oh, definitely.

MR. STREMPEK: If I may, we usually do when it is anticipated there might be a problem -- concerts, etc.

ASSEMBLYMAN BRYANT: And you would be amenable to that?

MR. STREMPEK: Oh, definitely.

MR. HERMAN: Earlier witnesses referred to problems associated with rock concerts. We have had problems on New Jersey Transit with rock concerts at Madison Square Garden, but we have never had any problems similar to this. The nearest thing to this was on a

St. Patrick's Day, a few years back -- as I understand it. But, we have never experienced anything like this before.

ASSEMBLYMAN BRYANT: So, even though they added another train, was it the opinion of your employee that there should have been more trains? You see, I am not sure if that two o'clock train was too late. When he called at 10:00 did he say there should be a train in-between the 2:00 train and the earlier train?

MR. HERMAN: There was a train scheduled to operate from New York -- a regularly scheduled train -- to Trenton, leaving at 1:30 A.M. This train was to arrive at New York and terminate. A call was then made, and it was suggested they back the other train up. So, that is when they gave us permission to operate a train at 2:00 A.M.

We called the Assistant Chief; he contacted their Senior Trainmaster, who was at a party; and he called back and said it was okay to do it.

ASSEMBLYMAN BRYANT: Okay. Thank you, gentlemen. I appreciate your coming.

MR. HERMAN: Thank you.

ASSEMBLYMAN BRYANT: Does anyone else have anything to offer the Committee before we close this part of the hearing? (no response)

Since no one has anything further to offer, we will now conclude this hearing.

(Hearing Concluded)

APPENDIX

4 CARTER BROOK LANE
R. D. No. 4
PRINCETON, NEW JERSEY 08540

JAN 4 1985

January 2, 1985

Assemblyman Joseph L. Bocchini, Jr.
3694-A Nattingham Way
Hamilton Square, NJ 08690

Dear Assemblyman Bocchini:

Enclosed for your information is a copy of an article that appeared on the front page of today's Newark Star Ledger. I call it to your attention because my son and two friends were among the scores of people who were assaulted on the 1:30 a.m. New Jersey Transit train out of Penn Station, New York, bound for Trenton, New Jersey.

My son was attacked by a gang of eight young males on the train shortly after it left Penn Station. He advised me that the assaults/robberies, etc, continued against other passengers until he disembarked in New Brunswick, and that at no time during the ride of some 2 1/2 hours did any train personnel or transit police make an appearance. Since such an utterly lawless situation was allowed to prevail, I feel compelled to make the following recommendations.

Since this "free ride" program was initiated by the State of New Jersey in conjunction with local transportation officials I suggest that it be totally discontinued. I am not questioning the intent of the program, which is quite laudable. However, the inability on a practical level to ensure a safe ride for the law-abiding passengers nullifies the good intent of the program.

Obviously, there was a breakdown in planning by New Jersey Transit officials in that, by their own admission sufficient police were not available. I sincerely doubt that they even have the number of police that would be required to control the large numbers of hoodlums who were on this and the other trains. Would that New Jersey Transit had been as zealous in providing adequate police protection as they were in publicizing the program!

I am outraged by what was allowed to happen on these trains, and request that your office take the necessary steps to prevent a repetition of the above, by seeing to it that the "free ride" program is terminated. To do anything less would be a gross disservice to the citizens of New Jersey.

I look forward to hearing from you on this matter.

Sincerely,


Richard Canning

RC:saa

Enclosure

TESTIMONY AT HEARING 11/27/85 COMMITTEE ON TRANSPORTATION

ON JANUARY 1, 1985 I WAS A PASSENGER ON N.J. TRANSIT BUS LINE 139 FROM NEW YORK TO LAKEWOOD. IT WAS IN BETWEEN 3:30 a.m. AND 4:00 a.m. THE PLACE WAS FREEHOLD, N.J. I WAS SITTING IN THE FRONT SEAT ON THE DOOR SIDE ON THE AISLE SIDE WHEN FOR NO REASON AT ALL BETWEEN FOUR TO TEN YOUNG JUMPED ~~FOR~~ AS THEY GOT READY TO LEAVE THE BUS.

I BOARDED IN NEW YORK AT PORT AUTHORITY BUS TERMINAL AND NOTICED THEN THAT THEY WAS STARTING TROUBLE WITH OTHER PASSENGERS AND THE DISPATCH TOLD THEM THAT HE WASN'T GOING LET THEM ON THE BUS, AND I DON'T KNOW HOW THEY GOT ON, BUT THEY DID.

WELL WE PULLED INTO THE BUS STATION IN FREEHOLD. WHEN THE TEN BLACK MALES AS THEY STARTED TO GET OFF AND THEY STARTED PUNCHING ME IN THE FACE BREAKING ~~THE~~ MY EYEGASSES AND THE UPPER PART OF MY DENTURES I THEN GOT UP OUT OF MY SEAT AND CRIED ONE SUSPECT PUNCHING HIM TO THE FRONT OF THE BUS GOT HIM IN A DEATH HOLD AND TOLD THE BUS DRIVER TO CLOSE THE DOOR, AND WELL TAKE TO POLICE HANDGUARD, BUT THE DRIVER TOLD ME TO LET HIM TO LET, BECAUSE HIS FRIENDS MIGHT GET IN FRONT OF THE BUS AND I TOLD THE DRIVER THEN RUN THEM OVER, THE DRIVER AGAIN TOLD ME TO LET HIM GO, AND SO I THREW THE SUSPECT OUT THE DOOR, AND HE WENT TO SHOP-RITE IN FREEHOLD TOWNSHIP WHICH IS A FOUR MINUTE RIDE FROM WHERE INCIDENT HAPPENED, AND AS I GOT OFF THE BUS THE DRIVER I ASKED ME IF I WAS GOING REPORT THE DAMAGE TO THE COMPANY SO HE KNOW WHETHER OR NOT TO DO A REPORT, AND I TOLD HIM THAT I HAVE NO CHOICE, SO I WENT TO THE PHONE AND CALL FREEHOLD CENTRAL POLICE DISPATCH, AND I WAS ON THE PHONE AS THE DISPATCHER BROADCASTED ~~FOR~~ EVERYTHING AND A FREEHOLD TOWNSHIP UNIT MET ME, AND WHEN THE TOWNSHIP COP FOUND OUT IT WAS IN THE BOROUGH, HE ~~GO~~ TURNED IT OVER ~~WELL~~ ~~WENT~~ THERE TO THE BORO POLICE AND THERE WAS TWO WITNESSES

IN THIS CASE THAT DISAPPEARED, AND I WAS ~~THE~~ STAND AT THE POLICE CAR WHEN A BLACK MALE AND CAUSE OVER AND SAID THEY SEEN WHAT HAPPEN, AND THE FEMALE REPEATED WHAT I HAD SAID, AND SHE TURNED TO BOYFRIEND, AND HIM THAT HE KNEW IT WASNT RIGHT, AND SHE TOLD BOTH THE FATHERS AND I THAT HE KNEW THE BOYS WHERE AND THE GUY ADMITTED HE KNEW WHO THEY WERE BUT HE WASNT GONNA TELL, BUT YET THERE WAS NOTHING SAID ABOUT THE TWO WITNES IN THE COP'S REPORT, AND THAT IN ITS SELF OPENS THE DOOR FOR SOME VERY GOOD QUESTION, AND AS THIS COMMITTEE CAN SEE I HAD THE RIGHT MAN CHARGED, BUT WHEN THAT INVESTIGATOR TOOK THE STAND ON JANUARY 16, 1985 FRENCH BULLDOGS COURT HE GAVE FALSE TESTIMONY.

WHEN I MET WITH THE N.J. TRANSIT BUS OPERATION CIVIL INVESTIGATOR RAY WRIGHT HE TOLD ME AND I QUOTE YOU HAVE TO SEND IT TO THE VIOLENT CRIME BOARD, BECAUSE ITS LIKE IF YOU ARE RIDING ON THE BUS AND SOMEBODY THROWS A ROCK THROUGH THE WINDOW OF THE BUS THE COMPANY IS NOT RESPONSIBLE, AND ARGUMENT IS I HAD ONE OF THE SUSPECTS, AND THEN BUS DRIVER TOLD TO LET HIM GO, AND MR. WRIGHT THAT WOULD THE OPERATION TRIED TO MOVE AND THE OTHER JUMPED IN FRONT OF BUS AND GETTEN HIT THEN THERE'S WOULD HAVE A CLAIM AGAINST THE COMPANY, WHICH AT THIS POINT MY ARGUMENT IS BASED ON N.J. S. 59:4-2, AND BEING SO I RIDE STILL A PASSENGER, AND ~~THE~~ AND N.J. TRANSIT OFFERED THE FREE RIDES SO IT WAS A CONDITION THAT THEY BROUGHT ON THEMSELVES, BECAUSE EVERYBODY KNOWS THAT IMPATIENT PEOPLE, ~~ALONG~~ LIQUOR, AND CROWDS DO NOT MIX, AND 59:5-4 BECAUSE N.J. TRANSIT EMPLOY THEY BLACK AND HAVE THEIR SECURITY, AND THEY COULD HAVE HIRED MORE SECURITY, BECAUSE YOUR RIDER HAVE, AND N.J. TRANSIT KNEW AT THAT TIME THAT THERE WOULD BEING OUT PEOPLE THAT NEVER

ROCK BEFORE, AND N.J. TRANSIT KNOWS THEY'RE FREE AND
THEY KNEW THEY COULDN'T HANDLE IT SECURITY WISE, BUT YET
THEY STILL ALLOWED THE FREE RIDER TO GO ON.

I'M GOING TO CLOSE BY SAYING N.J. TRANSIT FAIL TO ESTABLISH
WHAT WOULD HAPPEN TO THOSE CLAIMS, AND AS IT LOOKS THEY STILL
DON'T AS OF THE TWENTY-FIRST (21) OF JANUARY, AND THIS
IS THE ROUTINE AND I'VE WENT THROUGH I CALLED MR. PREMOS
OFFICE, AND HE'S OFFICE TRANSFERRED ME TO GRASSEPO'S OFFICE WHO
IN TURN GAVE ME TO LOU WHASONG, WHO IN TURN GAVE ME TO
BUS CLAIMS, WHO GAVE TO VIOLENT CRIBER, WHO IN TURN GAVE ME
BACK TO N.J. TRANSIT.

I WISH TO RECOMMEND TO THE COMMITTEE THAT THIS COMMITTEE
RECOMMEND TO THE GOVERNOR THAT THERE BE NO MORE FREE RIDER
UNTIL N.J. TRANSIT CAN PROVIDE THAT THEIR SECURITY IS beefed
UP IN MANPOWER; AND CAN PROVE IT BY HEAD COUNT; THAT THE GOVERNOR
BY EXECUTIVE ORDER ORDER JERRY RENO AND N.J. TRANSIT AND ITS
SUBSIDIARIES TO RELEASE TO ALL THE VICTIMS THE NAMES OF IT EMPLOYEES
THE WAS WITNESS OR HAD SOME KNOWLEDGE OF WHAT WAS HAPPENING,
AND MY REASON IS VERY CLEAR DUE TO THE COMPANY'S AGREEMENT
WITH UNION THEY CAN'T RELEASE THE NAME, AND A LAW MUST BE IN
PLACE TO TURN TRAILS OVER TO THE ATTORNEY GENERAL, AND POINT OUT
THAT THEY ARE IMPOWER TO PROTECT THE STATE'S INTEREST, AND ANYTHING LIKE
A MURDER ON A N.J. TRANSIT BUS OR TRAIN IS AN ACT AGAINST
STATE; AND SPEED UP THE PROCESS OF CLAIMS FORMS WHAT HAS HAPPENED
THIS TIME AROUND, AND THEN OF URGENTLY TO CREEPING OFF TIME BE WAIVED
OTHERWISE N.J. TRANSIT WON'T MAKE UP THEIR MIND.

Thank You

GERALD J. RYAN

NJ Transit
95 Orange St.
P.O. Box 720
Newark, NJ 07101

Dear NJ Transit,

Probably what you do not need is another letter from additional passengers who experienced what one would have to call the New Year Train of Terror to the North Jersey Shore. Yet we'd be remiss if we didn't relate the details to possibly help in future NJ Transit endeavors.

My wife & I took the 4:08 P.M. out of Ellwood to N.Y. on December 31st. The train was clean, trip uneventful, conductors pleasant & courteous, and train on time into Newark for the connecting train to N.Y.'s Penn. Sta.!!

Probably the first indication that something was amiss was when the Ticket sales personnel at Penn Sta. had no idea what time the last train out was scheduled. They weren't sure if it was 12:00 or 12:40 A.M. although the "800" number that morning had told me 12:40 A.M. In addition the person at the information booth said to us & another family that NJ Transit had added a 1:15 and a 2:30 A.M. train out of NYC to the Shore.

Needless to say our ride was yet to unfold. After spending the evening with friends we returned to Penn Sta. at 12:15 A.M. The concourse was shoulder to shoulder people and to our amazement no trains to be had!! In fact, for one hour not a single train left Penn. Sta!

No one explained the delays, the loudspeaker system seemed inoperative and all the "Board" stated was that our train (the 12⁴⁰ A.M.) was delayed. Meanwhile the "Board" also stated a 1³⁰ A.M. train was being scheduled! Meanwhile Penn. Sta. just filled to the crushing point until 1¹⁰ when a train to Toronto was announced as to be boarded at Gate #4. Pure panic set in with everyone heading for the Stairway's.

At 1³⁰, Gate #9, lit up, and an announcement was made that our Train was now boarding. We were one of the first down to the train, sat down in what was the last car only to be directed by the conductor some five minutes later to move out of that car "if we wanted the train to leave!". All, mostly couples, moved forward & into the next car which was pitch black. No lights were on. It almost seemed the conductor was promoting trouble & sure enough as the darkened car filled up with people who were intent on trouble, pushing, screaming, punching broke out. To our surprise or perhaps horror, there was no conductor. After 3-5 minutes of terror, people falling over etc the police arrived & began to clear out that car.

Eventually, we moved back to the very car we were expelled from. After another hour &

From 3AM to 5:30 AM, when we reached Elberon,
the train was a scene of things moving
about, with Transit Police in present. A car
or slacked up passenger would be escorted to
our car. Interestingly at no time did the
conductor pass through the car.

Needless to say the trip was our worst
experience ever on a Train to Elberon.

Clearly then our trip proved beyond a doubt that
fares should not be reduced or zeroed. On New
Year's Eve no train should be running, not even
- have both Transit Police & conductors on board & charges.

Burt Resnic
988 Elizabeth Terr.
Elberon, N.J. 07740

Jan 1, 1985

Lodge 60

I, George Duffala a member of Lodge 60 would like to complain about NJ Transit free Ride programs. I worked Dec 31, 1984 the 5436 921 PM from Paritan and felt under stress because of the pressure of Four Hundred passengers under the age of Twenty-five, which about Eighty under the age of Eighteen. Seventy per-cent of the passengers had booze with them and at that hour a hand full were pretty wise. I feel that New Jersey Transit by not having cops on the train has no regard for my safety or for the rest of the crew or the other part of the regular passengers. I feel an investigation into the practice of free rides is warranted plus the people responsible for the crazy Idea.

If they would like to continue the practice, I suggest they man the trains with New Jersey Transit Officials.

Thank You
 George Duffala
 Lodge 60

STATEMENT OF JEROME C. PREMO
EXECUTIVE DIRECTOR, NJ TRANSIT, CORP.
Before Assembly Transportation & Communications Committee
Trenton, New Jersey
January 23, 1985

Thanks, Mr. Chairman and members, for inviting me to join you this afternoon to discuss NJ TRANSIT's New Year's Eve Free Rides Program. Joining me to answer any questions you might have is Alan Dustin, Vice President and General Manager of our rail operating subsidiary. I might note my delight in Alan's being with us at NJ TRANSIT. We were able to entice Alan to join us from the Boston and Maine Railroad, where for 11 years he served as Chairman and Chief Executive Officer. It's no accident that since joining us last July our on-time performance has consistently pushed upward to above 91.5 percent.

Now to the central point of this hearing: what happened on New Year's Eve on our buses and trains? In a nutshell, we carried over 70,000 riders, far more than last year and vastly beyond the 12,000 we carried on New Year's Eve prior to the initiation of the Free Rides Program. Nearly all of these riders enjoyed the safe, dependable ride we are in business to provide. However, a few thousand late night riders, mostly on our rail lines out of New York and Newark, suffered long delays and did not enjoy the safe and dependable service that is NJ TRANSIT's hallmark. Frankly, many more people rode than we expected. When a variety of factors delayed both late hour arrivals and departures in New York and in turn Newark, we had real problems.

Let me offer some context for this year's service. A year ago, we initiated the Free Rides Program. About 50,000 rode NJ TRANSIT buses and trains in peace and comfort. It was a clear success and was viewed as a national model for what transit can do--and does each and every day--to help in a broader societal effort to combat the abuse of drunk driving.

The simple fact is that the success of last year's New Year's Eve service created a sense of comfort within NJ TRANSIT--that this year's operation would go equally well. We didn't expect the crowds that rode, especially on our trains.

Why the big turnout? Here are some reasons we've identified:

- Unseasonable warm weather;
- Media coverage that seemed to indicate that this would be the last time the "ball" dropped in Times Square;
- A regional media blitz about the program, caused mainly by New York transit involvement in the program for the first time;
- New Jersey's campaign to discourage drinking and driving; and, The lower drinking age in New York (19) as compared to New Jersey (21).

Again, the net effect of all this was much higher ridership than last year.

Here's an overview of the service we provided:

1. Private Carriers - A total of 6 subsidized and 27 private bus carriers provided free transit service this year.
2. NJ TRANSIT Bus Operations Inc. (NJTBus) - We ran 213 regularly scheduled buses plus 33 extra buses. Ridership increased 40 percent from 34,675 in 1983/84 to 48,545 this year. These buses were allocated to local intrastate services throughout New Jersey as well as interstate trips to the Port Authority Bus Terminal and Philadelphia.
3. NJ TRANSIT Rail Operations Inc. (NJTRail) - We operated 81 regularly scheduled trains plus 4 extra trains in the free fare period. Ridership increased 50 percent from 15,370 in 1983/84 to 22,825 this year. On the Hoboken Division, we operated 46 trains and ridership increased from 2,753 to 4,100. The Newark Division operated 39 trains and ridership increased from 12,617 to 18,725.

Our Free Rides Program this year lasted from 8 P.M. on December 31 to 8 A.M. on January 1. The interpretation that many people made was that we'd be offering continual free service during this period. In fact, our intention was to operate

regularly scheduled services, plus a few extra trains and buses. This was especially crucial at the Port Authority Bus Terminal (PABT) where people returned to go home, only to find that there were no buses scheduled to leave until the next morning.

While we urged people to check return schedules, we could have and should have done more to highlight this. For some late night partyers, it wouldn't have mattered, but the fact is that we have the responsibility to make every effort to point out schedules to our riders in these circumstances.

I'd like to now describe what happened on the few late trains. We had long delays on these trains caused by a combination of the late arrival of equipment into New York which was needed to carry people back out (this delay had been caused by the stabbing of a passenger on the North Jersey Coast Line train), the need to clean up this equipment before it could be used and subsequent equipment problems which further delayed departure from New York. In summary, the train that was to leave New York for the Coast Line at 12:40 A.M. did not leave New York until 3:04 A.M. This created chaos in New York and delayed the departure of the last train on the Raritan Valley Line from Newark.

In New York, Amtrak directed passengers from the general waiting area at Penn Station, down stairs onto loading platforms and onto our trains. Thus, we had hundreds and hundreds of riders crushing onto a train that, because of an equipment problem, was delayed. Far too many of these riders were teenagers who had drunk too much. The result was a mess.

Alan and I can go into detail if you'd like, but the basic point is that a handful of our late night trains were overcrowded with noisy, often drunk, riders, many under 21, all of whom encountered delays. These delays merely intensified the situation.

What about security? First, please recall what I said earlier. We based this year's expectations on last year's experience, which was good. Amtrak had 9 Police Officers on duty at New York Penn Station and 2 Officers on duty at Newark Penn Station after midnight. A normal complement would be 4 and 1 or 2,

respectively. NJ TRANSIT had 7 Police Officers on duty at Newark Penn Station. A normal complement would be 4 to 5. This obviously wasn't adequate, although there are limits to what Officers can do in these kinds of circumstances.

Sixteen of our riders experienced injuries of some sort, although thankfully none were hospitalized overnight. Regarding damage to our equipment, there were 17 slashed seats and a number of knocked out windows had to be reinstalled. Total damage was estimated at \$1,000.

What lessons did we learn from all this? First and foremost, we must do better advance planning. I personally failed to direct NJ TRANSIT management to do the kind of "what if?" contingency planning that so often characterizes our basic work. We were lulled into a misplaced sense of confidence by our earlier New Year's Eve success. It was my fault, and I can assure this Committee and our riding public that it won't happen again.

Better contingency planning would have resulted in our having many more backup trains and buses available to carry higher than expected riders, and to fill in for any equipment failures.

We need to better coordinate our efforts with Amtrak and the Port Authority of New York and New Jersey. This coordination involves both operations and security. Likewise, we need to work better with local Police Departments who share our concern for safe public transportation. We need to do better planning in the use of our own police: worded simply, we need to use our able and dedicated police force in the most effective manner possible.

Looking back on New Year's Eve, I did not plan for all possibilities; rather, I planned for probabilities. We were overwhelmed on the Newark train side late at night, and we and our riders suffered the consequences. But, tens of thousands of others benefited greatly from the safe and dependable free service we provided.

Should we offer free service next New Year's Eve? I believe our Board of Directors should consider this issue in November or in early December. By then, we shall have had much more experience with services somewhat akin to our New Year's Eve service, including St. Patrick's Day train service and rock concert trains. There's no need at all to rush into a decision about service to be provided more than 11 months from now.

I can assure you of this: each of us at NJ TRANSIT will do everything in our power to operate the safest and most dependable service possible, not just on New Year's Eve, but day-in and day-out.

Good planning is good management. We have, in my opinion, the best management team of any transit system in this nation. We are a team of proud, innovative thinkers and operators who love to succeed. We want to serve our citizens well, and in turn receive the respect that we've earned.

I'd like to offer three personal thoughts:

- We failed to do worst-case planning, and it's my fault. I apologize to those who were so inconvenienced and threatened by what happened, just as I'm delighted that so many other tens of thousands enjoyed our free service;
- I'm affronted as a citizen by the irresponsibility of many of our younger citizens who acted like jerks--or worse--on a few of our trains on New Year's Eve. I'm saddened and upset by their behavior.
- You are right to ask us to report to you on our service. The Legislature set up NJ TRANSIT, and we're always available to report to you on our progress and on our problems.

Again, thanks for your interest. Alan and I want to do all we can to answer any questions you might have.

TESTIMONY PRESENTED BY

RICHARD R. KELLY

GENERAL SUPERINTENDENT OF RAILROAD OPERATIONS

PORT AUTHORITY TRANS-HUDSON CORPORATION (PATH)

TO THE NEW JERSEY ASSEMBLY TRANSPORTATION

AND COMMUNICATIONS COMMITTEE

TRENTON, NEW JERSEY

JANUARY 23, 1985

I am pleased to be here today to respond to the invitation of the New Jersey State Assembly Committee on Transportation and Communications to testify regarding the activities of the Port Authority Trans-Hudson Corporation on New Year's Eve.

On December 31, 1984 (New Year's Eve), PATH operated a free-fare program from 8:00PM to 8:00AM. We carried 52,355 passengers. This was a 45 percent increase above the previous New Year's ridership. This is attributed to the fact that New Year's fell on a weekday this year and the free-fare program on PATH received substantially increased media coverage, compared to last year. In addition, New Jersey Transit and the Metropolitan Transportation Authority also offered free trips.

We operated the WTC to Newark service on 1/2-hour headways and the Journal Square 33rd Street via Hoboken service on 15-minute headways. However, this latter service was running irregularly due to the passenger incidents which caused service disruptions. Normal service for midnight operations is 30-minute headways on both services.

New Year's Eve this year at PATH was a difficult evening with several incidents. These incidents included a passenger falling between cars on a train leaving the World Trade Center, windows being kicked out on certain trains, and people climbing between cars onto the roof of a train.

Five arrests were made by PATH Police Officers for offenses including robbery, assault, possession of weapons, possession of drugs and disorderly conduct. In addition there were other serious incidents where the offenders were not arrested. These included an assault on board a train; an assault and robbery on board another train; and a person observed walking on the tracks between stations. All of these incidents resulted in service delays during the night.

The PATH police response to widespread drinking and apparent intoxication during the evening reflected extraordinary judgment and discretion in effectively keeping the situation under control and avoiding serious confrontations.

Extensive advance planning and coordination between PATH staff and Police personnel enabled us to generally contain the incidents that occurred. This was aided by the fact that five watt radios were issued to each conductor working on New Year's Eve in order to provide added communication capabilities.

PATH has used dogs on its system since mid-January 1985, and we are pleased with the results we have obtained to date. Due to the fact that the K-9 patrol teams were in the early stages of familiarization with the system, it was not feasible to use them on New Year's Eve. We anticipate that the use of the K-9 patrol will be an additional deterrent

in incidents such as those described earlier which occurred on New Year's Eve.

Based on our experiences, PATH believes that a successful free-fare program on New Year's Eve requires that train service be provided at frequent intervals. This would assure that groups of revelers would not be required to wait for extended periods of time on station platforms. Prolonged waits for trains and delays in train service contribute to rude and rowdy passenger behavior in stations and on trains.

More frequent service means increased operating crews who should be supported by greater police coverage. In addition, we would substantially increase the assignment of operations supervisors to minimize delays and keep service running as close to schedule as possible. We would also increase senior management coverage during the critical periods to assure maximum coordination and support of all phases of the operation.

Testimony Presented by
Ernesto Butcher, Manager, Port Authority Bus Terminal
of
The Port Authority of New York and New Jersey
to
New Jersey State Assembly Committee
on
Transportation and Communication
Trenton, New Jersey
January 23, 1985

I am pleased to be here today to respond to the invitation of the New Jersey State Assembly Transportation Committee to testify on the activities at the Port Authority Bus Terminal on New Year's Eve. I spent New Year's Eve at the Bus Terminal and so I can share my personal observations with you.

For many years the Port Authority has made special preparation for New Year's Eve. Such preparations are necessary because of the Bus Terminal's close proximity to Times Square as well as the increased numbers of individuals -- mostly teenagers -- who use the facility. Preparations included erecting a large fence around the North Wing at street level. In addition, we staffed up with extra police and operations personnel.

New Year's Eve this year at the Port Authority Bus Terminal can best be described as boisterous. The area outside the Bus Terminal on 42nd Street and 8th Avenue was extremely crowded. Moderate temperatures and the widely advertised fact that this may have been the last year of the traditional ball in Times Square drew large crowds.

Many of the youngsters who traveled in fairly large groups became loud and boisterous. They engaged in several minor scuffles, mostly outside the Bus Terminal, but at no time did any of these scuffles evolve into large confrontations or major incidents.

Many of these individuals were also apparently unfamiliar with the Bus Terminal and failed in many instances to determine the schedules or departure platforms for their return trips. They were also unfamiliar with our normal closing procedures which channel all activities to the lower

levels in the North and South Wings of the Terminal after 1:00 a.m. Although our information facilities were fully staffed, the lack of familiarity with Terminal operations may have contributed to some confusion among those young travelers. We decided to implement our normal closing procedure on New Year's Eve, because we felt very strongly that doing so greatly helped us contain the crowds and control and protect our patrons.

The basic problem we had came about because the large number of individuals who took advantage of the free fare program to come into the City were unable to leave the City again shortly after midnight. The carriers involved in the free fare program from New Jersey apparently did not provide sufficient additional buses. Nor did they schedule more buses in what turned out to be the peak demand time shortly after midnight. The result was that large groups of people had to wait considerable lengths of time to get back to their homes in New Jersey. The milling about that this waiting engendered and the long waits naturally created confusion as well as some disruption in the Terminal.

However, although the number of reportable incidents was not significantly higher than a typical average midnight tour, there were no reports of physical damage to property within the Terminal on New Year's Eve. Initial reports of the high numbers of police incidents were greatly exaggerated. Some of the confusion was the result of individuals who were injured out on the streets entering the Terminal for assistance. I must emphasize that at no time were gangs of youths roaming the Terminal preying

on innocent passengers. The scene may have been hectic but we were in firm control and the safety of our patrons was not threatened.

As to police staffing, a typical midnight tour has 15 police personnel. On New Year's Eve we had double that complement. The 30 police personnel were sufficient to maintain order in the facility and there were no reports of disruption of other bus services as opposed to the free services that evening. Drinking alcoholic beverages is prohibited in the Terminal but, quite wisely, we focused our police efforts on security and crowd control.

In addition to the security and operational procedures we have already developed, if the free ride program were to be offered next December with additional buses, we would arrange for better signing and an information handout for patrons who are unfamiliar with Bus Terminal operations explaining platform locations, schedules and closing procedures.

