

March 26, 2014

Office of New Jersey Governor Christopher J. Christie
New Jersey State Capitol
125 West State Street
Trenton, NJ 08608

TO THE OFFICE OF THE GOVERNOR:

I now forward our report containing the findings of our investigation on behalf of the Office of the Governor of allegations concerning (i) the George Washington Bridge toll lane realignment at Fort Lee and (ii) Hoboken's Sandy aid allocations. We put together an experienced team that included five former federal prosecutors to conduct this investigation. Because of the public import of our investigation, we moved forward expeditiously and, over the past two months, we have interviewed more than 70 witnesses and reviewed more than 250,000 documents, including the personal texts and emails of the Governor, the Lieutenant Governor, and their current senior staffers. Consistent with our directive from the Governor's Office to facilitate cooperation with other investigations, we are also providing our report and findings to the U.S. Attorney's Office, whose representatives we have briefed and updated throughout our investigation.

At the outset, I want to explain how we approached our work. The day we were retained to conduct this investigation was the first time I ever met Governor Christie. He gave us a very clear mandate: to find out the truth, whatever it may be; report it, fully and accurately; and then make recommendations to the Governor's Office to make sure that nothing like this ever happens again. And that is what we have endeavored to do.

I. GEORGE WASHINGTON BRIDGE ALLEGATIONS

Throughout our work on the George Washington toll lane realignment issue, we have sought answers to these questions: What did people in the Governor's Office know? And when did they know it? We set out to find the answers to these and other, more specific questions. First, we wanted to find out whether the decision to realign these toll lanes was made for some ulterior motive, other than a traffic study. Next, we sought to determine, in any event, whether the Governor knew or approved of this decision beforehand, and whether anyone else from the Governor's Office knew or approved of this decision beforehand. And finally, even for those in the Governor's Office who did not know of this decision beforehand, we wanted to know when they learned of it and the motives behind it, and what, if anything, they

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then did about it. In other words, we also wanted to know whether anyone who only found out about this decision afterward tried to cover it up in any way. In this regard, there is an important distinction to be made between being told after the fact that this was a Port Authority-driven traffic study of little consequence to the Governor's Office, on the one hand, and learning after the fact, and suppressing, that this decision was made with the participation of someone in the Governor's Office for ulterior motives, on the other hand.

Our investigation has enabled us to answer most but not all of these questions. While there were apparent ulterior motives for deciding to do this lane realignment in September 2013 and Bridget Kelly, then one of the Deputy Chiefs of Staff in the Governor's Office, was among those who participated in this decision, we are unable to answer definitely what those ulterior motives were. That is because persons who knowingly participated in this act—Kelly and David Wildstein (then of the Port Authority)—and others who may know more about it have asserted their Fifth Amendment rights or declined to cooperate with our investigation.¹

Based on our investigation, however, we can now say what the Governor knew and when he knew it. First of all, our investigation found that Governor Christie did not know anything beforehand about this decision to close these George Washington Bridge toll lanes on September 9, 2013. The Governor has no recollection of being aware of the lane realignment during the period the lanes were closed from September 9 to 13, 2013; but hearing about a traffic issue in the vicinity of the George Washington Bridge would not have been memorable to him in any event, as such traffic issues are a common occurrence. He recalls becoming aware of the lane realignment as an issue that registered with him when an October 1, 2013 press account appeared, reporting on a leaked internal memo from the Port Authority's Executive Director criticizing that decision; but upon inquiry, the Governor's Office was repeatedly and consistently informed by its Port Authority representatives—Wildstein and Bill Baroni—that this was simply a traffic study, legitimate in its intentions even if mishandled in its execution. In early December 2013, after other Port Authority officials openly questioned the propriety of the lane realignment during New Jersey Assembly Committee hearings and rumors filtered back of others' involvement in this decision, the Governor decided to have further inquiries made. On the morning of

¹ The common speculation that this toll lane realignment was some form of political retaliation against Fort Lee Mayor Mark Sokolich, a Democrat, because he failed to cross party lines and endorse Governor Christie for re-election is not established by the evidence we uncovered. Indeed, by late March 2013, it was well known within the Christie Administration and re-election campaign that Mayor Sokolich would not be endorsing the Governor, yet it seemed to have no effect upon his working relationship with the Christie Administration over the next several months.

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December 13, 2013, he convened a special meeting of his senior staff and demanded to know whether any of them knew anything about this decision at the time. No one said they did. In fact, Bridget Kelly expressly denied knowing anything about this beforehand. That proved to be a lie.

On January 8, 2014, documents subpoenaed by that same Assembly Committee became public showing that Kelly directly communicated with Wildstein in advance about implementing this lane realignment for some, unspecified ulterior motive—namely, she wrote Wildstein on August 13, 2013: “Time for some traffic problems in Fort Lee.” Those documents also reflected communications they had during and after the lane realignment with Baroni and Bill Stepien (the Governor’s re-election campaign manager). That same afternoon, the Governor called together his senior aides and advisors and, in an emotional session, expressed shock at the revelations, directed Kelly’s firing immediately for lying to him, and also decided to sever ties with Stepien. The next morning, he held a nearly two-hour press conference to acknowledge this transgression by someone close to him, to take responsibility for it happening on his watch, and to answer the press’s questions.

The Governor’s account of these events is corroborated by many witnesses. Furthermore, in all the documents we reviewed (including the personal texts and emails of the Governor, the Lieutenant Governor, and their current senior staffers) and in all the witness interviews we conducted, we uncovered nothing contradicting the Governor’s account.

Nor have we found any evidence of any member of the Governor’s Office, besides Bridget Kelly, being involved beforehand in the decision to realign these George Washington Bridge toll lanes at Fort Lee. And we have not found any evidence of any member of the Governor’s Office, besides Bridget Kelly, trying to cover up what happened after the fact.²

That is not to minimize in any way the seriousness of what happened here. Even though these were the actions of a few, they had severe consequences for commuters and constituted a breach of public trust. For that reason, the Governor’s Office has asked us to make recommendations, and we now do so here, to try to prevent something like this from ever happening again.

² While we were not able to obtain the cooperation of certain parties with knowledge relevant to these issues (including Kelly, Wildstein, and Stepien), we have had the cooperation of all current employees and some former employees in the Governor’s Office, as well as other independent witnesses, to help inform our investigation.

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II. HOBOKEN MAYOR DAWN ZIMMER'S ALLEGATIONS

We were also tasked with investigating Hoboken Mayor Dawn Zimmer's recently raised allegations that, starting in May 2013, Christie Administration officials repeatedly threatened to withhold Hoboken's Sandy aid unless she supported a stalled private real estate development there. Our investigation has concluded that Mayor Zimmer's allegations are unsubstantiated and, in material respects, demonstrably false.³ Whatever subjective perceptions she may have do not match objective reality, as reflected in the hard evidence uncovered during our investigation. Moreover, her allegations are contradicted by contemporaneous documents, other witnesses' accounts, and her own prior statements. Therefore, there are no remedial actions required in this regard.

III. CONCLUSION

We understand that the Governor has already decided to release our report and findings to the public—something he announced publicly long before our investigation was completed. We are therefore publishing with this report the contemporaneous documents on which we are relying as exhibits in reaching our findings. In this way, the Governor's Office and the public will be able to see that hard evidence for themselves. For those of us conducting this investigation, this has not been about politics—indeed, most of us, including myself, are registered Democrats. Rather, it has been about finding the truth, and getting answers to tough questions. And now, we have those answers, not to every question but to the most important ones. And we will continue to facilitate the Governor's Office's cooperation with other investigations.

Respectfully,



Randy M. Mastro

³ While we did not have the cooperation of Mayor Zimmer or other Hoboken officials who claim she told them about these allegations after the fact, that was not an impediment to our investigation of those allegations. We already had the benefit of her several national television interviews (as well as copies of her handwritten notebook entries she distributed to the press) recounting her allegations. Moreover, her claimed perceptions have to stand up in their own right. It makes them no more reliable simply because she wrote them down and repeated them to others after the fact.