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**INTERVIEW**  
of  
**Lieutenant Daniel J. Cosgrove**  
for the  
**SENATE JUDICIARY COMMITTEE**

February 15, 2001  
10:00 a.m.  
Committee Room 2  
State House Annex  
Trenton, New Jersey

**PRESENT AT INTERVIEW:**

Scott Louis Weber, Esq. (Special Counsel to the Committee)  
Jo Astrid Glading, Esq. (Democratic Counsel to the Committee)  
Douglas Wheeler, Esq. (Democratic Counsel to the Committee)

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**SCOTT LOUIS WEBER, ESQ.:** Good morning, Lieutenant.

My name is Scott Louis Weber. I'm an attorney at Latham and Watkins, and we have been retained as Special Counsel to the Senate Judiciary Committee in connection with its investigation into allegations of racial profiling against the New Jersey State Police.

I just want to first off, thank you for coming today. You are here on a voluntary basis, and on behalf of the committee, we do appreciate that.

Before I swear you in, though, I would just ask for the record that everyone identify themselves, and we'll start with Mr. Wheeler.

**DOUGLAS WHEELER, ESQ.:** Douglas Wheeler, I'm Assistant Counsel with the Senate Democratic Office.

**JO ASTRID GLADING, ESQ.:** Jo Astrid Glading, I'm Staff Counsel with the Senate Democratic Office.

**DEPUTY ATTY. GEN. BRIAN G. FLANAGAN:** Brian Flanagan, Deputy Attorney General, Division of Law.

**LIEUTENANT DANIEL J. COSGROVE:** Daniel J. Cosgrove, Lieutenant, New Jersey State Police.

**HEARING REPORTER:** Linda Brokaw, OLS Hearing Reporter.

**MR. WEBER:** And I have already identified myself. Scott Weber.

Lieutenant, before we start, I just want to advise you of my authority to take your interview today. And as you can see to your left, there is a hearing reporter. The interview today will be recorded on an audio cassette, and if need be, a transcript will be made of today's interview.

By motion approved January 29, 2001, the Senate Judiciary Committee resolved, among other things, that Michael Chertoff and myself -- as well as

other lawyers at our firm -- are authorized to, "take such testimony, interview such persons, and gather such documents in further of this Committee's investigation and inquiry into the issue of racial profiling and the circumstances pertaining thereto."

It was further resolved that we have the "authority to administer oaths on behalf of the Committee to obtain sworn testimony."

With that being said, Lieutenant, if you could please raise your right hand and repeat after me?

(Oath administered)

MR. WEBER: Thank you, Lieutenant.

Lieutenant, what I'd like to do today, just to start off, is to obtain from you educational background and then your job history at the State Police. So if you could start off with your education and advise us of that, I'd appreciate it.

LIEUTENANT COSGROVE: I'm a graduate -- I have a college degree from Jersey City State College -- approximately June of '89 -- in criminal justice. Since then I had been going to Seton Hall University attempting to get my Master's degree in education. I have approximately 24 credits to that end.

MR. WEBER: Are you still actively pursuing your Master's degree?

LIEUTENANT COSGROVE: Not at this time.

MR. WEBER: When did you join the State Police?

LIEUTENANT COSGROVE: The 95th class, June 29th of 1979. I'm in my -- currently in my 22nd year.

MR. WEBER: That's when you graduated from the Academy?

LIEUTENANT COSGROVE: Correct.

MR. WEBER: And what was your first position out of the Academy?

LIEUTENANT COSGROVE: General road-duty trooper. I was currently residing in Jersey City. I worked at various road stations throughout northern New Jersey -- my first station being Flemington. I worked at Somerville, the old Morristown Headquarters, and then, finally -- as a road station, Totowa Headquarters.

MR. WEBER: How long were you a road trooper?

LIEUTENANT COSGROVE: Approximately nine years.

MR. WEBER: Till approximately 1988/1989?

LIEUTENANT COSGROVE: June 16th of 1988, I was transferred from Totowa Headquarters to the Public Information Unit at Division Headquarters.

MS. GLADING: I'm sorry, what year was that?

LIEUTENANT COSGROVE: 1988.

MR. WEBER: And you were transferred to the Public Information Unit at Division Headquarters down here in Trenton.

LIEUTENANT COSGROVE: Yes.

MR. WEBER: What was your rank at that time?

LIEUTENANT COSGROVE: Trooper I.

MR. WEBER: How did it come about that -- that you were transferred down to Division Headquarters? Did you seek out a new assignment?

LIEUTENANT COSGROVE: Yes, I did. There was a selection process, naturally. It goes through our -- at that time -- the State Troopers Fraternal Association has an agreement that all assignments -- and new currently assignments are posted. There's certain criteria to follow. You submit a

resume, and sometimes there are oral interviews and sometimes there are not. And the selection is based on those.

MR. WEBER: Incidentally, do you have a relative in the State Police?

LIEUTENANT COSGROVE: Yes, I do.

MR. WEBER: Okay. And that's the T. Cosgrove?

LIEUTENANT COSGROVE: No. T. Cosgrove is no relation.

MR. WEBER: Is no relation.

LIEUTENANT COSGROVE: R. Cosgrove, badge number 3619, is a detective sergeant. That's my brother, Rich Cosgrove.

MR. WEBER: Okay. But there's no relation between you and T. Cosgrove?

LIEUTENANT COSGROVE: No.

MR. WEBER: Okay.

Well, you'll be happy to know then, that my small stack of documents is going to get even smaller.

LIEUTENANT COSGROVE: Okay.

MR. WEBER: So you're transferred down to Division Headquarters in the Public Information Unit. What is the Public Information Unit?

LIEUTENANT COSGROVE: It's an office at the present -- at that time, was under the Division Staff Section, which is solely responsible for dealing with media-generated inquiries -- among the most inquiries that come into the Division Headquarters. You speak on behalf of the Superintendent.

My initial assignment was that and not that. I dealt with the media on a daily basis. I was more-- I had ancillary responsibilities, such as being involved in 200 Clubs, community-based programs, things of that nature. We

were responsible for setting up the awards programs within the Division of State Police.

MR. WEBER: That's the Division awards program?

LIEUTENANT COSGROVE: Yes.

MR. WEBER: Were you down at Division Headquarters in the Public Information Unit at the time the awards program -- prior to the award program being established, or had it already been put in place?

LIEUTENANT COSGROVE: It had been put in place years -- years prior to that.

MR. WEBER: Did you have any involvement in the administration of the awards program?

LIEUTENANT COSGROVE: Well, actually what I -- what my responsibilities was-- After it came through the Division Awards Review Board and it was approved by the Superintendent, I would get a finalized list of what certificates were given to which trooper. And I would get a synopsis, write it up, format it, frame it, and schedule an awards ceremony, and have the presentations with the Superintendent present.

MR. WEBER: Okay.

So you were involved after the decision was made?

LIEUTENANT COSGROVE: Yeah. I did not have really a decision-- Early on, I never had a decision-making position with the Awards Board. It solely came from the Awards Board, and there upon, again, the approval of the Superintendent, that's what the decision was.

MR. WEBER: Did there ever come a point in time when you then did have an involvement in the decision-making process on the awards program?

LIEUTENANT COSGROVE: The only thing is when Colonel Pagano, at the time -- under his administration -- when he thought I saw inconsistencies where some people were getting awarded, where others would get no recognition, I should seek him out and tell him -- to make him aware that it just wasn't fair that certain people were getting recognized, as far as ribbons, and some people weren't.

MR. WEBER: Right.

Well, you transferred down in 1988. Colonel Pagano was at the State Police until 1990 -- beginning of 1990?

LIEUTENANT COSGROVE: Correct.

MR. WEBER: Okay.

So you -- you had-- And you came there in June of 1988, so for approximately a year and a half, you had the ability for some input into the Division awards program?

LIEUTENANT COSGROVE: And then it continued a little bit under Colonel Dintino when he came onboard, because he was new to the process, and he knew I'd handle it on his behalf, and whatever I did, I just wanted to make sure everything was being done appropriately for each and every individual trooper.

MR. WEBER: How would -- how would you know what troopers were not given an award who -- who you thought were worthy of getting an award?

LIEUTENANT COSGROVE: Well, it wasn't -- it wasn't that. I would only get, again, that final list. What I would get would only be certificate -- people who were getting certificates. Anything other than letters of recognition, I would not even see.

But what I would see is for a certain type of action -- like a rescue in a car fire or something like that -- I'd notice that one guy got a yellow ribbon and then another guy got a blue ribbon. Sometimes it reversed. Sometimes guys were getting too much for something that somebody got awarded a -- there's a letter of appreciation, a certificate of commendation -- which is known to troopers as a yellow ribbon -- a meritorious service, a distinguished service, and then Trooper of the Year.

MR. WEBER: Okay.

So just so I understand, the input that you had was as it pertained to the final list. So you had-- The troopers who were gonna get the awards, you knew what level of award they were gonna get.

LIEUTENANT COSGROVE: Correct.

MR. WEBER: You would review each of those individual files, and the input that you had was to then say whether or not you thought -- within the group that had already -- it was already decided were getting an award, what the different level should have been?

LIEUTENANT COSGROVE: Plus past recipients. I had access. We had files over the years of what was handed to me. When Captain Tom Gallagher was the Public Information Officer, gave me that respon-- That's what I did for the first year. I had to actually catch up on awards, they were so backdated, so to speak. Some guys were getting recognized-- I was recognized from three years -- incidents that occurred three years ago.

MR. WEBER: Okay.

So you're in the Public Information Unit, Division Headquarters, as of 1988. Are you still there today?

LIEUTENANT COSGROVE: No.

MR. WEBER: Okay.

How long did you remain in the Public Information Unit?

LIEUTENANT COSGROVE: Approximately 11 years. I was transferred on November 13 of 1999, to the Internal Affairs Investigation Bureau.

MR. WEBER: All right, let's go back to your -- your stint at the Public Information Unit, from 1988 until November of 1999.

Did your responsibilities over time change at all?

LIEUTENANT COSGROVE: Basically not. They remained the same.

MR. WEBER: Did your rank, while you were at the Public Information Unit, change at all?

LIEUTENANT COSGROVE: Yes.

MR. WEBER: When -- when did it change?

LIEUTENANT COSGROVE: I believe I made sergeant about 1992. I believe I made the rank of sergeant first class in -- again, this is approximate, not seeing my personnel orders -- 1995, and then I made the rank of lieutenant in January of '98.

MR. WEBER: In addition to your rank, did you have any official title at the Public Information Unit at any time?

LIEUTENANT COSGROVE: Actually, you're considered a public information officer. That's what the ranking officer would hold. Again, when I was a trooper there, you're technically not the-- I would be considered a spokesman first, and then, as you moved up the ranks, you'd hold more responsibility 'cause you're actually running the unit. Even though it was a

small unit, you're considered a unit supervisor, and you then, again, become the Public Information Officer.

MR. WEBER: Okay.

So was there-- The Public Information Officer, I take it, is the lead spokesman for the Public Information Office?

LIEUTENANT COSGROVE: Correct.

MR. WEBER: Did there come a point in time when you were appointed Public Information Officer?

LIEUTENANT COSGROVE: It just goes with the territory. They don't separate the, "now you are the Public Information Officer." 'Cause there came a time that there was a civilian put into the Public Information Unit, and he was considered a director. So if he was the Director, I was the Public Information Officer, and there was a sergeant there. He was considered a spokesman for the State Police.

MR. WEBER: Okay.

Well, for a time you were considered a spokesman.

Correct?

LIEUTENANT COSGROVE: Correct.

MR. WEBER: When -- when-- At what point in time did -- and, again, I understand it wasn't like an official, "we're hereby dubbing you"--

LIEUTENANT COSGROVE: Right.

MR. WEBER: --"Public Information Officer," but at what point in time did you sort of segue from spokesman to public information officer?

LIEUTENANT COSGROVE: Well, I'd have to say that was probably in-- I would say -- to give -- put a point of fact-- I'd say it was when I was at

sergeant first class, and I was running the unit. Because at that point, Mr. Hagerty was there as the Director, and then we brought another sergeant in underneath me.

MR. WEBER: So it's approximately 1995.

Did you have any involvement in any aspect of training that was provided by the State Police?

LIEUTENANT COSGROVE: As far as?

MR. WEBER: Anything. Did you ever speak at any seminars or programs?

LIEUTENANT COSGROVE: I only gave, actually, one media-relations talk at a graduating class of troopers.

MR. WEBER: When was that?

LIEUTENANT COSGROVE: I think myself and Mr. Hagerty went down -- I would say it was about 1996 or so.

MR. WEBER: Did -- did your presentation about media relations at all involve the issue of racial profiling?

LIEUTENANT COSGROVE: No.

It was more about not giving them a seminar on media-relations and procedures, it's more or less letting them know what the Public Information Unit does and what the responsibilities were. And the SOPs B-6 had guidelines -- troopers responsibility to refer all inquiries, if in the field, to us -- to be handled by the Public Information Officer.

MR. WEBER: Were -- were you involved at all in the *State v. Soto* case?

LIEUTENANT COSGROVE: Not directly, no.

MR. WEBER: Okay.

Let me show you a document that's been produced to us by the Attorney General's Office.

And for the record it's GC-002638 through GC-002640. It is an article from the *New Jersey Law Journal*. It is undated, but there is a stamp on it that says, "Division of State Police, Public Information Office."

And I ask you to take a look at that article.

LIEUTENANT COSGROVE: The article-- Again, I don't have independent recollection, because -- I mean 11 years of talking to reporters -- and to tell the truth, I didn't speak to a lot of people from the *New Jersey Law Journal* -- and again, Barbara Gathhelt (phonetic spelling) doesn't ring a bell with me -- but I'm seeing I'm quoted as a sergeant, so I -- I would only say that it was early, I guess, during the *Soto* case -- was still early-'90s, I was a sergeant. She quoted me right as I was a sergeant, 'cause it has been done-- It's probably '93/'94.

MR. WEBER: Okay.

LIEUTENANT COSGROVE: Or '94 at the best, because I made SFC in '95, and I think that's when the *Soto* case was still in the trial basis.

MR. WEBER: Right.

Well, the *Soto* decision was issued in March of 1996.

LIEUTENANT COSGROVE: Okay. Yeah.

MR. WEBER: Let's-- And you have a very brief quote here, it's on the last page.

LIEUTENANT COSGROVE: Right. Yes.

MR. WEBER: And I'll read the paragraph just so it's in the record. As in the earlier cases, the State Police continued to maintain that they

do not condone or encourage racial profiling. "We base our motor vehicle stops on training and experience and case law," says State Police spokesman, Sergeant Daniel Cosgrove. "We don't profile." Cosgrove says the State Police have not hired independent counsel in the Gloucester County matter and will rely on the prosecutor's efforts.

Now here, you're referred to as a spokesman. Correct?

LIEUTENANT COSGROVE: Correct. Yes.

MR. WEBER: So you're not the Public Information Officer yet?

LIEUTENANT COSGROVE: Correct.

MR. WEBER: And you became the Public Information Officer, you said, when you made sergeant first class -- that's probably 1995. And again, you're referred to here as sergeant, so we know that you made sergeant in 1992. This is sometime between 1992 and--

LIEUTENANT COSGROVE: 1994.

MR. WEBER: '94.

How is it -- and just so I understand-- How is it that you would draw a specific assignment? Well, let me step back. Was there more than one spokesman at that time?

LIEUTENANT COSGROVE: Hmm, whether it was '94, I'm trying to think -- the people coming in and out, to tell you the truth. I was there the longest of anybody -- people coming in -- but I believe Mr. Hagerty was definitely there.

MR. WEBER: Okay.

LIEUTENANT COSGROVE: 'Cause he came in--

MR. WEBER: And he was the Director?

LIEUTENANT COSGROVE: Yeah, his position was the Director--

MR. WEBER: Civilian.

LIEUTENANT COSGROVE: --of Communications. Correct.

And since I was a sergeant, there may have been another person there, and it may have been a retired SFC now, that's -- that may have been there.

MR. WEBER: All right. Well--

LIEUTENANT COSGROVE: I had the most kinda experience, even being a young trooper and a young sergeant there. If this happened in '94/'95, I was there six years, seven years already.

MR. WEBER: Okay.

LIEUTENANT COSGROVE: I've learned-- I was there, and people who were coming in and out, actually didn't -- to tell you the truth -- didn't want to handle most of the things, and I kinda-- That's what I liked to do, and I got into what I did, so I think I was kinda professional at it.

MR. WEBER: Well, I -- I just want to understand how -- how the process works. A call comes in from--

LIEUTENANT COSGROVE: Correct.

MR. WEBER: --a reporter.

LIEUTENANT COSGROVE: A reporter.

MR. WEBER: How is it assigned out who will return that phone call?

LIEUTENANT COSGROVE: That's not assigned. It's just you answer the phone, and that's the inquiry that you get.

MR. WEBER: Okay.

Is there any effort to coordinate amongst the people in the Public Information Unit that, "Okay, Lieutenant Cosgrove, all calls that relate to the

five-car pileup are gonna go to Lieutenant Cosgrove.”

LIEUTENANT COSGROVE: Yes. That does happen on a day-to-day basis, depending on fast-breaking news stories, such as daily incidents, multiple fatalities, shootings. It's better to have one spoken voice.

Now again, something can escalate that three people have to answer it, but you gotta get together and make sure everybody has the same facts they're reporting.

MR. WEBER: How about something like a story that's not the news of the day -- something like a trial -- a high-profile trial? Is there a procedure in place that would say, "Okay, for this high-profile trial, it's gonna be Lieutenant Cosgrove who answers all inquiries."

LIEUTENANT COSGROVE: No, not something like that.

MR. WEBER: Was there anything -- any decision that you were aware of during the litigation of the *Soto* case -- up until the decision was issued in March of 1996 -- in which one person was primarily responsible for answering press inquiries about the *Soto* case?

LIEUTENANT COSGROVE: Most of the inquiries about the *Soto* case were referred right back to Gloucester County, like I indicated. We didn't -- we were-- We didn't have our hands in it. We knew there was a trial going on, and we were actually prohibited from giving any kind of statement on the -- what was going on in the trial.

MR. WEBER: Who prohibited you?

LIEUTENANT COSGROVE: The position of the Division was to stay out of something that was an ongoing, pending case.

MR. WEBER: Okay. So the Division of State Police's position was, it's

an ongoing matter, we're not gonna comment, refer inquiries back to the Gloucester County Prosecutor's Office?

LIEUTENANT COSGROVE: Yeah, 'cause that can become a daily time-consuming thing, where you don't have the facts -- so I'd have to contact somebody in Gloucester -- it's just a logistical nightmare with everything going on around the State.

MR. WEBER: Okay.

LIEUTENANT COSGROVE: So you refer things about-- And we do that in every county, about every other case. We wouldn't comment on cases like that.

MR. WEBER: I mean no disrespect by the question.

LIEUTENANT COSGROVE: Sure.

MR. WEBER: Then why did you provide any information in connection with this article, as best as you can recall? Realizing that you've got a brief quote in it.

LIEUTENANT COSGROVE: Realizing-- Yeah, realizing that the reason they ask-- Again, she asked me specifically about -- you know, they keep saying that the State Police profile. What is the position of the Division of State Police?

MR. WEBER: Okay.

LIEUTENANT COSGROVE: And I cited the Division of State Police position on racial profiling.

MR. WEBER: How did you come to learn what the Division of State Police's position was on the issue of racial profiling?

LIEUTENANT COSGROVE: Through the various administrations I

worked for and my personal employment and experience within the Division of State Police, and having been trained and things of that nature.

MR. WEBER: Was there ever a meeting or a discussion that you were part of in which the issue of -- what is our position on racial profiling going to be to the public should we get any inquiries?

LIEUTENANT COSGROVE: I don't recall we had a decision that somebody would give an answer like that. Again, I was there 11 years, I think I did my job well, and people depended on me in that position. You just wouldn't make things up either.

At some point, I'm sure -- during transitional periods when new colonels come in, I have to find out how they feel and where they're going with issue-based things, especially something like this--

MR. WEBER: During any--

LIEUTENANT COSGROVE: --so you remain consistent.

MR. WEBER: During any of the transitions and colonels that occurred while you were in the Public Information Office, do you remember having discussions with either Colonel Pagano, Colonel Dintino, Colonel Williams, about the issue of racial profiling?

LIEUTENANT COSGROVE: Not specifically, no.

MR. WEBER: How about the *Soto* case or any of the racial profiling cases?

LIEUTENANT COSGROVE: No.

MS. GLADING: Who did you report to?

LIEUTENANT COSGROVE: At different times, it depends where we were logistically located. When I came on, we were Division Staff Section,

we'd technically go through a major. But over the years, our office was moved from being just the Public Information Bureau, then it was a unit, and then it was put under the Division Staff Section and moved logistically under Lieutenant -- at the time Major Trocchia -- that was during Colonel Dintino's years. We logistically moved to different offices, and then we finally -- under Colonel Williams -- were moved upstairs directly in the Office of the Superintendent.

MS. GLADING: So you reported directly to Colonel Williams during Williams's administration?

LIEUTENANT COSGROVE: Correct.

MS. GLADING: Okay.

LIEUTENANT COSGROVE: Actually physically located right on the same third floor.

MS. GLADING: And upstairs, you mean the third floor?

LIEUTENANT COSGROVE: Correct, in the administration building.

MS. GLADING: Who else was in that suite of offices during the Williams's administration?

LIEUTENANT COSGROVE: It was our office; there was a bank of secretaries, naturally; Colonel Roberson, at the time when he was the Executive Officer -- Lieutenant Colonel -- I call him Colonel -- Lieutenant Colonel Roberson -- Lanny Roberson, Lieutenant Colonel Robert Dunlop.

When I left -- going back chronologically -- Lieutenant Mattos was the Administrative Officer for the Executive Office. Again--

MS. GLADING: And the Superintendent's Office?

LIEUTENANT COSGROVE: Correct. It's down the other side of the

hall.

MS. GLADING: I see. Okay.

LIEUTENANT COSGROVE: Same floor, correct.

MS. GLADING: Same floor.

Would you be back and forth in each other's offices as issues were arising that involved those different people?

LIEUTENANT COSGROVE: If I had something of a critical nature that I had to answer, certainly I could pick up the phone and intercom if I needed to talk to them, or say, "I need to see you."

That didn't happen on a daily basis, to tell you the truth.

MS. GLADING: Beg your pardon?

LIEUTENANT COSGROVE: That didn't happen on a daily basis -- that I needed to discuss things. You know, once you discuss something-- I usually let him know what was going on, because we get a myriad of inquiries between fatal accidents, shootings, crime stats.

MS. GLADING: Him, meaning?

LIEUTENANT COSGROVE: The Superintendent.

MS. GLADING: When you got inquiries regarding racial profiling, did you let the Superintendent know what was going on?

LIEUTENANT COSGROVE: Yes.

MS. GLADING: So you discussed those issues with him?

LIEUTENANT COSGROVE: Well, I told him like-- Again, it wasn't a daily basis that we would get an inquiry like this. Again, especially during *Soto* was going on, they were getting most of their information -- meaning reporters -- from the case itself. Every once in a while, then, they'd call. I

mean I didn't have to run back in his office and ask him-- I'm sure he didn't change about the idea. So it was--

MS. GLADING: What about the period after *Soto*? What would be your interaction-- What was your interaction with Colonel Williams about the *Soto* decision afterwards?

LIEUTENANT COSGROVE: After '96 then you're saying?

MS. GLADING: March of '96.

LIEUTENANT COSGROVE: Again, based on my memory, it was still -- even with the *Soto* decision, we still did not train or conduct ourselves to target motorists based on color.

MS. GLADING: If you would get a press inquiry about the *Soto* matter, would you talk with the Colonel before responding to make sure that you were on the same page as he was?

LIEUTENANT COSGROVE: Not-- Again, not on every incident. Again, if I talked to him once about it, I don't know -- naturally -- that I would have to talk to him again about the same issue. I'm sure he would have let me know if things changed drastically during a certain point. Hopefully, he would let me know, as a spokesperson or the Public Information Officer.

Again, after the *Soto* decision and then getting on '96/'97, it became a heated topic within the State, naturally the Attorney General's Office started taking most of the inquiries.

MS. GLADING: But you would get press inquiries at State Police?

LIEUTENANT COSGROVE: On a daily basis, yeah.

MS. GLADING: When-- Was there anyone else aside from Colonel Williams that you were working with these -- working with on the racial

profiling issue and press inquiries about that?

LIEUTENANT COSGROVE: Just -- you know -- John Hagerty, who's the Director of Communications was there. He-- Again, I didn't have a daily communication with the Attorney General's Office, John did -- again, on a daily basis. And that's--

During the *Soto* -- the decision came out -- and I'm trying to think back-- Naturally, the more I remember is -- once the shooting took place on the Turnpike, that's when we got barraged with media inquiries, naturally.

MS. GLADING: Were there any -- aside from John Hagerty -- any people within the -- not necessarily your chain of command, but people who were higher ranking than you, that you dealt with in the post-*Soto* period? That you dealt with on a regular basis?

LIEUTENANT COSGROVE: No. It was just the Superintendent, basically, who I'd always go to, because that's who I-- They wouldn't really be involved in daily press inquiries. I mean, they could be doing something else. They wouldn't ask me, and I wouldn't talk to them about anything.

MS. GLADING: Did you review the Superintendent's Teletype after the *Soto* opinion, that he put out to the troops?

LIEUTENANT COSGROVE: I probably did, but I don't recall.

MS. GLADING: Okay.

MR. WEBER: Lieutenant, I just want to go back and talk to you about some issues basically in chronological order. And I realize that some of this stuff happened pretty early on when you were at the Public Information Office.

But in 1989, there was a trooper by the name of Kenneth Wilson, who

was suspended from the State Police and charged with stealing \$500 from motorists that he stopped on the New Jersey Turnpike. That trooper, ultimately, winds up testifying later on in the *State v. Soto* case, and he testified that he was trained to stop motorists based on racial profiles.

Do you remember the suspension of Trooper Kenneth Wilson back in 1989?

LIEUTENANT COSGROVE: I remember the name, Mr. Weber. I don't remember the particulars about the case or if I gave any comment on it.

MR. WEBER: How about in September of 1989, the series on WWOR-TV entitled "Without Just Cause." It was a television program on the Channel 9 news that dealt with allegations of racial profiling.

Do you remember that series being run on the television?

LIEUTENANT COSGROVE: Yes, I do. Joe Collum?

MR. WEBER: Yes.

LIEUTENANT COSGROVE: He may have been the reporter.

MR. WEBER: Did you have any -- any involvement in the State Police's response to that television show?

LIEUTENANT COSGROVE: I don't believe I did. I believe that would have been Colonel Pagano--

MR. WEBER: Correct.

LIEUTENANT COSGROVE: --who -- when the issue came up and Joe Collum was doing the story and they were looking into Turnpike stops, Colonel Pagano took the whole lead on that story. We were actually told not to say anything -- or comment on it.

MR. WEBER: Your unit was told not to say anything. Who informed

your unit not to say anything?

LIEUTENANT COSGROVE: Colonel Pagano.

MR. WEBER: Colonel Pagano. Is there a-- Just so I understand--

LIEUTENANT COSGROVE: Who I would refer-- Excuse me. I would refer, if he said we got inquiries -- naturally, I didn't run up every time we got an inquiry. I'd get a list of inquiries, and go, "Colonel, so and so, so and so. Okay." He'd say, "I handle them," and take the note, and I wouldn't hear anything else.

MR. WEBER: The Public Information Unit, from your testimony, I take it -- one of its responsibilities is to respond to press inquiries? Correct?

LIEUTENANT COSGROVE: Correct.

MR. WEBER: Does it also have a responsibility to issue press releases on behalf of the State Police?

LIEUTENANT COSGROVE: Yes.

MR. WEBER: Do you remember if there was a press release or press releases that were issued in response to that WOR television program?

LIEUTENANT COSGROVE: No, I don't recall. Then again, I wouldn't-- Again, you're talking -- I was just there a year. I probably was still, for the first year, year and a half -- to tell you the truth -- two years, doing all those awards and handling daily incidents such as motor vehicle accidents and crime arrests and things of that nature. Captain Gallagher was there at that time.

MR. WEBER: Was Captain Gallagher the individual who would have dealt with responding to the WOR television series?

LIEUTENANT COSGROVE: Yes.

MR. WEBER: Justin Dintino becomes Superintendent in 1990, and very early on -- in February, actually -- he testifies before the Senate Judiciary Committee and identifies for the Judiciary Committee that he will forbid troopers from using racial profiles in making arrests.

Did you have any discussions with Colonel Dintino during the transition period about the issue of racial profiling?

LIEUTENANT COSGROVE: Not speci-- I don't recall specifically. I know he-- What he did was -- one of the things that he did while he was the Superintendent, I think, for just the three or four years -- they rewrote the search-and-seizure guidelines.

And then again, I recall being at a press conference in Atlantic City when Colonel Dintino was asked a question about that, and Attorney General -- then-Attorney General, I don't recall--

MS. GLADING: Del Tufo

LIEUTENANT COSGROVE: Yes, Del Tufo -- stepped in and answered the question and said, "I'll handle it."

So a lot of those things that were ongoing with what Colonel Dintino was involved, weren't even being handled by our office.

MR. WEBER: Is there any effort to coordinate with the Attorney General's Office?

LIEUTENANT COSGROVE: Yes.

MR. WEBER: Okay.

Do you have -- or did you have a counterpart at the Attorney General's Office who you would communicate with on issues?

LIEUTENANT COSGROVE: Again, that changes, naturally, with the

transition of different administrations overall, but during -- through this and through the last several years -- it was John Hagerty who would be dealing with the Attorney General's Office, Office of Communications.

MR. WEBER: So it's the Office of Communications at OAG?

LIEUTENANT COSGROVE: Correct.

MR. WEBER: Do you remember having any discussions with anyone at the Office of Communications about the issue of racial profiling?

LIEUTENANT COSGROVE: I never had. I can honestly say, I never had one conversation with one individual down there.

MR. WEBER: Ever at the Office of Communications?

LIEUTENANT COSGROVE: During this period of time.

MR. WEBER: Okay.

Well, when we say during this period -- let's go back, so I make it clear.

LIEUTENANT COSGROVE: Okay. I would say from the *Soto* decision when it became heated, the shooting, then up -- I would say the last four years.

MR. WEBER: Okay.

So from the *Soto* decision, which is March of 1996, up until you left the Public Information Unit, you didn't have any communications with anyone over at the Office of Communications about the issue of racial profiling?

LIEUTENANT COSGROVE: About that, correct.

MR. WEBER: Okay.

How about when the WOR television program came out in September of '89?

LIEUTENANT COSGROVE: Again, I was -- I was a trooper there, and the Captain would have handled something like that.

MR. WEBER: How about between 1990, when Colonel Dintino becomes Superintendent, up until the point in time when he leaves in 1994?

LIEUTENANT COSGROVE: No, I wouldn't have any specific dealings. Again, Captain Gallagher handled going to meetings. They had monthly or bimonthly meetings with the Office of the Attorney General.

MR. WEBER: How about when Colonel Williams becomes the Superintendent from 1994 up until the decision is released in *Soto* in '96?

LIEUTENANT COSGROVE: Nope.

MR. WEBER: Okay.

So then is it your testimony that really at no time you had communications with anyone over at the OAG's Office of Communications about the issue of racial profiling?

LIEUTENANT COSGROVE: Correct. If they contacted me on any issue like that, I would immediately -- which didn't happen that often -- I would refer them right to John Hagerty.

MS. GLADING: In that period of time -- in your communication with John Hagerty -- you two, I assume, would work as a team on the press stuff surrounding the racial profiling issue.

Is that correct?

LIEUTENANT COSGROVE: Yeah, kinda. It was a little adversarial relationship so -- to be honest with you -- so I would say John took the lead with the Communications Director, Roger Shatzkin, in the Office of the Attorney General when it came to racial profiling.

MS. GLADING: What was adversarial?

LIEUTENANT COSGROVE: Just -- just personal.

MS. GLADING: You and John, you mean?

LIEUTENANT COSGROVE: Yes.

MS. GLADING: Would he brief you on what the positions were and what the statements should be on the issue?

LIEUTENANT COSGROVE: No. He would just-- He would say, "I'm handling this. I'm handling that" or "I got a call from Roger" or "Roger said this," and that's how the conversation went.

We worked in an open office, kinda like this -- nothing, no partitions or anything -- so you were privy to each other's conversation and who called.

MR. WEBER: Is John Hagerty still at the Public Information Unit?

LIEUTENANT COSGROVE: I believe so.

MR. WEBER: Did you have any involvement in-- No. Strike that.

Did you have any involvement in the Division's response to inquiries concerning the United States Department of Justice's inquiry into racial profiling in the New Jersey State Police?

LIEUTENANT COSGROVE: No.

MS. GLADING: Did you have knowledge of it?

LIEUTENANT COSGROVE: Excuse me?

MS. GLADING: Did you have any knowledge of it?

LIEUTENANT COSGROVE: Oh, I knew -- I knew they began that, but again, that was only because I overheard things. I wasn't directly given an assignment to monitor the Department of Justice. Again, other people were being called into the Superintendent's Office, because again, we were looked at, more or less -- and in my 11 years there, it was consistent -- we looked like -- if they talked to us, we were like talking to the press.

So they wouldn't discuss things that they naturally didn't want to discuss, unless somebody made an inquiry. So when things were being handled like that, they were handled by other people.

MS. GLADING: You say that talking with you guys was like talking with the press. Would there be-- Before you talked with the press on an issue, would there a strategic kind of planning session on how to handle an inquiry?

LIEUTENANT COSGROVE: Depends on the level of the inquiry, naturally, on how important it was.

MS. GLADING: On major things?

LIEUTENANT COSGROVE: Yes, I would say.

MS. GLADING: And who would be part of that strategic process from the *Soto* decision onward?

LIEUTENANT COSGROVE: Again, more and more, it was Mr. Hagerty as the Director of Communications.

MS. GLADING: And Hagerty -- Mr. Hagerty would be working with whom?

LIEUTENANT COSGROVE: The Superintendent and the Attorney General's Office.

MR. WEBER: When did you first become aware that the U.S. Department of Justice was inquiring about racial profiling in the New Jersey State Police? I'm not talking even officially, I mean overheard conversations.

LIEUTENANT COSGROVE: I just-- Again, I just heard that there was a -- the Department of Justice has been looking into us, and it was like it was going on like six months already. That's how I-- I didn't even know it. 'Cause they didn't want to make me aware, because I had no involvement in that

process.

MR. WEBER: Sometime in 1997?

LIEUTENANT COSGROVE: 1997/'98.

MR. WEBER: Have you ever worked with DAG Fahy at the Attorney General's Office?

LIEUTENANT COSGROVE: No.

MR. WEBER: How about DAG Rover?

LIEUTENANT COSGROVE: No.

MR. WEBER: DAG Susswein?

LIEUTENANT COSGROVE: No.

MR. WEBER: Alexander Waugh, who is at the Attorney General's Office?

LIEUTENANT COSGROVE: No.

MR. WEBER: Paul Zoubek?

LIEUTENANT COSGROVE: No.

MS. GLADING: In handling press inquiries and just in being around -- not necessarily having done this directly yourself -- but in being near any strategic planning, was it your understanding that Mr. Hagerty was talking with anyone else over in the AG's Office, aside from Roger Shatzkin, about how to handle inquiries around racial profiling?

LIEUTENANT COSGROVE: It appeared to me that most of the inquiries-- And that the conversations were between Mr. Shatzkin, from his position as Director of Communications for the Office of the Attorney General and John, as the Director of Communication. They had kinda working relationship, on not only just this issue, as long as Roger had been there and

how long John was with the State Police.

MS. GLADING: Did you have any understanding of who Roger was working with on his end?

LIEUTENANT COSGROVE: No, not at all.

MS. GLADING: Was there any involvement on the State Police end by Officers Dunlop or Roberson or Brennan or Blaker in handling this issue?

LIEUTENANT COSGROVE: I don't know. I don't know. Not that I would be aware of. I mean, there again, these are people who worked actually there in the Superintendent's Office, again, that are privy more to information than I was -- again, saying they would only tell me when I got an inquiry. Nobody-- I actually had to go to them and say, "Somebody called about this, can I get an answer?" And they'd say, "We'll get back to you."

MS. GLADING: And you'd go to them, meaning who?

LIEUTENANT COSGROVE: The Superintendent. And then he would say, "Well, talk to this person."

MR. WEBER: On the issue of racial profiling, did any of the Superintendents that you worked with -- either Pagano, Dintino, or Williams -- on the issue of racial profiling, refer you to anyone else for information?

LIEUTENANT COSGROVE: No.

MR. WEBER: Did any of those Superintendents provide you with information on the issue of racial profiling?

LIEUTENANT COSGROVE: No.

MR. WEBER: How about on the *Soto* decision or the *Soto* case?

LIEUTENANT COSGROVE: No. Again, I wasn't-- Again, I knew people were working on that, and again you probably spoke to them. Tommy

Gilbert was in the Division Services Unit and was kinda handling most of that information all for the Superintendent, and there was no reason for me to be involved in it.

MR. WEBER: How did you know that Sergeant Gilbert was involved in the issue of racial profiling?

LIEUTENANT COSGROVE: I just heard that he was the guy that was handling that case and monitoring or getting statistics -- was Sergeant Gilbert.

MR. WEBER: When did you hear that he was getting statistics?

LIEUTENANT COSGROVE: As far back as '96, I'd say.

MR. WEBER: Who--

MS. GLADING: What did--

I'm sorry. Go ahead.

MR. WEBER: Do you remember how you found out that he was getting statistics?

LIEUTENANT COSGROVE: I think it was just probably normal conversation of working in an environment that some people go -- yeah, he doesn't know, he's doing this, I'm doing that -- and that's how you get--

MR. WEBER: What sort of relationship do you have with Sergeant Gilbert?

LIEUTENANT COSGROVE: Excuse me, sir?

MR. WEBER: What sort of relationship do you have with Sergeant Gilbert? Are you--

LIEUTENANT COSGROVE: I'm not friendly with him, he's just another trooper. I grew up North Jersey, he grew up South. I only met Tommy Gilbert when he worked in Division Services. I couldn't tell you

anything more about him.

MR. WEBER: Did you-- Did you, at any time, find out anything more than he was getting statistics? Did you find out the results of his investigations?

LIEUTENANT COSGROVE: I wasn't a nosy person. I didn't inquire. If it wasn't my business and you didn't have to tell me, I didn't want to know it.

MS. GLADING: Did you ever overhear anyone discussing what the statistics seemed to be showing?

LIEUTENANT COSGROVE: No.

MR. WEBER: Did you ever hear anyone express concern about there possibly being a problem in what the statistics bore out?

LIEUTENANT COSGROVE: No, honestly, I couldn't, no.

MR. WEBER: Were you aware that the Maryland State Police had entered into an agreement as a result of a lawsuit that alleged racial profiling by the Maryland State Police?

LIEUTENANT COSGROVE: I think just from independently watching something on TV, I was made aware -- if it was a news show -- that Maryland had agreed to this.

MR. WEBER: But not in your official capacity?

LIEUTENANT COSGROVE: Not in official capacity through chain of command within the Division of State Police, no.

MS. GLADING: Do you know if you learned about it-- Do you recall if you learned about it before or after you learned about the Department of Justice inquiry in New Jersey?

LIEUTENANT COSGROVE: I couldn't honestly tell you if I learned before or not. Sorry.

MS. GLADING: I don't know if he asked this before, but do you recall when you learned about the Department of Justice inquiry? You indicated it was about six months after it started, but I'm wondering if you remember a time frame?

LIEUTENANT COSGROVE: Again, it wasn't something specific -- somebody handed me a document -- that we're being looked at, because I, necessarily, wasn't involved in the process. So, I apologize, but I can't narrow it down to a year that I heard that.

MS. GLADING: Do you recall if it was before or after the Turnpike shooting? The 7A shooting?

LIEUTENANT COSGROVE: I would believe that it was after the shooting.

MR. WEBER: That you learned about the DOJ inquiry after the shooting?

LIEUTENANT COSGROVE: That we-- Yeah. Correct.

MR. WEBER: Okay.

Just so we're clear -- I'm not trying to trap you or anything -- when I asked you before, you said you thought you learned about it about six months after the inquiry, and I think you said, that would have been sometime in mid-1997. Now the shooting was April 23rd of 1998.

LIEUTENANT COSGROVE: '98, correct.

MR. WEBER: And just-- Again, I'm just trying to get this in context.

LIEUTENANT COSGROVE: Okay. Oh, I understand that. I'm just

trying to go back in my mind.

MR. WEBER: As best as you can recall?

LIEUTENANT COSGROVE: I mean, it's something that I can't pinpoint by a document or somebody told me or I was at a meeting -- 'cause, again, I'm not a meeting-type guy. I can remember specifically any--

But I thought it was as a result of the shooting, because then we were made aware -- and I wasn't the only one made aware that -- do you know that the Department of Justice has been looking into us for the last couple of years? And I think my response was, "No, I had no idea."

MR. WEBER: Is there-- Just generally, is there any coordination between the State Police's Public Information Unit and OAG's Office of Communications as far as press releases about indictments and things to that effect?

LIEUTENANT COSGROVE: Yes. John, again, would handle all written press releases. I was -- did them early on when I was there, and then as time grew and John had a relationship, again, with the Office of the Attorney General, they would do back and forth or quotes and things like that. And they would share.

If it was an indictment and we were involved in it -- the Division of State Police -- they sent to John for a statement from the Superintendent or something like that. So there was major coordination in anything written like that.

MR. WEBER: Okay.

So, and again, I just want to talk generally -- just so the record's clear here-- The general practice was if there was an indictment that was going to

be released and the New Jersey State Police were involved in the case, there would be coordination between OAG's Office of Communications and the State Police's Public Information Unit on whatever the written release would be about that indictment.

Correct?

LIEUTENANT COSGROVE: I would say most times, yes.

MR. WEBER: Okay.

Would there be a separate press release from the Public Information Unit at the State Police and a separate press release from OAG's Office of Communications as a general practice, or would it just be one press release as a general practice from the Attorney General's Office?

LIEUTENANT COSGROVE: General practice would-- If it was solely the Division of State Police, we would take, naturally, the lead on it -- probably with a county prosecutor, if it was that type of a criminal case. But if it was the Office of the Attorney General, they naturally took the lead on anything we did -- since in the table of organization, we're a division -- and the AG would give out the information.

MR. WEBER: All right. Just so we're clear. We've got two, then, different scenarios here.

One scenario is a case out of the county prosecutor's office that the State Police are involved in. For that kind of case and that kind of indictment, the State Police Public Information Unit would take the lead of putting the press release together.

LIEUTENANT COSGROVE: If we were the lead agency.

MR. WEBER: If you were the lead agency. Okay.

On a case that emanated out of -- or that was going to be prosecuted out of the Attorney General's Office that the State Police was the lead agency on, there would be a coordination between the two -- between the Public Information Unit and the Office of Communications -- but ultimately, the press release would come out through the Office of Communications.

LIEUTENANT COSGROVE: Well, sometimes what would happen is if we had a large case that we culminated with a large -- say a narcotics job or organized crime -- we would actually do a release and put in "the Attorney General and the Superintendent announced today."

When it came to an indictment, we didn't handle those. If it was a State Grand Jury indictment, that release would come out from the Attorney General's Office.

MR. WEBER: But you would be involved in coordinating what information would go in that press release?

LIEUTENANT COSGROVE: Sometimes. They would just call us for getting background information -- do you remember this case -- and we'd highlight it that we-- Did we do a press release on it before, for a matter of consistency, and they just re-release. That this is a result of a job that was over 18 months ago, whatever.

MR. WEBER: Okay.

I want to try and narrow the focus a little bit now. And the procedure-- The discussion of the procedures has been helpful. I appreciate that.

Let's talk about an instance where a prosecution is coming out of the Attorney General's Office, but it deals specifically with law enforcement individuals -- a law-enforcement individual is going to be prosecuted.

Is that something that the State Police would be involved in?

LIEUTENANT COSGROVE: If it was going to law enforcement -- meaning a trooper was gonna be indicted?

MR. WEBER: Yes.

LIEUTENANT COSGROVE: To tell you the truth, normally, the indictment would go out -- they would give us a heads-up call -- but we wouldn't be involved in the process.

MR. WEBER: Okay.

So for instances -- and again, we're just talking generally here -- where you have a trooper that's going to be prosecuted by the Attorney General's Office, you'd get the heads-up, but you really -- in that instance -- would have input into the press release?

LIEUTENANT COSGROVE: I specifically didn't. I know I didn't. But that normally came out -- to tell you the truth -- on a Friday afternoon. (laughter) That's the nature, I'm telling you, if people did media, that's when it came out. And honestly, I can probably go back and you'll see Friday at 4:00 o'clock, dropping of an indictment or an arrest of a trooper or maybe another law-enforcement officer.

MR. WEBER: But in those instances, I take it there is less input from the State Police to the Office of Communications, because of the nature of what was involved?

LIEUTENANT COSGROVE: Because it-- Maybe-- I don't know why, but absolutely.

MR. WEBER: Did the State Police have any input into when a press release about the release of an indictment -- when that would occur?

LIEUTENANT COSGROVE: No.

MR. WEBER: That was up to the Office of the Attorney General?

LIEUTENANT COSGROVE: Correct.

MR. WEBER: Let's take a five-minute break, if that's all right? I want to talk to my co-counsel here about an issue.

HEARING REPORTER: Off the record?

MR. WEBER: Off the record.

(Off the record)

HEARING REPORTER: On the record.

MR. WEBER: Lieutenant, I don't-- I'm not going to get into the specifics of the Hogan and the Kenna shooting -- for reasons that are unimportant for our purposes today -- but was there any instruction given to you or the Public Information Unit -- that you're aware of -- by which if inquiries came into the Public Information Unit about the Hogan and Kenna shootings and the Hogan and Kenna case, who was responsible for answering those inquiries?

LIEUTENANT COSGROVE: We were, initially.

MR. WEBER: The Public Information Unit was?

LIEUTENANT COSGROVE: Correct.

MR. WEBER: Was there any coordination between the Public Information Unit and the Office of the Attorney General on that issue?

LIEUTENANT COSGROVE: Okay, going back to the day that it occurred?

MR. WEBER: Yeah, let's break it down, actually.

LIEUTENANT COSGROVE: The day it occurred, I don't recall any

communication between-- I remember communication from the prosecutor's office, who was at the station at the time.

MR. WEBER: Okay.

LIEUTENANT COSGROVE: We were physically at Cranbury Station.

MR. WEBER: Did there come-- Okay, so you have the shooting, and then, from the date of the shooting going forward, your unit was -- your unit was allowed to respond to press inquiries? Correct?

LIEUTENANT COSGROVE: Yes.

MR. WEBER: Okay. Did your unit coordinate at all with the Office of Communications at OAG? Again, from the point of the shooting going forward.

LIEUTENANT COSGROVE: Again, since-- You know, originally, it was just -- not just another shooting, as we all well know-- But the shooting that took place, we handle it from there. I remember John doing a written press release that was handed out, because there was a flurry of activity -- probably 25 or 30 news outlets were there at the station.

Then, after that, we handled all the calls all day about it. And it lasted probably a week or so. As time went on, and the controversy grew, there started to be more and more interaction with the Office of the Attorney General.

MR. WEBER: Did there ever come a point in time when the response to press inquiries -- that related to the Hogan and Kenna shootings -- was taken away from your unit and given solely to the Office of the Attorney General?

LIEUTENANT COSGROVE: I know at some point it did, but I

honestly couldn't tell you when that -- when that occurred, when they decided. Because, again, it was an ongoing criminal investigation and numerous different agencies were getting involved -- you know, the reenactment and things like that--

I know at a certain point, we stopped talking about it and referred calls to the Attorney General's Office.

MR. WEBER: Did -- did the point in time at which the State Police Public Information Unit stop answering inquiries and start referring them all over to OAG coincide with either of the two indictments?

LIEUTENANT COSGROVE: I think it actually happened prior to the indictments, and I don't recall when the indictments took place. You're talking of Troopers Hogan and Kenna?

MR. WEBER: Correct.

LIEUTENANT COSGROVE: Because I remember the reenactment-- Again, I didn't -- I know I wasn't involved in it.

MS. GLADING: Were State Police communications involved in the reenactment?

LIEUTENANT COSGROVE: Yes.

MS. GLADING: So you handled the media for that?

LIEUTENANT COSGROVE: I didn't. I was-- I wasn't involved in that process at that point.

MS. GLADING: Who was?

LIEUTENANT COSGROVE: Mr. Hagerty.

Again, I can't pinpoint a time. I know it was April 23rd of '98, and the controversy rose with the minorities being stopped and the profiling thing

came to a head. I couldn't tell you when the reenactment went down on the Turnpike, but I know, in fact, John was there. I chose-- Not that I chose, I was just out of the loop on that case after that.

MS. GLADING: Do you recall at some point in time after the reenactment, that -- John saying, "The AG's Office is handling all of this now," or learning that?

LIEUTENANT COSGROVE: I don't recall a specific -- you know -- "we're no longer doing this," or "I'll handle it," or something like that. It just-- Because you get busy on other issues, too. 'Cause news doesn't stop every day, and I get busy on something -- and you more or less let somebody take it and somebody does it.

So I know John had more interaction over the story. That's it.

MS. GLADING: Do you have more on this?

MR. WEBER: Yeah, if you'll just bear with me for one second.

I want to try and help you out with the time line here. The first Grand Jury was empaneled May 4, 1998, and the shooting was April 23rd, 1998. So certainly by May 4, 1998 -- which is only a few weeks later -- you're still involved in responding to press inquiries.

Correct?

LIEUTENANT COSGROVE: I would have to see some press clippings to do that, but I believe we were.

MR. WEBER: Okay.

Grand Jury reconvenes in December of 1998, were you still at that point involved in responding to press inquiries?

LIEUTENANT COSGROVE: I think we were-- The only thing we were

responding to at that point was employment status of Troopers Hogan and Kenna. Most of the story was out, and things were taking a different turn, now that I recall. Again, because, more or less, information was being generated out of the Office of the Attorney General.

MR. WEBER: February 10, '99, then-Attorney General Verniero announced -- and issued a press release -- that his office was going to conduct an investigation of the State Police practices.

Do you remember that?

LIEUTENANT COSGROVE: Yes.

MR. WEBER: Okay.

At that point, would you still have been responding to any inquiries about the Hogan and Kenna shootings?

LIEUTENANT COSGROVE: I don't believe so.

MR. WEBER: So by that point, it would have been in the Attorney General's Office's hands.

Were you involved in responding to any inquiries concerning this announcement on February 10, that the -- February 10, '99 -- that the Attorney General's Office was conducting an investigation into State Police practices?

LIEUTENANT COSGROVE: I would have referred them all to the Office of the Attorney General. I would have referred them all to the Office of the Attorney General, 'cause I wouldn't have the information that they needed, nor would they probably have called me knowing that.

MR. WEBER: But as best as you can recall, by the time of that February 10, 1999, announcement -- or prior to the February 10, 1999, announcement

-- that the Attorney General's Office was going to conduct an investigation into the State Police practices, prior to that time you had already disengaged responding -- disengaged the State Police from responding to inquiries about the Hogan and Kenna shootings?

LIEUTENANT COSGROVE: I believe, just naturally, the focus went from the Division of State Police to us being the target, and naturally, it was the Office of the Attorney General who would respond to that.

MR. WEBER: Okay.

Do you recall anyone affirmatively saying to you or affirmatively saying to the Public Information Unit, "From now on, all inquiries about Hogan and Kenna, kick them over to the Attorney General's Office?"

LIEUTENANT COSGROVE: Actually, that came-- Let me-- If you'll bear with me one second.

MR. WEBER: Please take your time.

LIEUTENANT COSGROVE: In May of '99 -- and I believe it was the first or second week -- I was called into a meeting with Lieutenant Colonel Michael Fedorko, who was the -- I think, by then, the Acting Superintendent -- in May, I believe -- in his office, and I was--

He asked a couple questions about who directed some inquiries to the Attorney General's Office, and I said, "I did." And he asked me, "why." I told him because I didn't have the answer, and that's who said they did. And at that time, he determined that I will no longer comment on any issues surrounding racial profiling at all, and refer everything to Mr. Hagerty.

And then we had a subsequent transfer of somebody into our office that would assist Mr. Hagerty.

MR. WEBER: On the issue of racial profiling?

LIEUTENANT COSGROVE: I-- She attended meetings. You'd have to ask these people what they talked about.

MR. WEBER: Who was that person who was transferred into the office?

LIEUTENANT COSGROVE: Then-Sergeant First Class Wendy Galloway. Now she's a lieutenant.

MR. WEBER: All right. Let's step back for a second.

This meeting occurs, you said, the first or second week of May 1999, and then-Lieutenant Colonel Fedorko -- that was his rank at the time, right? (affirmative response) You said that he wanted to know why you referred a certain inquiry to the Attorney General's Office.

LIEUTENANT COSGROVE: Right.

MR. WEBER: What was that inquiry that he was referring to?

LIEUTENANT COSGROVE: It was regarding-- A couple of reporters had either read a story that was originally out and then had followed up and said, "We heard a rumor that there was a slowdown in response to you being targeted" -- or the troopers being targeted -- and I said, "I'll try to get back to you."

MR. WEBER: That there was a slowdown in what?

LIEUTENANT COSGROVE: In ticket writing.

MS. GLADING: And then you got back to them and told them that they need to deal with AG's Office?

LIEUTENANT COSGROVE: Correct. Well, yeah, I said-- They said-- I forget exactly who called -- again, you deal with so many people-- I just remember that at a certain point, they said refer it down to the AG's Office,

and I did, and then I said, "Ask them why."

MR. WEBER: Do you remember when this -- when this group of reporters made the inquiry?

LIEUTENANT COSGROVE: It was actually probably that first week. Again, I'm going back-- First week of May. See I know it was the beginning of a month, and April -- prior to April, I was away -- so I'm thinking it was May when we got it.

It was just like one of those normal calls you get. We heard there was a slowdown, and I said, "Well, I didn't hear anything, but I'll," -- that was my job. I said, "Well, I'll find out what's going on." I made a couple inquiries, asked guys around, and they said, "Yeah, I heard there was a slowdown."

So we started looking into possibly if there was a slowdown.

MS. GLADING: When did you refer it to the AG's Office?

LIEUTENANT COSGROVE: The following week, if this was the first week of May and it was a Friday, I might refer the call to next week, and that's when they came back to me.

MR. WEBER: Were you surprised that Lieutenant Colonel Fedorko instructed you the first or second week of May that you'd no longer be involved in responding to inquiries about racial profiling?

LIEUTENANT COSGROVE: Yeah, in lieu of he didn't do it to me by myself. He did it in a roomful of like eight people or six people, and it kinda took me by surprise. I think I deserve, personally, a little more than that. If you were gonna do that, I have no position to take. If that's what he wanted, that's what he wanted. He was the Superintendent at the time, and I'll follow orders. And if that's need be, that's need be. It was never done to me that way

before, so--

MR. WEBER: Did he explain to you why he was now taking you off of the racial profiling issue?

LIEUTENANT COSGROVE: I think, basically, I got out of it, because I referred these calls. And I made certain people in the Attorney General's Office uncomfortable.

MR. WEBER: Who -- who was made uncomfortable in the Attorney General's Office?

LIEUTENANT COSGROVE: I couldn't tell you.

MS. GLADING: What made them uncomfortable?

LIEUTENANT COSGROVE: I think the way -- and again, I'm going back to who I talked to -- it's the way I told them to call. I said, "I don't have your answer. Call the Attorney General's Office."

And I believe it's because they took a position on the issue regarding this rumor of a slowdown.

MS. GLADING: They, meaning the AG's Office took a position? (affirmative response)

Do you remember what the position was?

LIEUTENANT COSGROVE: No.

MR. WEBER: What's the-- As far as you can recall, back in May -- April to May of 1999 -- what was the import of there being a slowdown in ticket writing?

LIEUTENANT COSGROVE: Again, when I get an inquiry like that-- I think my comment that I guess they took exception to -- again going off-- I think it was a *Star-Ledger* article. You know, reporters keep calling you back,

so you gotta give them something, and I believed, again, that's my job to do that.

And I had called them back and said, "Listen, I don't have anything concrete statistically to tell you that numbers are down." But, I said, "given the situation with the State Police being looked at as a microbe, it wouldn't be unusual." And I think that was my--

If I saw the article, I could refer to it, but I think -- more or less -- that's what I said. I didn't take a position one way or the other. 'Cause more or less, I said it may be going on. If it is, maybe it's a morale issue, and this is their way of reporting it. I didn't condone it, nor do I still condone something like that, but that's what I took -- and I think that's what they got upset about.

MS. GLADING: Did Lieutenant Colonel--  
I'm sorry. Go ahead.

LIEUTENANT COSGROVE: And I'm just assuming that, because the time proximity of that being in the article, and then coming out again when it was still in the papers. I was just confused on--

I took it personal. I mean, you can't take it any other way when you're told to do something like that.

MS. GLADING: Did Lieutenant Colonel Fedorko indicate what he thought the response should have been to the press inquiry?

LIEUTENANT COSGROVE: I actually asked him. It was just-- I asked him, "What did I say wrong?" And he said, "Nothing." I said, "Then why are we having this conversation?"

MR. WEBER: What was his response?

LIEUTENANT COSGROVE: He just looked at me.

MR. WEBER: What was his demeanor during this meeting?

LIEUTENANT COSGROVE: Being a cop or a human, I knew something was up with me right away, because I was up in another building and immediately come back, "They want you in Colonel Fedorko's office." So you usually get that feeling -- a sixth sense comes over you, something's up.

'Cause I've never been called to a meeting like that, and I was the last one to get there. I sat kinda where Mr. Flanagan is sitting. Colonel Fedorko sat next to me, and I was looking right at him, like I do anybody. He couldn't look at me, so I knew then something was up.

MS. GLADING: Who else was in the room?

LIEUTENANT COSGROVE: Sergeant First Class Wendy Galloway, Mr. Hagerty -- I believe at the time, it possibly could have been Lieutenant Jim Bruncati, who was the Administrative Officer for Colonel Fedorko at the time -- and there may have been-- It was a small table. It was no big conference table. It's a table in his office. I'm just-- And it could have been Sergeant Al Dellafave, for all I know.

MS. GLADING: Who?

LIEUTENANT COSGROVE: Sergeant Al Dellafave. He was the Public Information spokesman, who's still currently assigned to Public Information.

MR. WEBER: What sort of relationship did you have with Lieutenant Colonel Fedorko before this meeting?

LIEUTENANT COSGROVE: Very professional.

MR. WEBER: Friendship or--

LIEUTENANT COSGROVE: Actually, I wouldn't call it a friendship. I never -- I never actually went out with the guy. I mean, he was a ranking

officer in the State Police. Even though I never worked directly -- I heard everybody loved him -- very professional. If you worked for him, he did the best thing for you, and I take people at their word that they're like that. And I just think that that was how I looked at him. He didn't do anything -- other than that particular instance -- incident.

MR. WEBER: Did you ever find out after this meeting any additional information about the decision for you not -- to no longer be involved in responding to racial profiling inquiries? And did you ask around to try and get down to the base of it?

LIEUTENANT COSGROVE: I just thought -- given the statement that I made -- the only thing I looked at, 'cause, again-- And I'm pretty sure it was a Wednesday that this occurred. I went home -- and again, things don't usually bother me that much -- it bothered me, 'cause I didn't sleep.

When I got up the next day, I went into work -- and I was there relatively early -- and I read -- and this was what kinda got me-- There was an article that Governor Whitman said something, and it echoed exactly what I'd said in response to the ticket writing.

And I just shook my head, and I was laughing, and Colonel Fedorko walked in my office. I said, "I don't believe I'm getting in trouble for this." And he said, "I want to talk to you." And I went back into his office with him to talk to him.

MR. WEBER: What did he say?

LIEUTENANT COSGROVE: That's when I said, "Well, it's alright that she can say -- and I'm not taking anything away from the Governor--"

MR. WEBER: Right.

LIEUTENANT COSGROVE: "--that's my position. But we said consistently the same thing and may I remind you, I said it first. Am I getting the Governor and she said it after me?" And he said, "No, the way it is. You just gotta--" I said, "Why are they making a bigger deal of this than there is? Why can't I say that I'm a member of the Division I can't to something -- I don't statistically know," and just didn't answer me again -- he just looked at me.

MS. GLADING: I'm trying to get the news cycles straight. The day before was the day you were called into the colonel's office, right?

LIEUTENANT COSGROVE: Correct.

MS. GLADING: So had there been a story in the newspaper on that day -- that Wednesday?

LIEUTENANT COSGROVE: I think there was. I think that was, again-- the morning, and the clips aren't out that early. And this -- when he called me in the office the second time -- was about

MS. GLADING: On Thursday?

LIEUTENANT COSGROVE: I believe it's a Thursday.

MS. GLADING: he dressed you down in front of people, that was on a Wednesday?

MS. GLADING: Do you know if he was reacting to a story that had been in the paper that day, or to something he had heard from

the AG's Office?

LIEUTENANT COSGROVE: I think it's something from the AG's

MS. GLADING: But the story hadn't run yet. You'd talked to--

LIEUTENANT COSGROVE: No, I think my story ran already --  
in the week.

AG's Office.

GLADING: You got a follow-up that day -- that Wednesday, you  
think?

LIEUTENANT COSGROVE: Yes, I think so. I think I had the  
dates, I could  
better get a handle on it again. You know, from the news business, you're  
used to it at a certain time, but-- I think the article had been  
run.

LIEUTENANT COSGROVE: I think the reason the statistics came into play, is because it was like the  
initial first week of a month, and statistically, we don't get numbers until the  
second month and things like that. So I said, "Given the fact that I don't  
know statistically, it wouldn't be out of the ordinary that this happened."  
I didn't see it or it came back. But it came  
back the next week that somebody was upset about it.

GLADING: Do you recall if Attorney General Verniero's  
confirmation hearing was going on at this time?

LIEUTENANT COSGROVE: Yes, the hearing was held on the 5th and the 6th of 1999 -- of  
May.

LIEUTENANT COSGROVE

but I'm pr

e

MS. GLADING: End of February '99. Interim report is April 20th.

LIEUTENA

MR. WEBER: April 20th, '99, right.

LIEUTENANT COSGROVE: June is the final? July?

LIEUTENANT

I don't know if--

my head--

MR. WE

were on May 4th and -- May 4th and 5th or May 5th and 6th?

MR. WHEELER: May 5th and 6th.

LIEUTENANT COSGROVE: Do you know what days of the week they

MR. WEBER: Off the record.

(Off the record discussion)

WEBER: May 5th is a Wednesday -- May 5th, 1999, was a day, and May 6th, 1999, was a Thursday. So the confirmation hearings for Mr. Verniero were Wednesday, May 5th, and Thursday, May 6th.

ally, it might be -- again, I recognize -- this could have actually happened as soon as the colonel got

The colonel got fired by the end of February -- very late-February.

MS. GLADING: February 28th.

LIEUTENANT

d

week of March.

LIEUTENANT COSGROVE: I'm just a little confused about the dates.

WEBER: Fedorko was appointed Acting Superintendent, March

So was this shortly after Fedorko had been appointed Acting Superintendent?

March 1st, 1999, was a Monday.

leaning towards--

I'm trying to get a reason for, again, reading the article.

me out immensely, but--

MS.

e

response) I don't have it either.

NT COSGROVE: 'Cause that would give a date of when I said it would be March -- or because it was an inquiry about the

- I could only see somebody saying slowdown in response to something. And, again, if the colonel just got fired on that -- the 28th was a--

MR. WEBER: February 28th was a Sunday, correct.

LIEUTENANT COSGROVE: Fired that day, and then--

GLADING: We'll see if we can find the article. Maybe we can cover some other material. Doug's gonna go take a look.

MR. WHEELER: It's a story?

LIEUTENANT

it was a *Star-Ledger*

MS. GLADING: Were you in or near--

MR. WEBER: Yeah, the other thing is, we could also--

MS. GLADING: If you want to.

This may also help to put things in the proper time frame.

Lieutenant, I'm showing you a document, GC

7th, 1998, interoffice communication from Colonel Fedorko, up through the

LIEUTENANT COSGROVE: Correct.

MR. WEBER:

patrol charts and it states, "All members who employ the daily activity patrol

g aides. The

Planning Bureau will review SOP C-22 activity reporting system and revise

to include this information. Forwarded for your attention an

compliance and for that of the members under your command."

Do you have an understanding as to why you were CCed on this?

COSGROVE: It's the normal procedure up in the

Colonel

was the Administration Officer for Lieutenant Colonel Fedorko -- Lieutenant

at the time, was the Admin Officer for Lieutenant Colonel Dunlop, I

No, I'm sorry. Lieutenant Guida was in Management Review, which is

MR. WEBER: Okay.

LIEUTENANT COSGROVE: Lieutenant Manning was the Administrative Officer for Colonel Williams, and the SFC, Jim Campbell, was

That were the floor. Otherwise, we'd never see this, 'cause they would be the supervisor, who is responsible to send it to the people in their command.

MR. WEBER: Did you-- In your capacity as being involved in the Public Information Unit, was this information useful to you in any way, shape,

LIEUTENANT COSGROVE: It's not that I would actually share something with you, "I would certainly share it with them. But I don't recall

What listing -- and prior to you'll see it says, "DSU," for your info--

MR. WEBER: What is DSU?

MR. WEBER:

this change, and the change being a mandatory listing of race and sex on patrol

LIEUTENANT COSGROVE: Not that I recall, no.

MR. WEBER: Any press inquiries about this?

LIEUTENANT COSGROVE: No, not that I recall.

MR. WEBER: Any press releases about this?

call -- that would generate something -- an inquiry like that.

either a Thursday or a Friday, I guess -- Joe Donohue from the *Star-Ledger* came it's

LIEUTENANT COSGROVE: Okay.

MS. GLADING: Do you recall that day, by any chance?

COSGROVE: I wasn't privy to that. I didn't even know Colonel Williams gave an interview.

MS. GLADING: Did you learn given an interview? That's the day the *Star-Ledger*

LIEUTENANT COSGROVE: Yes.

MS. GLADING: Okay.

you have any involvement in the press response to that issue -- to

LIEUTENANT COSGROVE: ?

MS. happened on that Sunday, also -- the Governor's statement.

LIEUTENANT COSGROVE: I didn't-- I didn't personally get an inquiries, no.

MS

happened in the course of that day -- that Sunday and Monday?

LIEUTENANT COSGROVE: The only thing I recall is -- well,

I was on the New Jersey Sp

events fo

n

Je

lot of troopers.

I was there early in the morning. I

It was noontime or so, and somebody commented to me -- they said they heard

MS. GLADING: And what did you--

LIEUTENANT COSGROVE: I said, "I'm surprise

'Cause I had my pager with me.

MR.

w

itself.

LIEUTENANT COSGROVE: I-- Honestly, I didn't even know he gave

*Star-Ledger* reporter. I didn't set it up. I d

to do with it.

MR. WEBER: Did you ever find out who was involved in  
interview?

LIEUTENANT COSGROVE: John Hagerty.

request went to John Hagerty, I take it, from the

*Star-Ledger*

LIEUTENANT COSGROVE: Yes.

MR. WEBER: And then he made the arrangements?

MS. GLADING: After you learned that-- After someone indicated t

you about the  
events of that Sunday?

UTENANT COSGROVE: I didn't-- Other than that, I calle  
Colonel Wi e  
had. He depended on me for certain things, and I just calle  
it was true. 'Cause I didn't--

I there, and I called him. I said-- I told him who I was, and  
's a man of few words, and  
he said, "Yes, it is." I said, "over what?" He said, "Did you see the  
g wrong." I said,  
"I'll u  
get" -- you know, and "the Attorney General called me."

LIEUTENANT COSGROVE: That's what he told me on the phone.

MR. WEBER: To tell him that he was fired.

MS. GLADING: When you called-- u  
get," what? You didn't--

MS. GLADING: d  
him how did you get, and he said the Att  
to fill in the words.

LIEUTENANT COSGROVE: Yeah. Oh, I'm sorry. N  
the conversation -- I said, "Is it true?" He said, "Yes, it is." I said, "In response  
"Did you see the article?" I said, "No." He said, "Well, I

I was just a little in shock, too. Then I just said, "They fired you?" He

MS. GLADING: So you said, "They fired you?" And he said?

LIEUTENANT COSGROVE: That's what he said.

LIEUTENANT COSGROVE: That's what he said. They called me to --

MR. \_\_\_\_\_ m  
discussed?

\_\_\_\_\_ in, Colonel Williams, you had to  
draw \_\_\_\_\_ out of. He just doesn't volunteer too much. That's what the  
not a guy th \_\_\_\_\_ y  
always has been. I didn't know him until he was the Superintendent.

What sort of--

LIEUTENANT COSGROVE: Excuse me?

LIEUTENANT COSGROVE: Just -- just my opinion about medi  
relations, 'cause I was there so long. You know, and-- Again, when transitions  
\_\_\_\_\_ e you're at or-- Early on, he  
called me in, he goes, "I depend on what you do, and I think you do a great  
You seem to like what you do." He says, "I hope you would stay on." I

And me, 'cause he knows I'm a straightforward guy, and I'd tell him what was going on.

WEBER: Any subsequent conversations with Colonel William about the firing?

LIEUTENANT COSGROVE: Nothing at all. Just I remember him in and cleaning out his office. He just-- And we never had conversation again.

MS. d  
written that caused the events of that day--

MS. n  
which the Colonel had relied during that interview?

LIEUTENANT COSGROVE: I -- I'm familiar that there are Department n  
particular times, but I wasn't privy to them. I don't know if he referred to  
was given copies. You know, things of that nature,  
I don't know.

GLADING: Do you know if anyone was involved in briefing him  
for e  
Department of Justice materials?

LIEUTENANT COSGROVE: I really couldn't answer that. I don't  
know.

MR. WEBER: Ordinarily, would Mr. Hagerty have been the one to brief  
him on that o e  
interview?

LIEUTENANT I-- Normally, if you're doing an interview you know, basically, a media representative calls you and says, "I want a interview." 1

say, "I want to do a story on this."

very few people ever came in and physically sat in his office t interview s

superinten Mostly it was, comment -- can I ask the Colonel directly old on, let me see if he's available, if not you have to take me. I mean, that's the way it was.

say it's important, that you need to get out there, ly just for this issue -- for troopers to read that you're-- You it can't only be me. Normally, he would do telephonic inquiries, no handle anything in person.

MS. NG: Was it your under-- What do you recall about

LIEUTENANT COSGROVE: It was just -- actually-- 'Cause he was still He came right back in to clean up. I think they gave him a week or so -- or two weeks -- time. It was just not a happy time for the--

MR. WEBER: Who was responsible for answerin the firing?

LIE COSGROVE: I don't think anybody delineated that was responsible. It's just some reporters-- A lot of reporters knew about it and didn't even call us. I mean, they knew.

was general conversation. You develop rapports with reporters, that

they're

They become friendly, 'cause you deal with them over a decade. You know how you doing? Do you believe it? You know, things like that. It's shocking that's all I can say.

And where calling-- Since it directly was involved in the Attorney General's Office, naturally where you gonna go? They're gonna go to the Attorney General's Office.

MR. BER: The personality issues that you had with Mr. Hagerty,

LIEUTENANT

John a very intelligent, articulate, public information officer -- Director of Public Information. He's very good at what he does. It just becomes-- When you starts to be in charge of something and I'm directed to do certain things, it becomes a conflict.

It was usually raised to the level of the two of us being-- We never had an argument. We never screamed. No, it was not obvious--

That's just what happens. I don't

MR. WE

Information Unit and went to Internal Affairs Investigations Bureau?

LIEUTENANT COSGROVE: Colonel Dunbar called me in on November 15, 1994, the second week in.

LIEUTENANT COSGROVE: No.

LIEUTENANT COSGROVE: No.

MR. WEBER: Did he explain to you why he was transferring you?

was e told me, basically, that he I'm gonna be one of them, and there was 2 other lieutenants that you're going. He go, if you don't want me in this position--

Never asked me about my position as a I thought-- More or less, I thought I was being called in there, because he was me, and he had it in his mind. Then again, I had never personall known the guy, so I'm sure he was told something, and I was removed.

MR. WEBER: Well, he came in November 1, 1999, right?

MR. WEBER: So it was 11 days later that you then had this meeting?

MR. WEBER: Do you have any understanding or belief as to who may told him something that then prompted him to transfer you over t internal affairs?

LIEUTENANT COSGROVE: I--

LIEUTENANT u know u don't have to be a brain surgeon to think that the second week, a that you've never met before in your life -- you come in and he' transferring you, because he wants you out of there.

again, the two other lieutenants that went were Manning and Bruncati, who wasn't going transferred." And again, told where to go -- I was there 11 go. They just sent me up there. I'm sure he was told to let me move on.

MS. NG: Do you-- In your work in internal affairs from the beginning of '99 on, was there a point at which you became involved in internal General's Office involving records falsification not criminal cases?

LIEUTENANT COSGROVE: You mean, as far as my position as an internal affairs investigating officer? What type of cases? I'm sorry.

MS. GLADING: Records falsification.

MS. GLADING: Let me back up a minute.

LIEUTENANT COSGROVE: Sure.

Are you familiar at any point with the work that Al Sachetti was doing in the Troop D audit?

LIEUTENANT COSGROVE: I became more aware, naturally, when I got on working at Cranbury or the Turnpike, there was already data that was together which would have been Lieutenant Sachetti -- and ask them for that a statistical breakdown of what the troopers had done as far as road patrols.

MS. GLADING: Were you aware that internal affairs cases grew out of

LIEUTENANT COSGROVE: Yes.

MS. GLADING: Did you-- Were you involved in handling any of cases?

LIEUTENANT COSGROVE: Briefly.

you involved before or after they went down to CJ to determine whether or not there was criminal liability?

MS. GLADING: After?

LIEUTENANT COSGROVE: Yes.

GLADING: Okay, so you were involved briefly after they were kicked back from CJ?

LIEUTENANT COSGROVE: Right.

any understanding of why there was no action taken on them for make--

Do you have any understanding of whether or not the investigations those cases continued actively or whether they -- after they came back from CJ -- or whether there was a lapse or a period of time when there work being done on them?

LIEUTENANT CO

one specific case that I was given -- that there was certainly a lapse in between,

MS. GLADING: You don't know why?

WEBER: You said you were briefly involved. In what capacity

LIEUTENANT COSGROVE: As an investigator. I was handed a case  
ls that have been made public  
on  
that rose to the level of discrepancies. And certain discrepancies-- And again,  
o I don't know, but there was about a handful of  
individuals know what  
barometer they used -- that rose to the level that  
off th t  
inter were generated on because of their -- possibility that they were

MS. GLADING: Okay. I'm just trying to get this clear in my mind. So

LIEUTENANT COSGROVE: November of '99.

MS. GLADING: November of '99.

COSGROVE: I've been there a year -- a little over  
year.

MS. GLADING: When you get to IAB, where are these cases?

The first time I saw this -- this  
particular case came like in November of this year -- November of 2000.

LI  
was f t  
back in.

MS. GLADING: Was it completed?

LIEUTENANT COSGROVE: No.

GLADING: Do you know why you were told to hand it back i  
before it was completed? Was that explained to you?

LIEUTENANT COSGROVE: No.

LIEUTENANT COSGROVE: No.

MS. GLADING: No, it was not? Or no, you don't know?

COSGROVE: I don't know. I wouldn't have the

MS. GLADIN

Turnpike in connection with these cases?

TENANT COSGROVE: I think-- Again, after the order wa  
completed sometime, they probably-- Again, this is going back. I don't have--  
and somebody explained the whole process to me, but other  
than using those statistics f

on an individual trooper, I'll call them and say, "Do you have statistics on this  
during this period of time?" and they give them to me. They don't giv  
me everybody. And they actually make sure they block out things that don't

I thin  
transferred  
people that have indicated -- or a lot of violations of not documenting traffic  
stops or improper tactics -- there's documentation on patrol charts.

GLADING: Was that under Colonel Dunbar or Lieutenant Colone

Fedorko? Do you recall?

ransferred, I would say

it was under Lieutenant Colonel Fedorko.

GLADING: And when-- You referred earlier to -- after the audit

LIEUTENANT COSGROVE: Right. The Turn-- This is known as the

MS. GLADING: Was it your understanding that that was eve  
completed?

LIEUTENANT COSGROVE: Is that what?

GLADING: Is it your understanding that that audit was actually

LIEUTENANT COSGROVE: Yes.

MS. GLADING: Who were you told that by?

ffairs Bureau

that--

We have some arti--

MR. WEBER: Do you have extra--

MR. WEBER: Just the March 11 and March 12, please.

MR. WHEELER: Yeah, that's what I was gonna do.

Lieutenant, I'm gonna hand you two articles, both from the .

The is a March 11, 1999, article -- it was published on a Thursday --

“State  
article which was a Friday -- “State Troopers Get Sympathy Vote From

I’d like you to please take a look at both of these articles and identify for  
had previously testified  
about.

ne at a time  
here--

LIEUTENANT COSGROVE: --for the matter of the record?

MR. Yes. Why don’t we start with the March 11, 1999,

LIEUTENANT COSGROVE: Okay.

MR. WEBE

the  
Cosgrove said a slowdown would be understandable, because State Troopers’

And just

“It’s not beyond the realm of possibility or unreasonable that they are taking  
. They are totally frustrated. The guys are doing their jobs,  
ri their lives, conducting motor vehicle stops, and they’re just getting

LIEUTENANT d  
earlier.

LIEUTENANT COSGROVE: That's the one I was ref  
When finally, after getting calls over a daily period -- and it wasn't just one day  
I finally said, "What are we gonna say," and that's what I came up wit  
when I found out -- you know, if it is-- I didn't confirm that it was happening.

MR. WEBER: Okay. But this-- this is the article.

LIEUTENANT COSGROVE: This is the article tha  
earlier conversation, correct. That generated--

MR. WEBER: Okay. That generated the meeting with--

MR. WEBER: --Colonel Fedorko.

MS.

Thursday, so the meeting with Fedorko was the day before this?

NT COSGROVE: I would-- No, I would say it was th  
following week then. This is Thursday/Friday, and now I'm saying it's gonna--  
is March, right? (affirmative response) It's gonna be the next-- It had  
these -- these  
stories going out.

quoted  
Gover Whitman's comments -- and now I'm turning to the March 12th

LIEUTENANT COSGROVE: Right.

MS. NG: --where she says something similar to what you said  
o walked in your office as you were  
reading the paper?



wrong.” And then he -- Colonel Fedorko walked in -- one of those timing --  
said, “You didn’t do anything wrong.” I said, “Then why I am being” --

MR. WEBER: Now, did this--

MS. GLADING: And when you  
in the presence of the eight people or that was later?

LIEUTENANT COSGROVE: No. This is the following  
I’m confusing you. This would be that Thursday -- after that Wednesday when

MS. GLADING: Okay.

LIEUTENANT I believe in response to this, early

MR. WEBER: All right. I just want to--

MS. GLADING: Okay. I really need to just clarify the days.

LIEUTENANT COSGROVE: Sure.

MS. GLADING: The story runs on the 11th of March.

MS. GLADING: Quoting you.

MR. WEBER: Which is a Thursday.

MS. GLADI

Governor saying similar things.

LIEUTENANT COSGROVE: Right

So on the following week, what day?

LIEUTEANT COSGROVE: I'm saying-- I'm just recalling a

MS. GLADING: A Wednesday.

LIEUTENANT COSGROVE: Again, it could have been a Tuesday.

WEBER: Okay. So the fol-- The initial meeting with Colone Fedorko in which -- in front of the other people -- he instructs you that you're

LIEUTENANT COSGROVE: From the--

MR. WEBER: The week of the 15th.

ly generated some  
of it -- who sent them down here? And I said, "I did."

The we  
Verniero's  
Sup -- nomination to the  
State Supreme Court was forwarded to the State Senate.

that Monday -- after these two articles run -- his nomination i  
forwarded to the State Senate.

LIEUTENANT COSGROVE: Okay.

WEBER: You then -- within a day or two thereafter -- have thi  
conversation with Fedorko in front of the other people.

LIEUTENANT COSGROVE: Right.

LIEUTENANT COSGROVE: No longer--

The  
Fedorko, in which you talk about -- what did I do wrong, the Governor  
same thing that I said--

LIEUTENANT COSGROVE: Right.  
ong. Come into  
my office.”

MR.  
being rded to the State Senate in that conversation that you had with

LIEUTENANT COSGROVE: I'm going in his office, closing the door,  
pset. You take something I've  
been doing for-- In response  
same thing I did, so what's wrong with it?”

“It's not-- You're not wrong.” I said, “Then what are you standing up  
you're not standing up for me, and I work for you, what does  
every  
organization?”

And that's kinda-- “What is this all about?”

LIEUTENANT COSGROVE: He just looked at me. Just-- There was

MS. GLADING: He didn't say anything? That conversation occurred--

LIEUTENANT COSGROVE: No, that's okay.

GLADING: If the following Wednesday is the 17th -- the Wednesday after these stories appear -- that's when the meeting is in -- there's

LIEUTENANT COSGROVE: Right.

MS. GLADING: Then is it the next day -- the Thursday after the 18th?

LIEUTENANT COSGROVE: Yeah. Yes. I would say, yes.

ent into  
the -- Fedorko's with him.

The  
was late in the e  
warehou -- call me back. We left the office. So I couldn't say anything

Then the next day -- again, I was just back in the office early again, and--  
the second meeting that was just  
you Major Fedorko -- do you remember anything else being said, other

LIEUTENANT COSGROVE: I just said my supposition to  
thing of thinking of where it's generated -- I'm the one who said this has gotta  
coming from the Attorney General's Office, so who-- Because who else  
would be complaining against this -- about this.

MR. WEBER: What did he say?

MR. WEBER: So it was sort of a shoulder shrug?

MR. WEBER: Did he explain what he meant by “it’s politics?”

LIEUTENANT COSGROVE: Nope.

LIEUTENANT COSGROVE: That’s how it ended.

MR. WEBER: Did you ever come to find out -- for lack of a better

LIEUTENANT COSGROVE: I never inquired, nor-- I would imagine

MR. WEBER: Why?

LIEUTENANT COSGROVE:

Roger Shatzkin. It’s just never-- I was looked upon as being the outside guy.

MR. WEBER:

want to pose stories to the media, and how didn’t you cooperate?

LIEUTENANT COSGROVE: It more or less, wasn’t even the racial  
just everything else that went on when-- You know, things--

Again, on a daily basis racial profiling

day, there are stories occurring -- racial, other things.

And I haven’t had a class in a long time, and Roger would give a  
lecture or something. And I’d go

down to the personnel -- ’cause they’d call me and say, “You’re only down 20

of 80,” “We’re down at least 80, because we haven’t had a class  
since November of ’98.” Can you

We were down 300. And he'd say, "That's his numbers, that's not mine."

LIEUTENANT COSGROVE: Oh, he'd never call me. Yeah, he would ally had a conversation. He would call John, and John would tell me, "Roger's not happy with you." "So tell Roger to call me, and I'll discuss it with him," and Roger would never--

know, it just looked-- I was looked at -- and I don't know why, next guy -- I wasn't consistent with the they wanted to say things, I guess. And I don't know why there's a

MR. WEBER: Do you remember there being -- and we appreciate your any inconsistencies on how they nted -- they being the AG's Office and Mr. Shatzkin -- how they to present things versus how you wanted to present things, either on

We'll take it issue by issue. Just generally the issue of racial profiling.

LIEU COSGROVE: No, I don't-- They were mostly taking position, and we were just part of it actually. We really had no say in how

MR. WEBER: How about inconsistencies on the issue of the case or the decision?

LIEUTENANT to about

MR. WEBER: Issues or inconsistencies on the issue of the Hogan and

LIEUTENANT COSGROVE: No.

a

indictments or prosecution?

COSGROVE: Again, we didn't really answer any  
General,  
'cause they did the indictment.

LIEUTENANT COSGROVE: Well, certainly people had opinions, but  
police. I referred them to the  
Office of the Attorney General, 'cause that's where--  
s, people called  
me to have a general, personal conversation -- do you believe it, what's going  
on, like that. Nothing that I would be quoted about. I don't think I

MR. [REDACTED] y  
State Police?

T COSGROVE: No, I was not privy to any statistical  
documentation.

MR. WEBER: The OAG's review of the New Jersey State Police?

ally, involved--

MR. [REDACTED] No, inconsistencies. Again, you know, Mr. Shatzkin with

LIEUTENANT COSGROVE: No, not that I can put my hand on that  
had-- Again, I very rarely had a-- I don't even think I remembered--  
would answer the phone, and he would say, "Is John there?" And I would give

John the phone. That's just how the relationship was.

MR. WEBER: How about on the interim report?

ENANT COSGROVE: Again, I was given a report to read  
That's h  
anybody about, we don't agree or disagree with th  
a report come out from the Attorney General's Office, that speaks volumes to

MR.  
public?

LIE COSGROVE: No, I think the day it was actually

MR. WEBER: Did your office have any input into the contents of the

LIEUTENANT COSGROVE: Not that I would know specifically.

MR. WEBER: How about Mr. Hagerty?

sk him. I really wouldn't  
know. I wasn't part of any kind of--

*Soto*

picture you've painted is that you and John Hagerty were working in the same

You would overhear things. He was on the phone a lot with the AG's  
Office.

any of the issues related to

*Soto* the Department of Justice investigation, the interim report, the Hogan-

shooting -- did you ever have the impression that Mr. Hagerty an  
Roger Shatzkin were in an adversarial relationship?

ANT COSGROVE: No. I wouldn't categorize their relationship as adversarial.

MS. GLADING: Did you ever have the impression--

MS. GLADING: Excuse me?

MR. WEBER: Sorry.

LIEUTENANT

po

John used to hang up sometimes and be frustrated was doing things. Again, but he wouldn't share them with me.

MS. GLADING

of those issues -- that the State Police was not cooperating with something the

LIEUTENANT COSGROVE: No. I--

State Police were being fully cooperative in anything the Attorney General's

MS.

contact was between Roger and John?

MS. GLADING: Did John-- Was John a point of contact with the State

LIEUTENANT COSGROVE: How do you mean? Other than?

MS. GLADING: Aside from press inquiries and publi

there any other areas where John Hagerty advised the Colonel and was a point

of contact for anyone in the Attorney General's Office?

LIEUTENANT COSGROVE: No. I-- No, John was mostly the liaison. I would call him the liaison between our office in the Division of State Police and the Office of the Attorney General Director of Communications.

MS. GLADING: Okay.

MR. WEBER: Lieutenant, I think we're all done. I want to thank you for your time, for volunteering to come here, and for the forthright nature of your testimony. We greatly appreciate it.

LIEUTENANT COSGROVE: No problem.

MR. WEBER: Thank you very much.

LIEUTENANT COSGROVE: You're welcome.

MR. WEBER: Off the record.

**(INTERVIEW CONCLUDED)**