

Internal Review Team Puts Forward Comprehensive and Exhaustive Report

After More Than 70 Interviews And 250,000 Documents Reviewed Over Two Months, The Internal Review Team From Gibson Dunn Report Their Findings After Thorough Investigation

KEY TAKEAWAYS:

- Governor Christie did not know, and had no involvement in the decision to realign the lanes.
 - There is also no evidence that the Governor knew of the lane realignment while it was occurring.
- There is no evidence that any member of the Governor's staff, besides Bridget Kelly, was involved in the decision to realign the lanes or took any action to cover it up.
 - Speculation that there was a culture of retaliation within the Governor's Office is "unsubstantiated."
- David Wildstein and Bridget Kelly "knowingly participated in this plan ... at least in part, for some ulterior motive to target Mayor Sokolich."
 - "The participants in this plan were not authorized by Governor Christie or anyone else in the Office of the Governor to realign or alter the George Washington Bridge Fort Lee access lanes."
 - Wildstein first raised the issue of toll lane access in Fort Lee in 2010, and "seemed to be driving the issue again in 2013."
 - Kelly attempted to conceal her actions following a "grilling" by Chief of Staff Kevin O'Dowd, by asking Christina Renna to delete her email replying "good" after being informed Mayor Sokolich was "extremely upset."
 - Some evidence shows that Kelly and Wildstein had "a focus and animus toward Sokolich not explicitly tied to his endorsement."
 - There is no evidence of anyone else having "knowingly participated in this plan to target Mayor Sokolich."
 - Bill Baroni and Bill Stepien knew of the idea to realign the lanes in advance, though not necessarily any ulterior motives.
- Five former federal prosecutors led the team which conducted a review spanning more than two months to produce the nearly 350 page report with more than 600 cited exhibits included in the final release.
 - More than 70 interviews were conducted including with Governor Christie, Lt. Governor Guadagno, and the entire senior staff of the Governor's Office and other relevant individuals.
 - 250,000 documents were reviewed "including the personal texts and emails of the Governor, the Lieutenant Governor, and their senior staffers."
 - A copy of the report was provided to the US Attorney's Office and the Legislative Select Committee.

THE GOVERNOR HAD NO PRIOR KNOWLEDGE OF LANE REALIGNMENT:

Governor Christie Did Not Know, And Had No Involvement In Decision To Realign The Lanes. "Our investigation found that Governor Christie did not know of the lane realignment beforehand and had no involvement in the decision to realign the lanes." (p. 10)

- **There Is Also No Evidence That The Governor Knew Of The Lane Realignment While It Was Occurring.** "Nor did we find any credible evidence that the Governor had knowledge of the lane realignment while it was occurring from September 9 to 13, 2013. ... Our examination ... found no evidence that the Governor had knowledge of the lane realignment during its implementation." (p. 127 – 128)
- **The Investigation "Uncovered Nothing Contradicting The Governor's Account."** "[I]n all the documents we reviewed (including the personal texts and emails of the Governor and his senior staff) and from all the witnesses we interviewed, we uncovered nothing contradicting the Governor's account." (p. 11)

The Review Confirms The Governor's Account From The January 8th Press Conference:

- **October 2013: Following The Publication Of The Foye Email By *The Wall Street Journal*, Governor Christie Asked Charlie McKenna To Look Into The Issue, Who Was Assured By Bill Baroni That It Was Part Of A Legitimate Traffic Study.** "After the publication of the October 1 *Wall Street Journal* article, at the Governor's direction, McKenna questioned Baroni, who assured McKenna that the lane realignment had been a legitimate Port Authority traffic study; McKenna communicated Baroni's assurances to the Governor." (p. 124)
- **December 12: Following Testimony By Port Authority Officials And As Rumors of Bridget Kelly's Involvement Emerged, "The Governor Became Concerned About What He Was Hearing And Demanded Straight Answers From His Senior Staff."** "Others also heard the Kelly email rumors and reported them back to the Governor's Office around that time. On December 9, 2013, Port Authority officials testified before the Assembly Committee that Wildstein was behind the lane realignment decision and told them 'not to worry' about notifying Foye or Fort Lee officials in advance. Foye also testified, saying he was not aware of any actual traffic study. The Governor became concerned about what he was hearing and demanded straight answers from his senior staff." (p. 8)
 - **Governor Christie Directly Asked Stepien "What, If Anything, He Knew," Stepien "Denied Having Any Involvement" Saying Wildstein Had "50 Crazy Ideas A Week."** "[G]overnor Christie asked Stepien what, if anything, he knew about the lane realignment. Stepien denied having any involvement in the lane realignment decision or its implementation. Rather, Stepien told the Governor that Wildstein would come to him with '50 crazy ideas a week ...'" (p. 94)
 - **When Questioned By Chief Of Staff Kevin O'Dowd, Kelly "Unequivocally Denied Any Contemporaneous Knowledge."** "[O]'Dowd asked Kelly if she knew anything about the lane realignment before it went into effect. Kelly unequivocally denied any contemporaneous knowledge of the lane realignment. Kelly also asked O'Dowd why he was asking. O'Dowd responded that the Governor had directed him to talk to her. O'Dowd inquired further whether she had any text messages or emails on the subject, and Kelly responded that she did not think so. Nonetheless, O'Dowd directed Kelly to review her text messages and emails and check if she had any evidence on the question. O'Dowd further instructed Kelly that she should let him know right away if she found anything. O'Dowd then informed Governor Christie of Kelly's denial of any contemporaneous knowledge of the lane realignment." (p. 95)
- **December 13: Governor Christie Convened His Senior Staff And Demanded They Come Forward With Any Information They Had, Saying Of The Bridge Fiasco: "This Is A Mess, And Now I Have To Clean It Up."** "[O]n December 13, 2013, the Governor convened a special meeting of his senior staff and also invited Drewniak. He stood the entire time and raised his voice. He told them he was concerned they were all suffering from 'senioritis' following the election. ... He mentioned a number of miscues but then focused on the George Washington Bridge lane realignment fiasco. He said words to the effect of: "This is a mess, and now I have to clean it up." He demanded to know from each of them in that room whether they had any prior knowledge or involvement with the lane realignment." (p. 9)

- **After The Meeting, Kelly Was Directly Questioned A Second Time By O'Dowd And Continued To Deny Involvement.** "He told them to come forward with the truth that morning, to go tell O'Dowd or Charles McKenna, then the Governor's Chief Counsel. ... But Kelly did not come forward. To the contrary, when questioned for a second time by O'Dowd that morning, Kelly continued to deny any involvement." (p. 9)
- **January 8, 2014: Governor Convened His Senior Staff And "Expressed Shock" At The New Revelations And Directed The Dismissal Of Kelly And Stepien.** "That afternoon, on January 8, 2014, the Governor called together his top aides and advisors at Drumthwacket. It was an emotional session, in which the Governor, welling up with tears, expressed shock at the revelations, directed Kelly's immediate firing for lying to him, and also decided to sever ties with Stepien." (p. 10)

WITH THE EXCEPTION OF BRIDGET KELLY, NO OTHER MEMBER OF THE GOVERNOR'S STAFF WAS INVOLVED:

There Is No Evidence That Any Member Of The Governor's Staff, Besides Bridget Kelly, Was Involved In The Decision To Realign The Lanes Or Took Any Action To Cover It Up. "We have not found any evidence of any other member of the Governor's staff, besides Bridget Kelly, being involved in the decision to realign these George Washington Bridge toll lanes at Fort Lee. And we have not found any evidence of any other member of the Governor's staff, besides Bridget Kelly, doing anything to cover up what happened here after the fact." (p. 11)

- **"Kelly Approved The Lane Realignment Plan, Stayed Involved Throughout, And Then Participated In A Cover Up"** "In sum, we find that Kelly approved the lane realignment plan, stayed involved throughout, and then participated in a cover up of it afterward. Mayor Sokolich also appears to have been targeted for some reason yet to be determined." (p. 115)
- **"[K]elly Deliberately Deceived Governor Christie And The Rest Of The Governor's Office Senior Staff ..."** (p. 115)

There Is No Evidence Of Any Cover-Up Within The Governor's Office. "To the contrary, when, by early December 2013, allegations of Kelly's involvement surfaced – however vague and speculative those allegations were at the time – the Governor personally had further inquiry made and demanded full disclosure by his senior staff." (p. 133)

The Investigation Also Found Speculation That The Governor Created A Culture Of Retaliation To Be "Unsubstantiated." "Following the lane realignment, several New Jersey legislators have claimed that Governor Christie created a 'culture' of 'abuse of power' condoning retaliation against political adversaries. ... In response to these allegations, we have endeavored to determine whether or not Governor Christie condoned, encouraged, or directed those working in his Office to engage in partisan retaliation. Our investigation found such speculation to be unsubstantiated." (p. 134)

BRIDGET KELLY AND DAVID WILDSTEIN WERE TARGETING MAYOR SOKOLICH:

David Wildstein And Bridget Kelly "Knowingly Participated In This Plan ... At Least In Part, For Some Ulterior Motive To Target Mayor Sokolich." "Our investigation found that David Wildstein (then of the Port Authority) and Bridget Kelly (then one of the Deputy Chiefs of Staff in the Governor's Office) knowingly participated in this plan to realign toll lanes leading onto the George Washington Bridge at Fort Lee, at least in part, for some ulterior motive to target Mayor Sokolich." (p. 2)

- **Wildstein First Raised The Issue Of Toll Lane Access In Fort Lee In 2010, And "Seemed To Be Driving The Issue Again In 2013."** "Indeed, Wildstein himself first raised the issue in late 2010. For some reason yet to be determined, Wildstein seemed to be driving this issue again in 2013. It was Wildstein's 'idea,' like so many other 'crazy' ones he'd had before that never got off the ground." (p. 3)
 - **Wildstein "Originated, Effectuated, And Oversaw" The Lane Realignments, And Even Admitted They Were His "Idea."** "The evidence establishes that David Wildstein originated, effectuated, and oversaw the September 2013 George Washington Bridge lane realignment operation. ... Indeed, although Wildstein refused to cooperate with our investigation and has asserted his Fifth Amendment rights, he admitted to McKenna and others that the lane realignment was his 'idea.' Our review of the evidence is consistent with the Port Authority's conclusion and Wildstein's admissions." (p. 107-108)

- **Some Evidence Shows That Kelly And Wildstein Had “A Focus And Animus Toward Sokolich Not Explicitly Tied To His Endorsement.”** “Indeed, it seems unlikely that political retaliation for Sokolich’s unwillingness to endorse could have been the true objective of the lane realignment. After all, Mayor Sokolich made that decision known five months earlier – without any apparent effect on his working relationship with the Governor’s Office thereafter. ... Other evidence also reflects a focus and animus toward Sokolich at the time that was not explicitly tied to his decision not to endorse the Governor.” (p. 112)
 - **Kelly Was “Irate” When Informed That A Staffer Had Met With Mayor Sokolich On August 16.** “We found no evidence up until that point in time of any hostility toward Mayor Sokolich. But when Kelly learned that one of her staffers ... met with Mayor Sokolich a few days later on August 16, 2013, she lashed out about it in a series of emails, saying ‘I am on fire,’ ‘I am irate,’ ‘[W]hy did he think it was ok to meet with Sokolich?’, and ‘He should not have met with Fort Lee without approval. I am really upset with him.’” (p. 4)

“The participants in this plan were not authorized by Governor Christie or anyone else in the Office of the Governor to realign or alter the George Washington Bridge Fort Lee access lanes.” (p. 105)

- **There Is No Evidence Of Anyone Else Having “Knowingly Participated In This Plan To Target Mayor Sokolich.”** “As to whether anyone else may have knowingly participated in this plan to target Mayor Sokolich, our investigation has not found any evidence of anyone else’s involvement.” (p. 2)

Bill Baroni And Bill Stepien Knew Of The Idea To Realign The Lanes In Advance, Though Not Necessarily Ulterior Motives. “Our investigation also found that Bill Stepien (then the Governor’s campaign manager) and Bill Baroni (then the Deputy Executive Director of the Port Authority) knew of this idea in advance, but we found no evidence that they knew of the ulterior motives here, besides the claimed purpose of conducting a traffic study.” (p. 2)

KELLY ATTEMPTED TO CONCEAL HER ACTIONS BY REQUESTING EMAIL DELETED:

Following The “Grilling” By O’Dowd On December 12, Kelly Asked Christina Renna To Delete Her Email Replying “Good” After Being Informed That Mayor Sokolich Was “Extremely Upset.” “On December 12, 2013, he had further inquiries made of Kelly and Stepien. Both denied any involvement in the decision to close these lanes. ... [K]elly was nevertheless panicked by what she considered to be O’Dowd’s ‘grilling.’ She called her staffer, Christina Renna, that same night to make a desperate request: delete the email that Kelly sent Renna on September 12, 2013, where Kelly, upon learning Mayor Sokolich was ‘extremely upset,’ responded: ‘Good.’” (p. 8)

- **“Despite Kelly’s Attempt To Cover Her Tracks, Renna Preserved A Copy Of That Email.”** (p. 8)

The Morning After Being Fired, Kelly Sent A Text To Renna “Admitting Her Transgression: ‘I’m Sorry To Tarnish IGA.’” “The next morning, on January 9, 2014, the Governor held a press conference for nearly two hours in which he acknowledged this breach by someone close to him, took responsibility for it happening on his watch, and answered the press’s questions. That same morning, Kelly texted her then-former staffer, Renna, admitting her transgression: ‘I’m sorry to tarnish IGA.’” (p. 10)

GIBSON DUNN RECOMMENDATIONS TO PREVENT SIMILAR INCIDENTS:

The Office Of The Governor:

- **Restrict The Use Of Personal Email Accounts For Official State Business:** Employees within the Governor’s Office should no longer be allowed to use personal email accounts to conduct state business absent extraordinary circumstances.
- **Eliminate The Office Of Intergovernmental Affairs:** In light of the aberrational behavior that occurred here and to eliminate any misconceptions going forward, IGA should be disbanded and its functions reorganized within a new and expanded Governor’s Office of Constituent and Legislative Services.
- **Institute An Ombudsperson Within The Governor’s Office:** A senior statesperson “of unquestioned integrity and independence,” should be appointed ombudsperson within the Governor’s office who reports directly to the Governor. The role would be to serve as a sounding board for complaints and ensuring that appropriate response to issues.

- **Appoint A Chief Ethics Officer:** To ensure what happened here will not be repeated moving forward, the Governor should appoint a Chief Ethics Officer. This newly created position will be dedicated to addressing ethics issues and conflicts as they arise while overseeing training to ensure Governor's office staff are aware of their obligations.

The Port Authority Of New York And New Jersey:

- **Appoint Bi-State Commission To Review Restructuring The Port Authority:** In conjunction with New York, New Jersey should move to form a bi-state commission to formulate a reorganization of the Port Authority. As a priority, the commission should consider a potential fundamental restructuring of the PA's organization and the appointment process for PA commissioners and senior executives.
- **Propose Legislative Reforms To Promote Transparency:** The Governor's office should work with legislative leaders and their New York counterparts to craft new or modified reform proposals to bring enhanced transparency and accountability to across the region's public authorities.