

CONFIDENTIAL

INTERVIEW
of
Lieutenant Albert Sachetti
for the
SENATE JUDICIARY COMMITTEE

February 9, 2001
10:00 a.m.
Committee Room 14
State House Annex
Trenton, New Jersey

PRESENT AT INTERVIEW:

Senator John A. Lynch
Eric H. Jaso, Esq. (Special Counsel to the Committee)
Jo Astrid Glading, Esq. (Democratic Counsel to the Committee)
Elisa Lee, Esq. (Assisting Special Counsel)

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ERIC H. JASO, ESQ.: Lieutenant, if you would just stand and raise your right hand, I'll administer the oath.

(Oath administered)

Lieutenant, again, I'm Eric Jaso. I'm an associate with the law firm of Latham and Watkins. Michael Chertoff, who is a member of the firm, has been appointed by the Senate Judiciary Committee to conduct an investigation into, among other things, the history of racial profiling in the State of New Jersey.

Before I begin, let me ask if the attorneys could identify themselves for the record.

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

ELISA LEE, ESQ.: Elisa Lee, Associate with Latham and Watkins.

JO ASTRID GLADING, ESQ.: Jo Astrid Glading, Staff Counsel in the Senate Democratic Office.

MR. JASO: Thank you.

Let me begin by asking you to-- Well, let me tell you, first of all, if you need to take a break at any time, just let me know. Let me first ask you to walk me through your educational background and your history of employment with the New Jersey State Police, please.

LIEUTENANT ALBERT SACHETTI: I'm a high school graduate with 60 -- I believe, 66 -- college credits. I began my career in the New Jersey State Police in 1974 as a road trooper. I've served in 16 different assignments. Twenty-two years total I have spent as a road trooper or supervising road troopers in a supervisory capacity. The other five years of my

career I've spent in the -- what was previously the Internal Affairs Bureau, Staff Inspection Unit, and is now the Quality Control and Inspection Bureau, of which, on December the 16th, I was assigned as the Acting Bureau Chief for that bureau.

MR. JASO: On what date? I'm sorry.

LIEUTENANT SACHETTI: December the 16th of 2000.

MR. JASO: Could you just give me, approximately, the positions that you've held within the State Police over the past 10 years? More specifically, as to the dates that you were at each position.

LIEUTENANT SACHETTI: Ten years? Well, if you want to go back to '90, it would make it easy, 'cause I was promoted to Squad Sergeant in July of 1990. I served as a squad sergeant at Bridgeton, Absecon, Woodstown, and Moorestown stations.

MR. JASO: Moorestown.

LIEUTENANT SACHETTI: On the Turnpike.

MR. JASO: Okay.

LIEUTENANT SACHETTI: I was, in 1993, transferred to the Staff Inspection Unit as the Assistant Inspecting Officer. I served in that capacity for 18 months, at which time I was reassigned to Moorestown Station as the Assistant Station Commander.

MS. GLADING: When was that? Do you remember the month?

LIEUTENANT SACHETTI: That was in 1995.

MS. GLADING: Do you remember the month?

LIEUTENANT SACHETTI: About February, I believe. January or February. I was appointed to Sergeant -- or promoted to Sergeant First Class

during that period of time, and I served in that capacity as the Assistant Station Commander from -- if it was January or February of '95, until, I would say, September or October of 1997, at which time I was transferred out of that position into the Inspection Unit as the Staff Inspection Officer. I served in that capacity until December the 16th of last year, at which time I was reassigned as the Acting Bureau Chief for the Inspection Bureau.

MR. JASO: When you were transferred to the Inspection Unit, did you get a promotion?

LIEUTENANT SACHETTI: Yes.

MR. JASO: To what?

LIEUTENANT SACHETTI: Lieutenant. And this position that I presently serve is a captain's position. I'm in an acting capacity at the present time until the promotion comes out.

MS. GLADING: Eric, can I just clarify?

MR. JASO: Certainly.

MS. GLADING: When you were in the Staff Inspection Unit in '93 for that 18-month period, who was your supervisor?

LIEUTENANT SACHETTI: I had two. I had Lieutenant James Kenna and I had Lieutenant Thomas DeFao. (phonetic spelling)

MS. GLADING: And who did they report to?

LIEUTENANT SACHETTI: They reported to Captain Lanny Roberson. He was the Internal Affairs Bureau Chief at the time.

MS. GLADING: And in Moorestown, who was the Station Commander when you were the Assistant?

LIEUTENANT SACHETTI: When I was the Assistant, there was

Lieutenant Bernard Gilbert and Lieutenant Richard Gilbert. No relation.

MS. GLADING: Lot of Gilberts.

MR. JASO: Are there others?

LIEUTENANT SACHETTI: No relation to that one either. I know who you're talking about.

MS. GLADING: The-- September/October '97, when you were transferred to the Inspection Unit, who was the -- who did you report to then?

LIEUTENANT SACHETTI: I reported to Captain Ernest Volkman -- Captain Volkman.

MS. GLADING: And he reported to whom?

LIEUTENANT SACHETTI: He reported to Major Juan Mattos.

MR. JASO: Before we begin, I'd like to ask you, because we'll be talking about the subject at some length today, to define for me, if you will, what racial profiling is in your own mind as you sit here today.

LIEUTENANT SACHETTI: What I'd like from you is for you to define it for me. I'll define it for you, if you would define it for me, to make sure we're on the same plane here.

MR. JASO: Well--

LIEUTENANT SACHETTI: My opinion of it is stopping any individual on the basis of race. That would be my definition of racial profiling. I just want to make sure that we're on the same page, because if we're not I don't know how this is going to work out.

MR. JASO: Well, my definition is irrelevant, actually. I'm just going to ask what your impressions are.

LIEUTENANT SACHETTI: Is that the correct answer?

MR. JASO: There is no-- Believe me, I think it's fair to say that there is no correct answer, and--

LIEUTENANT SACHETTI: Well, then there's a problem.

MR. JASO: Okay. Well--

LIEUTENANT SACHETTI: If there's no correct answer, what is it that I'm going to be asking questions about? (*sic*)

MR. JASO: Well, it's based on your own understanding of what that term means, and what types of issues were related to what was identified as racial profiling over the years. Now, I don't think that there is any specific definition, but the question-- The questions that I'm going to direct to you today are going to be based, in part, on what your definition is just so that we understand what your answers are. It really doesn't matter what my questions are, okay, as long as we understand what your definition is.

MS. GLADING: Would your definition-- I don't want to put words in your mouth, I just want to understand your definition more clearly. Would your definition include making a decision to conduct a consent search or probable-cause search--

LIEUTENANT SACHETTI: Based on race? Yes.

MS. GLADING: --on the basis of race, also? So it's not just a stop, it's any-- Maybe you could explain to me.

LIEUTENANT SACHETTI: Yes. It would be based on that. Any decision that is based solely on race -- whether you want to call it racial profiling, racial wrongdoing, whatever you would want to call it -- I don't think it should be condoned or supported in any manner, based on race.

MS. GLADING: Thank you.

MR. JASO: Has your definition, as you defined it, changed at all over the years?

LIEUTENANT SACHETTI: From 1974 to the present?

MR. JASO: Right.

LIEUTENANT SACHETTI: No.

MR. JASO: When you started out as a trooper and in your early days, did you have any kind of an understanding of the term? Was the term used at all?

LIEUTENANT SACHETTI: Never heard of it.

MR. JASO: Until when, if you can remember?

LIEUTENANT SACHETTI: Within the context of the New Jersey State Police, or within the context of have I ever heard of the term?

MR. JASO: Well, ever heard of it.

LIEUTENANT SACHETTI: I'd imagine, and I can't definitively state the first time I ever heard the term was on this date, but I'd say in the past five years.

MR. JASO: Okay.

LIEUTENANT SACHETTI: But specifically for the New Jersey State Police, obviously after the shooting.

MR. JASO: Did you ever hear of a term called law-enforcement profiling?

LIEUTENANT SACHETTI: Yes.

MR. JASO: And what is your definition and/or understanding of that term?

LIEUTENANT SACHETTI: That would be-- Well, the FBI often would

profile serial killers based upon a certain profile. I would assume that would be what you're referring to.

MR. JASO: Has there been any other application besides FBI serial killers' application?

LIEUTENANT SACHETTI: To my knowledge? No.

MR. JASO: How about drug couriers?

LIEUTENANT SACHETTI: Fitting a certain profile?

MR. JASO: That's right.

LIEUTENANT SACHETTI: Could you describe exactly what you're-- I don't know what you're talking about.

MR. JASO: Well, I'm wondering if you have any understanding of law-enforcement profiling, as distinct from the racial profiling, in the drug interdiction area.

LIEUTENANT SACHETTI: Specifically?

MR. JASO: Well, let me ask you this: Have you ever heard of something called Operation Pipeline?

LIEUTENANT SACHETTI: I've heard of it.

MR. JASO: Do you know what it was or is?

LIEUTENANT SACHETTI: To be perfectly honest, and I don't want to appear like an ignorant State Trooper, but I don't recall the exact -- what it was -- the exact parameters under which Operation Pipeline was. I imagine it referred to something that had to do with the transportation of narcotics. This was-- If I'm not mistaken, it was probably back in the '80s. I can't get into it. I don't recall that much about it due to the time frame that it was. It's been years ago.

MR. JASO: Do you remember back in the '80s that the Drug Enforcement Administration had some training programs for state troopers around the country, but particularly in certain areas where there was considered to be a large amount of drug traffic on the ground, that detailed what the DEA's impression, using what was a law-enforcement profile of the types of individuals who would traffic drugs on the highways.

Were you aware of that type of program?

LIEUTENANT SACHETTI: And troopers receiving training in that area?

MR. JASO: Right.

LIEUTENANT SACHETTI: Yes.

MR. JASO: Did you--

LIEUTENANT SACHETTI: I don't recall that it actually was called Operation Pipeline. That's where I, you know, I'm a little confused as to where you're headed with that. I do recall that we had specifically, within the -- outside the organization and within the organization, individuals training younger troopers in arrest, search-and-seizure techniques regarding drug interdiction.

MR. JASO: Were you, yourself, during your career, involved in training activities? That is, as in--

LIEUTENANT SACHETTI: Regards to that?

MR. JASO: Well, in any training activities.

LIEUTENANT SACHETTI: Yes. Yes.

MR. JASO: And when was that, and what did you do? I don't mean as a trainee, as I guess someone who would either train--

LIEUTENANT SACHETTI: Yeah. I was trained as an instructor in the New Jersey State Police Academy in the Instructor Training Course. I received certification from the Training Commission in that regard. I'm a firearms instructor, a PR-24 instructor, and--

MS. GLADING: What is PR-24?

LIEUTENANT SACHETTI: A physical-force weapon that we employ. It's a baton with a handle on it--

MS. GLADING: Thank you.

LIEUTENANT SACHETTI: --that is standard issue to every trooper.

As a certified instructor in the State Police, I'm permitted, I guess would be the term, to instruct courses that would be handed down to me, to other troopers, as part of in-service training sessions.

MR. JASO: When did you receive your certification to be an instructor?

LIEUTENANT SACHETTI: I would say '86 or '87, 1986 or '87.

MR. JASO: And have you ever given instruction on law-enforcement profiling? That is, the profiling of narcotics traffickers?

LIEUTENANT SACHETTI: No.

MR. JASO: Jo, anything? (negative response)

Okay. Let me start out by-- I'm going to show you a series of documents today, and-- This is actually two documents. This is a New Jersey State Police interoffice communication memorandum dated-- Well, the first date is cut off, but it says "4/95, from Captain W. E. Hill to Captain Mattos," bearing Bates label OAG-1786.

The second is a memorandum from 1995 from W. R. Anderson to W. E. Hill, bearing Bates label 1787.

If you could just take a moment to take a look at this and see if you've ever seen either of these.

LIEUTENANT SACHETTI: If I could correct some early testimony, also.

MR. JASO: Sure.

LIEUTENANT SACHETTI: Where I said that Captain Lanny Roberson was the supervisor that we reported to at that time; he was for the majority of the period of time I was assigned back in '93, but this just refreshed my memory, Bill Hill was also.

MR. JASO: Okay. Back in '93?

LIEUTENANT SACHETTI: Back in '93, so I would have reported to-- Well, '93 to '95, I would have reported to Bill Hill towards the latter part of my assignment in Internal Affairs.

MR. JASO: So you reported first to Roberson then to Hill during that '93--

LIEUTENANT SACHETTI: Yes, Roberson was transferred out, and I believe he got promoted to Major, and then Captain Bill Hill became the Bureau Chief of Internal Affairs.

MR. JASO: Okay.

SECURITY GUARD: Senator Lynch.

MR. JASO: You can come in.

We're going to be joined shortly by Senator Lynch.

Looking at-- First let me ask you, do you recognize these memoranda?

LIEUTENANT SACHETTI: No, I wouldn't. I wouldn't recognize these, because I would not be privy to either of these documents. I'm familiar with

the circumstances outlined in these documents, but I would never have seen these documents. These are at a level higher than myself, and I would not have been privy to either of these documents.

MR. JASO: Okay. Look at the first one, if you would, which says -- has number 1786 at the bottom, indicating a special report that, according to the memorandum you prepared, regarding a Trooper Paul Jenkins, who was apparently investigated for an allegation that he, according to the memo, had reported two white troopers who were making racially motivated motor vehicle stops.

Do you remember the circumstances of that investigation?

LIEUTENANT SACHETTI: Well, no. We're talking two separate areas here.

MR. JASO: Okay.

LIEUTENANT SACHETTI: I'm not familiar at all with whatever it was Jenkins was a principal in, in an internal investigation. Let me explain to you my-- If you like, I can get into my particular involvement with Trooper Jenkins.

MR. JASO: Sure. Let me ask you what principal means. Does that mean like the subject of an investigation?

LIEUTENANT SACHETTI: Target.

MR. JASO: Target, okay.

LIEUTENANT SACHETTI: In other words, if you were the one that was accused of the wrongdoing, you would be the principal. If we were the ones that witnessed you do this wrongdoing, we would be witnesses in an internal.

MR. JASO: Okay.

LIEUTENANT SACHETTI: Now, with Trooper Paul Jenkins, specifically, I was assigned an internal investigation involving another trooper in which Trooper Paul Jenkins was a witness.

MR. JASO: I see.

LIEUTENANT SACHETTI: When I interviewed Trooper Paul Jenkins, Trooper Paul Jenkins exhibited to me-- It was very hard to conduct the interview at the time, because he was very concerned about this previous internal investigation that he was a part of that I had no knowledge of.

I asked him-- Just so I could proceed with my interview of Trooper Jenkins and get into what I had to do, I allowed him the opportunity to explain to me what he perceived to be the problem. And at that time, he enumerated these facts that are contained here in this memo that he had brought to his sergeant -- Sergeant John Leach (phonetic spelling) -- and also to, I believe -- I don't know if he was a lieutenant at the time or a captain -- Lee Cartwright. It might have been-- He was probably the Station Commander at the time.

That he felt troopers that he had worked with were practicing racial profiling.

MR. JASO: That who said that?

LIEUTENANT SACHETTI: Jenkins said this to me during this interview on an unrelated matter. Jenkins was a witness in an internal investigation involving another trooper, who was being charged with giving false information to major crimes investigators as a result of a shooting that he was in, and Jenkins was a -- he was a witness in this internal investigation.

The allegation-- The allegation centered on this other principal, this

trooper that was involved in this shooting. Jenkins was the witness. It was my role to interview Jenkins to see what knowledge he had of this shooting. And like I said, before I could proceed with my interview of Jenkins, he enumerated to me instances that he felt -- not specifically, it was more or less in general -- that he felt that troopers that he was working with on the Expressway were practicing racial profiling.

As a result of that, I generated--

MR. JASO: Let me ask you, if you can recall, specifically, how he described it, what he said was going on?

LIEUTENANT SACHETTI: He said-- He didn't-- He really didn't get into it specifically. Like I say, he was very general. He was-- His statements were similar to-- He felt the troopers he was working with were profiling. He brought this to his sergeant's attention. He brought this to his station commander's attention, and they did nothing about it.

I felt at the time--

MR. JASO: Did he-- I'm sorry to interrupt you. Let me just-- I'm trying to be clear and to make sure that you're clear. Did he use the term racial profiling at the time?

LIEUTENANT SACHETTI: Um, yeah, I-- To tell you the truth, I believe that he did, but I can't say definitively. I generated a special report, of which I don't have a copy of it. I don't know if you have it in there among that stack.

MR. JASO: No, I'm afraid I don't.

LIEUTENANT SACHETTI: I don't know if he used the term race-based wrongdoing or racial profiling. He may have used racial profiling.

MR. JASO: Okay. And we're still talking about Jenkins.

LIEUTENANT SACHETTI: Jenkins.

MR. JASO: Okay.

LIEUTENANT SACHETTI: As a result of him bringing forth these allegations, I submitted a special report to Captain Hill that I felt these allegations should be investigated, and I guess these interoffice communications were as a result of my initiation of that special report.

MR. JASO: Okay. And then, at the bottom, it says, "This information is being submitted to you reference the allegation of racially motivated motor vehicle stops. I have no knowledge of this allegation ever being reported or investigated."

Is that what you reported to Captain Hill?

LIEUTENANT SACHETTI: No, that's Hill. No, this is Hill. They're all Hill's words.

MR. JASO: I understand, but did you discuss with Captain Hill whether or not-- I think you just testified that you understood from Jenkins that it had never been at least investigated.

LIEUTENANT SACHETTI: Right.

MR. JASO: But that he had reported it.

LIEUTENANT SACHETTI: Not only that he had reported it, but he had felt that as a result of him reporting it to Sergeant Leach and Lieutenant Cartwright, that he was being made the subject of some internal investigation of which I had no knowledge.

MR. JASO: Okay.

Did it surprise you at the time that he told you that he felt that there

was racial profiling going on?

LIEUTENANT SACHETTI: Yes, I guess you could say I was surprised.

MR. JASO: Was this the first time you'd ever heard of such a thing going on?

LIEUTENANT SACHETTI: From a trooper.

MR. JASO: Directly from a trooper?

LIEUTENANT SACHETTI: Right.

MR. JASO: And do you recall whether this was ever-- Did anyone ever ask you to follow up on that particular allegation?

LIEUTENANT SACHETTI: No. No, because by me generating a special report, someone else would have probably been assigned to follow up on that.

MR. JASO: Do you know whether or not that was done?

LIEUTENANT SACHETTI: I don't know if EEO-- I would imagine EEO followed up on it. I don't know that for a fact. Let me-- I don't know if this is what Anderson's is. Yes, I guess Walt Anderson did from the EEO Unit.

MR. JASO: Okay. And then the second memo I think that you've turned to there says that Trooper Jenkins told Walter Anderson -- Sergeant First Class Walter Anderson -- that there was some misunderstanding by you. Is that accurate?

LIEUTENANT SACHETTI: No.

MR. JASO: Do you know why he would have-- That is--

LIEUTENANT SACHETTI: There was no misunderstanding. Why would I have generated-- I wouldn't have generated a special report if there

was any misunderstanding. I felt that it needed to be investigated due to the seriousness of his allegations. I don't feel I misunderstood anything that Jenkins had to say.

MR. JASO: So, as you sit here today, you have a clear recollection of what Jenkins said to you that day?

LIEUTENANT SACHETTI: I don't have a clear recollection of specifically what he said, but I know that I did not misunderstand what he said.

MR. JASO: Okay.

LIEUTENANT SACHETTI: I have a very clear recollection of that.

MR. JASO: Do you have any knowledge of why Trooper Jenkins, fairly shortly thereafter, I guess -- a few days, according to the dates on these memos -- would tell the Unit Supervisor of the EEO that there was some misunderstanding and that he never made such a suggestion that there was racial profiling?

LIEUTENANT SACHETTI: No, I would have no idea why Trooper Jenkins would make that statement later.

MR. JASO: Did anyone ever come back to you and say, "Are you sure this is right?"

LIEUTENANT SACHETTI: (Gestures) I don't recall.

MR. JASO: I'm sorry, since we're on tape, you have to say yes or no.

LIEUTENANT SACHETTI: Yes. I don't recall.

MR. JASO: Let me ask the question again.

LIEUTENANT SACHETTI: Go ahead.

MR. JASO: Did anyone ever come back to you and say, "Sergeant

Sachetti” -- at that time -- “what happened here? Trooper Jenkins says you got it all wrong.”

LIEUTENANT SACHETTI: No, my special report spoke for itself. There would have been no need to do that.

MR. JASO: But did anyone do it?

LIEUTENANT SACHETTI: No. I don't recall that they did.

MR. JASO: Okay.

Let me ask you to turn back to the first page, if you would, briefly. If you look at the middle paragraph it says, “As a result of the investigation” -- I guess into the \$50 bribe that Trooper Jenkins was alleged to have taken -- “it was discovered that Trooper Jenkins and Sergeant Leach had falsified numerous station reports.” What types of station reports were falsified?

LIEUTENANT SACHETTI: I don't know. I didn't have that internal investigation.

MR. JASO: That was not part of your investigation then.

LIEUTENANT SACHETTI: No.

MR. JASO: Jo, anything? (no response)

Let me hand you another document, Lieutenant.

This is a list-- Well, it's a list-- It looks like a sign-in sheet, a series of sign-in sheets, bearing the Bates labels T-4011 through 4013.

Do you recognize this document or the attachments?

LIEUTENANT SACHETTI: All I have is three pages here of read- and- initial sheets.

MR. JASO: Right.

LIEUTENANT SACHETTI: I don't have what this is actually pertaining

to.

MR. JASO: Well, let me draw your attention, if you would, to the first page, under Squad 6, SFC A. Sachetti, Badge Number 2985, and then initials. Does that--

LIEUTENANT SACHETTI: That's me? That's my initials.

MR. JASO: Okay. Do you-- The subject of this sign-in sheet is spotlight use. Does this refresh your recollection as to what this is?

LIEUTENANT SACHETTI: Um, it's a read-and-initial sheet. That's all this sheet is. Spotlight use -- is there another attachment that should be attached to this?

MR. JASO: No, not that I know of.

Well, let me ask you this-- I mean, to my untrained eye, it looks like a sign-in sheet perhaps for some sort of a training that the individuals who have initialed this--

LIEUTENANT SACHETTI: All right, what this is, is-- We refer to this as a read-and-initial sheet.

MR. JASO: Okay.

LIEUTENANT SACHETTI: Any items of importance that myself or Lieutenant Gilbert, as Assistant and Station Commander of a station -- and I'm just using us two, because that's specifically this sheet--

A station commander and his assistant, a troop commander, may feel that there are certain items that need to be emphasized to all the troopers at a station. Whoever makes the decision, whether its a troop commander or the Station Commander or the Assistant Station Commander, would generate a memo, which -- that's why I'm surprised there's nothing attached to this --

which would explain what it is we're trying to -- the point we're trying to get across. And every trooper that would be assigned to the station would then be required to initial next to his name that he read this memo. We do this often, some station commanders a lot more than others.

MR. JASO: So this would have been a cover sheet, perhaps, on a memorandum, and that you have to say, "I read it," and then you'd initial your name.

LIEUTENANT SACHETTI: Yes.

MR. JASO: Do you recall that around March of '96 there was some sort of a directive with regard to spotlight use?

LIEUTENANT SACHETTI: Yes.

MR. JASO: Well, let me ask you what spotlight use means?

LIEUTENANT SACHETTI: Well, spotlight use could mean exactly that, spotlight use. In this frame, in this context, I'm assuming -- without having the actual memo attached to this -- that, if I recall correctly-- I don't recall who the Troop Commander was at the time, but I believe that we received a memorandum from Troop Headquarters ordering the troops not to use spotlights to spotlight cars from a stationary position.

MR. JASO: Do you recall why that was done?

LIEUTENANT SACHETTI: I would say *Soto*, as a result of *Soto* testimony -- Gloucester County *Soto* testimony. It came out-- Whether it was *Soto* testimony, or it was allegations made by other minority troopers, that troopers were engaging in this type of practice.

This read and initial was generated to ensure that the troops would not engage in this type of practice.

MR. JASO: So the practice of concern was -- as I recall *Soto* and/or -- and the trooper allegations that you referred to -- sitting at night with the spotlight on and looking to see the faces of the passing motorists to determine the race.

LIEUTENANT SACHETTI: To determine the race, and subsequently, the allegations were, to base your stop on what you observed by use of your spotlight.

MR. JASO: Okay.

Could you tell me what your responsibilities were within the Staff Inspection Unit, generally.

LIEUTENANT SACHETTI: As the Assistant Inspection Officer or as the Inspecting Officer?

MR. JASO: Um, to the--

LIEUTENANT SACHETTI: We're delineated in the SOP as far as what our responsibilities are, and, just basically, it's to ensure that our members perform their duties with the utmost of integrity and according to all of our rules, regulations, and standing operating procedures.

MR. JASO: Is it part of IAB?

LIEUTENANT SACHETTI: Yes.

MR. JASO: Okay.

LIEUTENANT SACHETTI: Well, see, over the past couple years, IAB has taken on several different names. Back when I was the Assistant Inspecting Officer and when I came back here as the Inspecting Officer, it was still IAB. It has since become the Office of Professional Standards and several Bureaus within that Office.

MS. GLADING: Excuse me. Is that Office currently headed by--

LIEUTENANT SACHETTI: Major Brennan.

MS. GLADING: Major -- Major Brennan?

LIEUTENANT SACHETTI: Yes, ma'am

MS. GLADING: Okay. Thank you.

MR. JASO: Did you have any continuation of your duties with regard to IAB or Staff Inspection when you were at Moorestown during '95 to, I guess, '97?

LIEUTENANT SACHETTI: I'm sorry. Did I?

MR. JASO: Did your-- I think you said you were Assistant Station Commander of Moorestown--

LIEUTENANT SACHETTI: Yes.

MR. JASO: --for '95 to about '97?

LIEUTENANT SACHETTI: Yes, sir.

MR. JASO: Did you continue to have any particular duties? Was there an overlap with your previous duties within IAB, or was it a non-IAB job at Moorestown?

LIEUTENANT SACHETTI: It was a non-IAB job.

If I could make the-- Maybe I didn't explain enough with what my responsibilities were as the Inspecting Officer. On a daily basis, we inspected troopers, facilities, evidence, and the manner in which they conducted themselves and their activities on a daily basis. When I went back as the Assistant Station Commander, my duties were strictly involved in the operation of that station -- Moorestown Station.

MR. JASO: Okay.

At some point in your career, did you participate in the collection of data with regard to, among other things, stops, summonses, consent searches, that type of thing -- surveys, audits, that type of thing?

LIEUTENANT SACHETTI: Yes.

MR. JASO: And when was the first time that you participated in that type of activity?

LIEUTENANT SACHETTI: May of 1998.

MS. GLADING: At that point, who was your supervisor? Who were you reporting to?

LIEUTENANT SACHETTI: I was reporting, at that time, to Captain Roy VanTassell. (phonetic spelling)

MS. GLADING: And he was reporting to whom?

LIEUTENANT SACHETTI: He was reporting to Major Juan Mattos.

MS. GLADING: And who was the Deputy Superintendent above Major Mattos at that point?

LIEUTENANT SACHETTI: Um, Lieutenant Colonel Fedorko.

MS. GLADING: Thank you.

MR. JASO: When you-- And tell me the circumstances under which you were given that assignment that you just described.

LIEUTENANT SACHETTI: Okay, as a result of issues that came about as a result of the Hogan and Kenna shooting, there were concerns expressed by the upper management that this -- that certain types of wrongdoing may be practiced by troopers assigned to Troop D, which was the New Jersey Turnpike.

I was assigned the task of determining whether or not that was true.

MR. JASO: Who was the upper management that you just mentioned?

LIEUTENANT SACHETTI: Colonel Williams. Colonel Fedorko. Colonel Dunlop.

MR. JASO: Was there any management higher than them that was also passing the word down on this?

LIEUTENANT SACHETTI: I wouldn't be privy if there was. I would imagine that someone was taking orders from someone else, as is always the case, but I would not be privy to any of that.

MR. JASO: Okay.

LIEUTENANT SACHETTI: I was first tasked this by Colonel Dunlop. I would say about May the 5th is when it began, of '98, and continued until June of '99.

MS. GLADING: Can you explain why Colonel Dunlop tasked you this? Was he your-- He was supervising Major Fedorko at that point?

LIEUTENANT SACHETTI: No, Colonel Fedorko was Deputy Superintendent.

MS. GLADING: Okay.

LIEUTENANT SACHETTI: Colonel Dunlop was the Executive Officer. Why? I have no idea.

MS. GLADING: He was not in your chain of command, though.

LIEUTENANT SACHETTI: He's certainly in my chain of command; he's a Lieutenant Colonel.

MS. GLADING: I beg your pardon. He was not supervising the section that you worked within.

LIEUTENANT SACHETTI: That's correct.

MS. GLADING: Okay.

Was it unusual to get a task from Colonel Dunlop?

LIEUTENANT SACHETTI: For me, yes.

MS. GLADING: Okay.

MR. JASO: And was it in writing or was it oral or was there also a discussion?

LIEUTENANT SACHETTI: It was oral, oral.

MR. JASO: What did he say to you?

LIEUTENANT SACHETTI: Well, originally we were doing-- We were looking into Trooper Hogan's and Kenna's activities. And, as a result of that, Colonel Dunlop tasked me to do this audit of Troop D patrol practices.

MR. JASO: And what did he tell you to audit? What did he tell you to do in that context?

LIEUTENANT SACHETTI: Well, what he was-- His major concern was -- at the meetings that I attended with him -- was that whether any types of wrongdoing, falsification, was being practiced on a troopwide level.

MR. JASO: Troop D.

LIEUTENANT SACHETTI: Troop D.

MR. JASO: And when you say, "wrongdoing," what did you understand that to mean, or what did he say that meant?

LIEUTENANT SACHETTI: At the time, falsification issues, reporting one race when, in fact, the race of the motorist could be of another; the practice of not calling in motor vehicle stops, as we were required at that time to do, and he requested my input, in his words, based upon my 22 years of road experience, as to how to formulate this plan. And I advised him at the

time that if we are looking for these types of issues, we're also going to uncover every other type of administrative issue that a trooper may be involved in, and we did.

MS. GLADING: The he you refer to is, is?

LIEUTENANT SACHETTI: Colonel Dunlop.

MS. GLADING: Thank you.

MR. JASO: Was part of your assignment to go back into the State Police's records to determine whether there was any previous study done along these lines?

LIEUTENANT SACHETTI: No. No.

MR. JASO: Did you--

LIEUTENANT SACHETTI: If you want, I could get into the whole thing. Do you want me to just outline -- you can stop me at any time -- with the Troop D audit?

MR. JASO: Well, I'd like you to explain it in as much detail as you can, yes. But let me ask you if you did -- before you do that--

LIEUTENANT SACHETTI: No.

MR. JASO: Did you go back and--

LIEUTENANT SACHETTI: No.

MR. JASO: You did not. Okay.

LIEUTENANT SACHETTI: The time frame we looked at was January 1st of 1998 through April 23rd of 1998.

MR. JASO: One/'98 to when? I'm sorry.

LIEUTENANT SACHETTI: April 23rd, 1998.

MR. JASO: And was that a time frame that you, yourself, determined,

or was that given to you by someone else?

LIEUTENANT SACHETTI: We wanted to get a most recent picture of what was going on as we could, but we didn't want to just make it a short time frame, so we came to a conclusion. I proposed that perhaps a four-month study could be managed, and it would give us an idea of what the troops were doing.

If I could take a step back from my previous testimony, also, the end result was, we ended up looking at all of Troop D. Now that I'm thinking about it, as-- When we began this, it was -- we were attempting to determine if the troopers at Cranbury were practicing these types of discrepancies.

MS. GLADING: So, in May of 1998, when you were tasked this by Colonel Dunlop, you began looking first at Cranbury.

LIEUTENANT SACHETTI: Just at Cranbury Station.

MS. GLADING: Was that his instruction to you?

LIEUTENANT SACHETTI: Yes.

MS. GLADING: Can you walk us through, then, what the process was from there?

LIEUTENANT SACHETTI: Okay. I don't have a list of all the meetings that I've attended, because I wasn't told to bring anything, but I've attended a series of meetings, and it wasn't just-- I don't want you to get the impression--

MS. GLADING: Excuse me. Do you maintain such a list of meetings that you've attended?

LIEUTENANT SACHETTI: Yes.

MS. GLADING: Thank you.

I'm sorry to interrupt you.

LIEUTENANT SACHETTI: But the initial meetings were with Colonel Dunlop. Subsequent to then, I met with Colonel Dunlop and Colonel Fedorko at least on a weekly basis, updating them on the progress of the audit and getting direction from them as to where we were gonna go.

What we did was, I was assigned several investigators-- At the initial onset of this, I was assigned eight investigators to me to look at all troopers at Cranbury, their patrol charts, for the time frame that I've described -- January 1st to April 23rd. We looked at every activity--

Let me step back. A trooper on a daily basis is required to fill out a patrol chart of all of his -- listing all of his activities. We checked every activity that he had listed on that patrol chart. We compared it with radio logs at the time. At the time, we did not have a computer-aided dispatch. Everything was manually written down, and we compared the stops that the trooper was putting on his patrol chart with the stops that he called in. We also compared warnings that he issued. We also compared summonses that he issued with these other types of documents.

And what we were looking for at that point was, basically, to see if the stops were being called in, and to see if the race was being accurately reported.

MS. GLADING: How were you determining if race was accurately recorded?

LIEUTENANT SACHETTI: Well, that-- The first step was, we had to determine whether or not the stops were being called in. We termed this Phase I. All discrepancies identified during this Phase I look at all these troopers were identified by these individual investigators that were assigned to me.

We then reviewed these and, based upon the recommendations of Captain VanTassell and Colonel Fedorko and Colonel Dunlop, several other individuals that had exhibited a large number of discrepancies -- stops not called in, things that could not be explained--

MS. GLADING: Excuse me. If you-- To determine a stop was not called in, would you -- how would you determine that?

LIEUTENANT SACHETTI: It wouldn't be listed on the radio log.

MS. GLADING: But there would be a summons or a ticket or a warning?

LIEUTENANT SACHETTI: Summons issued, or he'd have some activity on his patrol chart identifying that he stopped a vehicle and the subsequent patrol chart wouldn't -- the radio log would not match up.

MS. GLADING: Okay. So you were saying that you identified a number of individuals with discrepancies.

LIEUTENANT SACHETTI: Right. So what we did with these individuals was we stuck them into a separate category that we termed Phase II.

What we then did -- these investigators that were assigned to me, then made contact with any individuals that were identified as a discrepancy. In other words, if a trooper over that four-month period -- if I could just use a ballpark figure -- say he didn't call in 30 stops, we would then identify those 30 individuals by way of patrol chart information, warnings, or summonses, and contact them.

MS. GLADING: You're talking about the actual citizen who was stopped?

LIEUTENANT SACHETTI: The actual individual that was stopped.

We then had a series of questions, that were standard for every interview, that we asked these individuals. Among them was, “your ethnic background; the reason you were stopped in your estimation; was your car searched?” We would then check to see if there was a subsequent -- as a result of this interview -- subsequent paperwork documenting the search of this vehicle, and, “in general, what was your treatment during this motor vehicle stop?”

As we started getting into the mechanics of this and investigating during this Phase I/Phase II of this audit, it occurred to me that the possibility existed that troopers could possibly not have been identified as having a large amount of discrepancies, but were still falsifying information or were searching cars and not properly documenting it.

MR. JASO: How did that come to your attention?

LIEUTENANT SACHETTI: I just-- It didn't come to my attention as a result of anything. It came to my attention as a police -- as a cop. I just felt that we better look into this in the event that these troops are not being identified in these first two phases.

MS. GLADING: Would this be a trooper who would have-- I'm going to give you a hypothetical: A trooper calls in a stop--

LIEUTENANT SACHETTI: Everything looks good on paper.

MS. GLADING: Everything matches on paper.

LIEUTENANT SACHETTI: Everything looks good, so he gets put away.

MS. GLADING: But there might be a discrepancy in what the trooper

says--

LIEUTENANT SACHETTI: But there may be problems. He may be searching cars. He may be doing some types of other falsification. And I didn't want these guys to slip through the cracks, so we developed Phase III--

MS. GLADING: Can you--

LIEUTENANT SACHETTI: --which was -- which was a random audit.

MS. GLADING: How many troopers, initially, did you find had discrepancy problems in the first -- in the beginning of this audit?

LIEUTENANT SACHETTI: Seventeen in Cranbury.

MS. GLADING: Seventeen.

MR. JASO: Lieutenant, let me just interject. Since we're on tape, it's very important that you wait until the question is finished. Because when somebody listens to the tape later, and perhaps, tries to make a transcript, it's going to be very difficult to figure out who is saying what.

LIEUTENANT SACHETTI: Sure.

MS. GLADING: Likewise, it's important for me to wait for your answer. So if I jump on your answer, please--

LIEUTENANT SACHETTI: Seventeen were identified originally and scheduled for Phase II in Cranbury.

MR. JASO: Can I ask you-- I'm sorry.

How did you identify them? I understand that you said that you had -- it sounds like kind of a hunch, although you didn't use that word, but -- a cop's instinct that there was something amiss. I mean, what--

LIEUTENANT SACHETTI: No. No. No. Don't misunderstand me there. No.

MR. JASO: Okay. That's what I want to clarify.

LIEUTENANT SACHETTI: Okay.

MR. JASO: What types of facts, specifically, led you to believe that there was additional investigation that was required?

LIEUTENANT SACHETTI: No. None. No facts.

MR. JASO: Okay.

LIEUTENANT SACHETTI: I just didn't want it to slip through. I didn't want the possibility, later on, of having Trooper A be practicing some type of wrongdoing, but he got a free ride. He never was identified as a result of discrepancies. So I felt that that possibility could exist. He wouldn't show up. Everything on paper -- when you match all of this trooper's paperwork, you may be looking and say, "All right, this trooper's good."

We looked at, I believe it was, 58 troopers at Cranbury that were assigned there during this time frame. Only 17 of these had an amount of discrepancies that we could now schedule them for this interview process. So that left, if I do my math correctly, 41 troops.

I wanted to make sure that these 41 troops were not doing anything wrong also, but they just were so good at it that they weren't being identified in any of these other phases.

MR. JASO: Did you believe that the problem was more widespread than just the troopers you'd identified?

LIEUTENANT SACHETTI: I had no idea, but I wanted to make sure that it wasn't.

MR. JASO: You didn't have the suspicion that that was the case?

LIEUTENANT SACHETTI: No, but I wanted to do a thorough job.

MR. JASO: I understand.

LIEUTENANT SACHETTI: We then con-- Now, once we began on this course of random audits, I wanted to ensure that-- Feeling that somewhere down the line someone could criticize the manner in which that I was doing this random audit -- I have absolutely no background in statistical analysis or anything along these lines -- we sought out experts in this field in order for them to determine the course of action we would take to make sure that this random audit could be substantiated in a court setting, and that it would fall within the parameters of what actually was random.

MS. GLADING: Can you describe just -- and I hate to keep interrupting you-- But the chain of command at this point in time-- Presumably, you're not acting as a free agent. You're informing superiors of what you're going to do, what your concerns are. Who were you informing of it?

LIEUTENANT SACHETTI: I would report, initially, to Captain VanTassell, and generally, the mechanics of it, we would go up to the third floor and report to Colonels Fedorko and Dunlop.

MS. GLADING: Both of them.

LIEUTENANT SACHETTI: Yes.

MS. GLADING: Okay. Thank you.

MR. JASO: What was the reaction-- Well, let me ask you first if -- and maybe you already said whether you did or not, so if I'm re-asking, I apologize-- When you decided that it was appropriate that additional investigations be done -- as you put it, Phase III -- did you go to somebody superior to you and ask for authorization to undertake additional investigation?

LIEUTENANT SACHETTI: Yes.

MR. JASO: And who was that?

LIEUTENANT SACHETTI: Captain VanTassell.

MR. JASO: Anyone else?

LIEUTENANT SACHETTI: And then we would go up to the third floor and run it past them, because there was a whole system of--

MR. JASO: Them, meaning Dunlop?

LIEUTENANT SACHETTI: Yes. Dunlop and Fedorko.

MR. JASO: Okay.

MS. GLADING: And just-- Just before you get back to it, the-- Based on the 95,000 pages of documents that we've seen, the State Police seem to generate a lot of paperwork around most things, like the length of the sleeve on a uniform. What kind of memos were generated on this topic?

LIEUTENANT SACHETTI: Memos?

MS. GLADING: Memos to Fedorko or Dunlop, to VanTassell-- Did you-- Did you keep them--

LIEUTENANT SACHETTI: There would have been memos generated updating them on the progress of the audit. That would be the only memos that I would be generating.

MS. GLADING: Regularly?

LIEUTENANT SACHETTI: Yes.

MS. GLADING: How frequently?

LIEUTENANT SACHETTI: Meetings-- We had -- we had weekly IAB meetings with Colonel Fedorko. And IAB, at the time, was broken down into several different units. And during these meetings -- Colonel Fedorko would chair these meetings with IAB -- all the unit supervisors had an opportunity to

report to Colonel Fedorko on the progress of each of the units.

The Administrative Internal Proceedings Unit would be reporting to Colonel Fedorko as to what court-martials they had coming up. The Investigations Unit would be reporting to Colonel Fedorko as to what investigations were presently being conducted, and I would report to Colonel Fedorko on the progress of the Troop D audit. That was on a weekly basis, for the most part.

MS. GLADING: And that's in addition to reporting in writing?

LIEUTENANT SACHETTI: No, there wouldn't be too-- Oh, yeah, there was reporting in writing by way of these update memos, and also once we got into-- When Phase III was finally okayed -- and I'm probably jumping way ahead of myself here, 'cause--

MS. GLADING: Actually, yeah, why don't you go back to the part about the sample -- the random audit.

LIEUTENANT SACHETTI: All right.

We contracted with a firm from Metuchen, Eco-Stat Corporation, to determine if they could establish for us a system by which we could randomly check these troopers and guarantee some type of accuracy without overloading the amount of investigators that we had. And, in the beginning stages, we didn't even know if this could be accomplished.

We had several meetings with representatives from this company, and they assured us, at the time when this was first initiated, that based upon numbers that they would provide to us -- a random sampling -- they could assure that, with 95 percent accuracy, they could determine if a trooper was practicing wrongdoing 10 percent of the time. I know that's confusing.

I'll give you an example: A trooper, in this four-month period, stops 300 cars. It would be too labor intensive for us to interview 300 motorists. We wanted to come up with a number that we could still have some degree of accuracy as to whether or not this trooper is practicing any type of wrongdoing without interviewing these 300 people. Four -- three hundred, three hundred and one was the most amount of stops that we had for this four-month period.

That trooper needed to have 29 interviews conducted randomly. Had we interviewed these 29 individuals, Eco-Stat was prepared to certify that. And, say this trooper -- we didn't identify any discrepancies with these 29 interviews, Eco-Stat would be prepared to testify, to confirm that they were 95 percent certain that if this trooper is practicing any wrongdoing, it's less than 10 percent of the time. The Colonels were very satisfied with those percentages, and we proceeded with their methodology.

Now, to get back to the question that you had asked me earlier. On a daily basis, once we began Phase III -- which I imagine was probably in the fall of '98 -- I did a daily briefing sheet, which went to Captain VanTassell and Colonel Fedorko, listing the interviews that we conducted and the results of those interviews.

MR. JASO: When you first went to, I guess, VanTassell and asked him or told him about your recommendation that Phase III should commence or that there needed to be a Phase III, do you recall what his reaction was?

LIEUTENANT SACHETTI: He was in favor of it.

MR. JASO: Was there anyone who felt that it was unnecessary?

LIEUTENANT SACHETTI: No.

MR. JASO: Okay. I don't want to interrupt your -- your description of

the process, so if you have additional-- If you want to tell us about how Phase III panned out, you can do that, or we can get back to it.

LIEUTENANT SACHETTI: You can go wherever you want. It's up to you.

MR. JASO: That's true. Do you want to just continue--

MS. GLADING: Why don't we let him continue?

MR. JASO: --with Phase III? Go ahead.

LIEUTENANT SACHETTI: All right. We then proceeded with I, II, and III for Cranbury. I guess -- now, don't hold me to this; I don't have any paperwork with me -- in the fall, I'm assuming the fall of '98, a decision needed to be made as to whether or not the AG's Office was going to appeal *Soto*.

This is how it was explained to me. It was explained to me that -- now, keep in mind, at this point, I'm under the impression that we're just looking at Cranbury-- In the fall of '98, a meeting was held in which it was described that *Soto* -- the decision to appeal *Soto* had to be made prior to us--

MR. JASO: I'm sorry, who was at the meeting, if you would?

LIEUTENANT SACHETTI: Fedorko, Dunlop, VanTassell, I would assume Volkman, Mattos, and myself, obviously.

MS. GLADING: Was there anyone from the Attorney General's Office there?

LIEUTENANT SACHETTI: No.

MR. JASO: And when was that meeting, if you recall?

LIEUTENANT SACHETTI: I would say in the fall of '98. That's why I said, "don't hold me to that."

MS. GLADING: But it would have been-- It could not have been as

early as 1995--

LIEUTENANT SACHETTI: No, No.

MS. GLADING: --obviously.

LIEUTENANT SACHETTI: I had none of this until May of '98.

So the decision to whether or not to appeal *Soto* was being made at this time. They wanted to make sure -- the upper echelon of the State Police at this meeting -- that we would appeal *Soto* in good faith.

MS. GLADING: Can-- Is it possible -- I don't want to put words in your mouth-- If the appeal of *Soto* had already been made at that point, what might-- Might it have been a stage in the appeal, a decision to continue the appeal? Is it possible that it wasn't the actual initial decision to appeal *Soto*?

LIEUTENANT SACHETTI: All I'm telling you is that a meeting that I had attended-- Let me run-- The meeting I had attended-- We get called up to the third floor for a meeting, and during the meeting, I'm tasked now with performing an audit Phase I, Phase II of Moorestown Station.

MR. JASO: Just Phase I and Phase II.

LIEUTENANT SACHETTI: At this point. We're still working on Phase III. Phase III is very labor intensive, and the biggest problem we had with the interviews was return from the individuals we were trying to contact.

MR. JASO: Okay.

LIEUTENANT SACHETTI: So it's now, I'm being tasked with a Phase I and Phase II of Moorestown, and the reason was described to me, was they wanted to know if anything was going on at Moorestown that we should be concerned about prior to the decision to appeal *Soto* being made. That's how it was explained to me.

MS. GLADING: By whom?

LIEUTENANT SACHETTI: By the Colonels. Colonel Dunlop and Colonel Fedorko.

MR. JASO: When was the first time that you'd heard about the *Soto* case, if you can remember?

LIEUTENANT SACHETTI: I was at Moorestown. I was at Moorestown while it was -- while the case was going on.

MR. JASO: Do you remember being kept up to date as to what was going on in the trial or the hearings?

LIEUTENANT SACHETTI: No. There wasn't an official-- What I read in the newspaper-- There wasn't an official mechanism by which troopers were being updated as far as what the progress of *Soto* was. After *Soto* was decided, several decisions came down from the upper echelons, as far as how changes we would, perhaps, make in the way we were doing-- As a result-- That's what I'm saying, the spotlight-use read and initial would be one of them.

But, anyway, that's how it was explained to me, was that we would initiate Phase I and Phase II at Moorestown with the appeal of *Soto* coming up, and we did.

In March of '99, Moorestown had already completed I and II, Newark-- Or, um, Cranbury had completed I and II, and Phase III was still ongoing. A decision was made that we would now do Newark Station also.

MR. JASO: Who made this decision?

LIEUTENANT SACHETTI: Colonels Fedorko and Dunlop.

You know, I'm getting my orders from Colonels Fedorko and Dunlop. Who's actually making the order, whether it's Colonel Williams, whether it's

the AG's Office, I have no idea. All I know is this is who I'm receiving my orders from at meetings that I had attended.

MR. JASO: And they didn't say to you where their orders had come from?

LIEUTENANT SACHETTI: No. I would-- As a Lieutenant, I would not be privy to any of that information.

MS. GLADING: What time frame are we in now, March?

LIEUTENANT SACHETTI: This would be March of '99.

Now, at the time, I had explained to the colonels that my personnel were very busy doing Phase II of Moorestown and Phase III of Cranbury, and I needed some guidance as to where we're gonna go with this.

MS. GLADING: Just to clarify here, how many personnel did you have working on this at this point?

LIEUTENANT SACHETTI: At this-- As a result of me bringing this up at a meeting, I ended up with about 30, 'cause they wanted this done fast.

MS. GLADING: Okay. So when in March was this decision made -- March of '99?

LIEUTENANT SACHETTI: The personnel that I had assigned to me reported to me on March 8th of '99.

MS. GLADING: Okay. And prior to that, how many people were working for you?

LIEUTENANT SACHETTI: I had -- because this project lasted over a year -- I had anywhere from eight to a dozen to fifteen. They would get pulled back.

What was happening was, individuals that I had assigned to me for this

whole period of time were losing out on the possibility of promotion, reassignment within their old units. I didn't want to get into a situation where, as a result of a guy being assigned to me, he loses out on a promotion, because he's detached to me for a year, and now an opening becomes available in his unit for a Sergeant, Sergeant First Class, I didn't want this guy--

These guys all performed very well for me during this period of time. I didn't want any of these guys to now lose this promotion. So, at times, this individual would be sent back to his original unit, and I would get someone to back fill him. So the numbers were in a state of flux all the time. They were constantly changing, and, in March, we upped it to about a total of 30 guys assigned to the Staff Inspection Unit.

MS. GLADING: On March 8th?

LIEUTENANT SACHETTI: Yes. Counting guys I had previously assigned to me, the new guys that were coming in, and also, on March the 15th, we upped the Inspection Unit from-- Prior to this detachment, there were two guys assigned, myself and a Sergeant First Class Castillo; we upped it to ten. So, at that time, I had about 30 individuals under my command.

And, what we did was, I had requested guidance from Colonel Fedorko and Dunlop as to whether I should pull some of these guys off, 'cause at the time, they wanted to expedite the completion of the Newark Station.

MS. GLADING: Yeah, let's just back up, 'cause you were -- you were explaining that when I interrupted you.

The decision was made to expand this to the entire -- to Newark, which I guess would be the third and last station?

LIEUTENANT SACHETTI: Right. Right.

MS. GLADING: At what point?

LIEUTENANT SACHETTI: March. March of '98. That's-- It probably happened in February, but the guys -- the individuals assigned to me reported to me on March 8th of '99.

MR. JASO: '99.

MS. GLADING: Okay, but you probably learned about it in February?

LIEUTENANT SACHETTI: Beginning of March. Yeah, probably late February.

MS. GLADING: And at that point, the status of the invest, the audit of the other two stations -- Moorestown and Cranbury -- was what?

LIEUTENANT SACHETTI: Still continuing.

MS. GLADING: So you were--

LIEUTENANT SACHETTI: Here was the-- The problem we were having with Phase III -- Phase II, if we identified for a trooper 50 individuals that needed to be interviewed as a result of discrepancies that we identified, we made three telephonic attempts -- after we identified who this individual was -- to contact this individual. If this individual didn't respond to our three telephonic attempts, we then sent them a certified mailing. If it came back that it was delivered to them or it came back that the individual had moved, no forwarding address, it was closed out for Phase II.

For Phase III, in order for us to meet the guidelines that this would be accurate, we now had to substitute someone for that individual that was a no-show, because we still had to get to that number in order to assure the accuracy of this study.

MS. GLADING: Twenty-nine for three hundred-and-one stops.

LIEUTENANT SACHETTI: Say we had 29, and say we initially identify, randomly-- What we did, we numbered all of the stops 1 through 301, and Eco-Stat would spit out for us a computer-generated list of these 29 numbers. It may be 2, 18, on these numerical lists of stops that we had--

Now we have this list of 29; we would then attempt to contact these individuals. Just say for sake of argument, hypothetically, 13 of these individuals responded, 16 did not, and we exhausted all efforts to contact these individuals, and for whatever reason, they do not want to participate or we can't locate these individuals. We now had to go back to Eco-Stat to get numbers to substitute so that we can continue with these 16.

Say out of these new number of 16, we get 9, so now we gotta go back to Eco-Stat again to get these 7, and it just -- and that's just for one trooper. We're doing it for fifty-eight, so it was very tedious in order to ensure the accuracy. We needed to get to these numbers. Bottom line, we never completed Phase III.

MS. GLADING: In which stations, both?

LIEUTENANT SACHETTI: Well, we never went to Moorestown or Newark for Phase III.

MS. GLADING: Why not?

LIEUTENANT SACHETTI: The detail was terminated in June of '99. The interim report was out, the final report was out, the detail was terminated.

MS. GLADING: Can we go back to when you -- the number of people detailed to you went to 30--

LIEUTENANT SACHETTI: Yes.

MS. GLADING: --and there was an expansion to Newark--

LIEUTENANT SACHETTI: Yes.

MS. GLADING: What phases did get through in Newark?

LIEUTENANT SACHETTI: I and II.

MS. GLADING: Okay, and when did you finish that up?

LIEUTENANT SACHETTI: June of '99. Well, the detail was terminated in June of '99. We finished it up about May -- the end of May of '99.

MR. JASO: When the assignment was given you on Newark -- to expand your audit to Newark -- did Dunlop or Fedorko give you any reason why they were expanding it to Newark?

LIEUTENANT SACHETTI: Um, I think they just wanted to cover the whole Pike to ensure that it wasn't occurring in any of the Troop D Stations.

MS. GLADING: When the decision was made to shut this down, what were you told and by whom?

LIEUTENANT SACHETTI: Um, well, here's-- As I said earlier, the detail probably concluded in May of 1999. I had these individuals assigned to me awaiting further instructions as to where we were going to proceed.

MS. GLADING: These are 33 individuals?

LIEUTENANT SACHETTI: Don't hold me to 33. It was a number of individuals near 30, give or take a couple.

MS. GLADING: This is at what point in May?

LIEUTENANT SACHETTI: I'd say the middle. May 15th to the 20th, somewhere in there.

MS. GLADING: Of 1999?

LIEUTENANT SACHETTI: '99.

So we got I and II done of all three stations. Phase III is ongoing, because-- But at this point, the responses that we're getting for Phase III for Cranbury are coming in very slowly, so there really isn't a whole lot going on, on a daily basis.

MS. GLADING: I'm sorry, I missed what you just said.

LIEUTENANT SACHETTI: There really wasn't a whole lot going on, on a daily basis at this point, with responses coming in.

MS. GLADING: What were these 30 guys doing -- or, assuming they were guys, I shouldn't make that assumption.

LIEUTENANT SACHETTI: I'm sorry, what was the question?

MS. GLADING: I shouldn't make the assumption they were guys. What were these 30 troopers doing?

LIEUTENANT SACHETTI: These individuals? Awaiting further instruction as to where we were going to go with this audit.

MS. GLADING: Where were they awaiting that instruction?

LIEUTENANT SACHETTI: At work stations, where they had been previously working during this audit, this detail. And numerous attempts were made by myself to try to get direction and clarification as to where we're going to go with this, because I have these individuals presently, shall we say, awaiting guidance.

MR. JASO: Who did you ask?

LIEUTENANT SACHETTI: Colonel-- At the time, Colonel Fedorko.

MR. JASO: And what did he say to you?

LIEUTENANT SACHETTI: Colonel Dunlop also. No, I asked-- Let me just step back a minute. I asked both the colonels during these meetings

that we had.

MS. GLADING: Both the colonels at that time were who?

LIEUTENANT SACHETTI: Fedorko and Dunlop. I don't know-- I'm trying to think now if Williams was still there. Maybe you can help me out here -- if Colonel Williams was still--

SENATOR JOHN A. LYNCH: No.

LIEUTENANT SACHETTI: No, he was gone by then?

MS. GLADING: Yes.

LIEUTENANT SACHETTI: Okay, so it was Williams and -- er, um, Fedorko and Dunlop.

MS. GLADING: And you asked them numerous times for guidance and direction on what to do with these 30 troopers that were assigned to you that didn't have very much to do at this point?

LIEUTENANT SACHETTI: Yes.

MS. GLADING: And this-- We're now in the middle of May, the 15th to the 20th.

LIEUTENANT SACHETTI: Let's say the 20th. We'll go the 20th. Don't hold me to that--

MS. GLADING: And you--

LIEUTENANT SACHETTI: --but we'll say the 20th.

MS. GLADING: And you were told?

LIEUTENANT SACHETTI: It's in the AG's hands; they'll make the decision.

MR. JASO: Who said that to you?

LIEUTENANT SACHETTI: Fedorko and Dunlop.

MS. GLADING: And what did you understand them to mean? They'll make the decision about what?

LIEUTENANT SACHETTI: About where we're gonna go with this.

MR. JASO: Did they say anyone in particular?

LIEUTENANT SACHETTI: That's how it was explained to me, "The AG's handling this. Just tell these guys to stand by."

MR. JASO: You said you'd made multiple attempts to get some direction. Is this the consistent response you got?

LIEUTENANT SACHETTI: Yes.

MS. GLADING: How many weeks were you in this period of limbo?

LIEUTENANT SACHETTI: At least three.

MS. GLADING: And is it your understanding the AG's Office knew that this was an incomplete audit at this point?

LIEUTENANT SACHETTI: Yes.

MR. JASO: Is that what you told them?

LIEUTENANT SACHETTI: I didn't tell them specifically. I'm assuming that they're being briefed by the upper echelon of the State Police.

MR. JASO: Was it--

LIEUTENANT SACHETTI: I've had meetings with them, but not at this point.

MR. JASO: Okay.

Was it your understanding that, in your mind, the audits were incomplete?

LIEUTENANT SACHETTI: Oh, absolutely.

MR. JASO: And did you communicate that to your superiors?

LIEUTENANT SACHETTI: Yes.

MS. GLADING: Did you put this in writing to your superiors?

LIEUTENANT SACHETTI: A couple times.

MS. GLADING: During this period of May to June?

LIEUTENANT SACHETTI: Yes.

MR. JASO: In what format?

LIEUTENANT SACHETTI: Interoffice communication.

MS. GLADING: And did you receive responses in writing?

LIEUTENANT SACHETTI: No.

MS. GLADING: Earlier you had said you regularly updated Colonels Fedorko and Dunlop about the status, the progress of this undertaking. Did they ever respond to you in writing on this topic?

LIEUTENANT SACHETTI: I don't believe so, no.

MS. GLADING: So how would they respond to you?

LIEUTENANT SACHETTI: Verbally.

MS. GLADING: They pick up the phone? Would they come to your office?

LIEUTENANT SACHETTI: Pick up the phone. Come up to the office.

MR. JASO: So what happened after three weeks? When did the dam finally--

MS. GLADING: I'm just on that topic.

Were you ever instructed whether you should or shouldn't be putting this issue -- putting these issues in writing?

LIEUTENANT SACHETTI: Was I ever instructed that?

MS. GLADING: Was there ever an instruction to you, by anyone, that

you should handle these matters verbally rather than putting them in writing?

LIEUTENANT SACHETTI: This way, or my way to them, or this way to them?

MS. GLADING: Either way.

LIEUTENANT SACHETTI: My way to them, I was ordered to put it in writing.

MS. GLADING: Okay.

MR. JASO: By whom?

LIEUTENANT SACHETTI: Colonel Fedorko.

MS. GLADING: And what about the other way?

LIEUTENANT SACHETTI: No. No one ever told me to have anything in writing from them.

MS. GLADING: Okay.

LIEUTENANT SACHETTI: Generally, it doesn't work-- It works just like that. It goes in writing up, it comes down verbally.

MS. GLADING: Did you ever have any conversations, yourself, with anyone in the Attorney General's Office about this audit process as it -- as it went on?

LIEUTENANT SACHETTI: Yes.

MS. GLADING: Who -- who did you speak with?

LIEUTENANT SACHETTI: Um, I attended a meeting. I attended two meetings. I attended one meeting, I would say, in the fall of '98. Present from the AG's Office, I would think, was Debbie Stone, Prosecutor Gerrow, Grannell (phonetic spelling)--

MS. GLADING: I'm sorry, Grannell?

LIEUTENANT SACHETTI: Jim Grannell -- or Chuck Grannell. There may have been others there, but-- Within the State Police hierarchy, everyone was there then. All the colonels--

MS. GLADING: Who would that have been?

LIEUTENANT SACHETTI: Colonel Williams, Colonel Fedorko, Colonel Dunlop, myself, Captain VanTassell, Major Mattos. Captain Volkman, I believe, was there.

MS. GLADING: Big room.

LIEUTENANT SACHETTI: Yeah, it was a good-sized room.

MS. GLADING: Where was the room?

LIEUTENANT SACHETTI: Hughes. Somewhere in Hughes.

MS. GLADING: It's on the eighth floor?

LIEUTENANT SACHETTI: I don't recall. One of the offices.

Another meeting I attended was probably--

MS. GLADING: Let's just stick with that meeting for a minute.

LIEUTENANT SACHETTI: Go ahead.

MS. GLADING: What was the topic of that meeting?

LIEUTENANT SACHETTI: Original-- Oh, um, there may have been another guy there. Detective Sergeant John Cuzzupe may have been there.

MS. GLADING: Cuzzupe?

LIEUTENANT SACHETTI: Yes.

I think the meeting originally started talking about the shooting -- the shooting issues -- and some of the subsequent Hogan and Kenna issues that had come up in the internal investigation.

MS. GLADING: In the records falsification investigation?

LIEUTENANT SACHETTI: Yes.

MS. GLADING: I'm sorry. Let me clarify.

In your investigation or in their investigation?

LIEUTENANT SACHETTI: I'm sorry, what was the question?

MS. GLADING: What was the topic of discussion at that meeting? You said-- I was trying to clarify the investiga-- You used the word investigation. Were you talking about your audit investigation?

LIEUTENANT SACHETTI: It eventually came up, but there were other issues also discussed at this meeting.

MS. GLADING: And what were those other issues?

LIEUTENANT SACHETTI: Hogan and Kenna issues.

MS. GLADING: Do you know-- Can we go off the record for a second?

(Off the record)

HEARING REPORTER: On the record.

MS. GLADING: Okay. You were discussing the content of this meeting and the discussion of investigations. What discussion was held about work other than you were doing that you can talk about here?

LIEUTENANT SACHETTI: Other than what I was doing? (affirmative response)

The Hogan and Kenna issues, that was discussed, and then my Troop D audit was also discussed at this meeting.

MS. GLADING: So the only two topics of discussion at this meeting were the Hogan-Kenna investigation and your audits.

LIEUTENANT SACHETTI: Yes.

MS. GLADING: Okay.

What -- what do you recall discussing about your Troop D audits?

LIEUTENANT SACHETTI: Whether or not any types of, and the degree of which, racial types of issues were popping up during the audit.

MS. GLADING: Was that-- What stage was that audit in at this point, in the fall of '98?

LIEUTENANT SACHETTI: I and II at Cranbury, and we may or may not have started Moorestown yet. I don't-- I don't know at what part of the fall this was. I'd have to check.

MS. GLADING: Did you receive-- What input did you receive from the Attorney General's Office about your audit activity?

LIEUTENANT SACHETTI: It just-- It was just questions, basically, directed at me, as far as what types of discrepancies we were locating. And, at the time -- as was true through the whole audit -- we were finding quite a number of administrative discrepancies that should cause us, as managers in the State Police, to be concerned, but not necessarily of a racial nature.

MS. GLADING: Were you discussing only the audit results in general, or were you also asked to discuss Hogan and Kenna audit results, specifically?

LIEUTENANT SACHETTI: At that point, I had no involvement with the Hogan and Kenna investigation.

MR. JASO: Was there an agenda, a written agenda--

MS. GLADING: Did you--

MR. JASO: --for this meeting?

LIEUTENANT SACHETTI: I don't recall.

MS. GLADING: Did you have any involvement with the investigation prior to or subsequent to that meeting?

LIEUTENANT SACHETTI: Yes.

MS. GLADING: Prior-- When-- Which was it?

LIEUTENANT SACHETTI: Prior to.

MS. GLADING: Prior to. What involvement was that, prior to this meeting with the Hogan-Kenna investigation?

DEPUTY ATTORNEY GENERAL FLANAGAN: As already stated on the record, the Hogan-Kenna-- My understanding-- The Hogan-Kenna investigation is not, not, not to be testified to.

SENATOR LYNCH: Understanding from who?

DEPUTY ATTORNEY GENERAL FLANAGAN: My office, the Division of Law.

SENATOR LYNCH: That's a unilateral decision here. It has nothing to do with this Committee, right?

MS. GLADING: That's correct.

Did you have any involvement with the Hogan-Kenna investigation subsequent to this meeting?

LIEUTENANT SACHETTI: No.

MS. GLADING: Okay.

LIEUTENANT SACHETTI: I-- My involvement with the Hogan and Kenna investigation ended long before this meeting.

MS. GLADING: Let's go back to your initial audits in Cranbury. Did your initial audits target specific troopers, or were they troopwide audits?

LIEUTENANT SACHETTI: At Cranbury? (affirmative response)

It was a stationwide audit.

MS. GLADING: And Moorestown, also?

LIEUTENANT SACHETTI: Stationwide audit. Newark, stationwide audit, which now becomes a troopwide audit.

MS. GLADING: When you did a-- I beg your-- Troopwide, right.

When you did a stationwide audit in Cranbury--

LIEUTENANT SACHETTI: Yes.

MS. GLADING: --were two of the troopers who were among the first seventeen identified to have discrepancy problems Hogan and Kenna?

LIEUTENANT SACHETTI: Yes.

MS. GLADING: Was your audit work in Cranbury a portion of the discussion of the Hogan-Kenna case in this meeting with the Attorney General's Office?

LIEUTENANT SACHETTI: No, not my -- not my participation in that, no.

MS. GLADING: What discussion was there about your audit activity at this meeting -- this first meeting?

LIEUTENANT SACHETTI: Just what I had said, what types of racial-- Their big focus was on what types of racial discrepancies we were uncovering in this audit. And, as I said earlier, as -- at that point -- as throughout the audit, we have a host of administrative discrepancies -- the overwhelming -- as State Police managers, I should be -- especially as the Inspecting Officer -- I should be very concerned with. But as far as racial issues, we were not identifying a lot of racial issues -- racial wrongdoing.

MS. GLADING: Beg your pardon?

LIEUTENANT SACHETTI: Racial wrongdoing.

MS. GLADING: What was the response of the -- your supervisors and

people from the Attorney General's Office when you raised these issues at this meeting?

LIEUTENANT SACHETTI: They listened, and we moved on to the next topic.

MS. GLADING: Did they instruct you as to how to -- how you ought to proceed?

LIEUTENANT SACHETTI: No.

MS. GLADING: Did your supervisors, subsequent to this meeting, instruct you how you ought to proceed?

LIEUTENANT SACHETTI: Yes, obviously, Moorestown then Newark.

MS. GLADING: I mean immediately after this meeting, as a result of what was discussed at this meeting.

LIEUTENANT SACHETTI: No, no.

MS. GLADING: You said there were-- There was more than one occasion when you met with members of the Attorney General's Office.

LIEUTENANT SACHETTI: Yes.

MS. GLADING: What were the other occasions?

MR. JASO: Can I-- Can I ask a couple questions additional?

MS. GLADING: Sure.

I'm sorry, Eric.

MR. JASO: How far in advance did you learn about this meeting that you just testified to?

LIEUTENANT SACHETTI: Ah, probably a couple days. Maybe even the day before.

MR. JASO: Do you remember who asked you to come to the meeting?

LIEUTENANT SACHETTI: No, I don't.

MR. JASO: Did--

LIEUTENANT SACHETTI: Well, obviously, it would have been someone of a higher rank than me.

MR. JASO: Were you asked to prepare any documents for the meeting?

LIEUTENANT SACHETTI: No.

MR. JASO: Were you asked to bring any documents with you to the meeting?

LIEUTENANT SACHETTI: I don't believe that I was, no.

MR. JASO: Did you bring documents with you to the meeting?

LIEUTENANT SACHETTI: Yes.

MR. JASO: And were you asked-- How were you asked to prepare for the meeting? What -- what did they tell you about the-- Did they tell you-- Did anyone tell you about what the meeting was going to be about?

LIEUTENANT SACHETTI: Yeah, they advised me that it would be about the Hogan and Kenna investigation, and probably, "your audit."

MR. JASO: And, with regard to the audit, what documents did you bring along, if you can recall?

LIEUTENANT SACHETTI: I probably, at that point, had prepared a brief synopsis -- just scribbled it out -- in the event that I was -- that questions were posed to me specifically, numbers and such.

MR. JASO: You recall that this was longhand? Was that your practice, just to bring some notes along?

LIEUTENANT SACHETTI: I would imagine.

MR. JASO: And did you hand out any documents at the meeting?

LIEUTENANT SACHETTI: No.

And I never referred to these documents. It was-- The conversation that we had at this meeting was very general, very general terms -- very brief, and in very general terms. The focus of this meeting was mainly Hogan and Kenna.

MR. JASO: And with speci-- You -- you said the audit was discussed first or second after Hogan and Kenna?

LIEUTENANT SACHETTI: Second.

MR. JASO: And you said that the Office of Attorney General personnel who were there, that you mentioned before, asked you a series of questions about the status of your audit and your results?

LIEUTENANT SACHETTI: Yes.

MR. JASO: Okay.

MS. GLADING: On the topic of this meeting, just one more question.

LIEUTENANT SACHETTI: We're still back at the original meeting?

MS. GLADING: That's right.

LIEUTENANT SACHETTI: Okay.

MS. GLADING: This is the first meeting, right?

LIEUTENANT SACHETTI: Yes.

MS. GLADING: And can you roughly pinpoint when in the fall it was, of '98?

LIEUTENANT SACHETTI: I wouldn't want to roughly pinpoint it. I'd rather tell you specifically--

MS. GLADING: Oh, when was it?

LIEUTENANT SACHETTI: --but I can't.

MS. GLADING: But you can't. (laughter) I thought you were holding back on us.

Did you memorialize the proceedings of this meeting in any way?

LIEUTENANT SACHETTI: I memorialized it that a meeting was held, yes.

MS. GLADING: And where did you memorialize that?

LIEUTENANT SACHETTI: In this list that I have of all the meetings that I had attended.

If you would like, I have a copy of this list in my troop car, which is sitting right out front, and I would gladly make you a copy of it.

MS. GLADING: Let me ask you about this--

LIEUTENANT SACHETTI: If you wanted to take a 10-minute break, I could even get this list and this way, we wouldn't be bouncing around as far as rough stabs, taking a guess at. I could tell you specifically when these meetings occurred.

MS. GLADING: Let me ask you about this list. Are there any other files that you keep in your personal possession about these audit matters?

LIEUTENANT SACHETTI: Um, what do you mean? I have reports that-- I've done a synopsis on this, which has been submitted.

MS. GLADING: It's been officially submitted?

LIEUTENANT SACHETTI: Yes.

MS. GLADING: Okay.

LIEUTENANT SACHETTI: And it's presently undergoing internal investigations.

MS. GLADING: When did you submit that?

LIEUTENANT SACHETTI: Fall of last year.

MS. GLADING: The fall of 2000?

LIEUTENANT SACHETTI: Yes.

MS. GLADING: Okay.

LIEUTENANT SACHETTI: I would say October.

MS. GLADING: And that's a synopsis of the results of this audit activity. Is that correct?

LIEUTENANT SACHETTI: Yes.

MS. GLADING: Okay.

MR. JASO: Who did you submit it to?

LIEUTENANT SACHETTI: I submitted it to my supervisors, and also, Momta Patel, Deputy Attorney General, who works with the State Police in prosecution of internal-affairs cases.

MS. GLADING: What was that name?

LIEUTENANT SACHETTI: Momta Patel.

And--

MS. GLADING: Who-- I'm sorry.

LIEUTENANT SACHETTI: --Colonel Dunbar, also.

The purpose of my submitting this was the initiation of internal investigations against those troopers who were identified as a result of my audit.

MS. GLADING: Who instructed you to submit a report?

LIEUTENANT SACHETTI: Major Brennan.

MS. GLADING: Major who?

LIEUTENANT SACHETTI: Major Brennan.

MS. GLADING: And you submitted that in the fall of 2000?

LIEUTENANT SACHETTI: Yes.

MS. GLADING: But you were shut down in the spring of '99.

LIEUTENANT SACHETTI: Summer of '99. June 15th or June 11th of '99, so that synopsis sat for that whole period of time.

MR. JASO: So you prepared it back then?

LIEUTENANT SACHETTI: Pardon me?

MR. JASO: You prepared the synopsis back then?

LIEUTENANT SACHETTI: Even to this date, I would not consider this my final report, because I have not had the opportunity to review it in a manner in which I would have liked to reviewed it, so that I could be certain that it was a completely thorough report that would meet my standards.

MS. GLADING: Well, let me ask you something. You've-- You-- This operation was shut down in June -- the middle of June -- in 1999. You're preparing-- You're submitting a report that you prepared at that time.

LIEUTENANT SACHETTI: Yes.

MS. GLADING: In the fall of 2000?

LIEUTENANT SACHETTI: I submitted it in the fall of 2000. Had I been asked in June of '99 to submit that same report, I would have been prepared to do so.

MS. GLADING: Did you ask anyone in June of '99 if they wanted the report from you?

LIEUTENANT SACHETTI: Yes.

MS. GLADING: Who did you ask?

LIEUTENANT SACHETTI: I asked Colonel Fedorko, and I asked

Colonel Dunlop.

MS. GLADING: And what were you told?

LIEUTENANT SACHETTI: It's an incomplete report. The audit was never completed. Hold on to it until we get a decision from the Attorney General's Office.

MR. JASO: Let me clarify, if I may.

Did you actually put pen to paper, as it were, back then and draft a report, and then held on to it?

LIEUTENANT SACHETTI: Not pen to paper.

MR. JASO: Okay.

LIEUTENANT SACHETTI: I stored, in my computer, my review as it was ongoing. See, that's where I'm not comfortable with saying that this is a report that's as thorough as Al Sachetti would like to have submitted a report. Because I would like to spend a great amount of time checking all of everything that I had, to make sure that this would encompass everything that we did.

The work, itself, is still unfinished. We never completed all the interviews that we needed to complete to make Phase III an accurate reflection, statistically, of -- if our troopers are doing wrong or not.

MS. GLADING: Okay, you asked-- They told you, "It's incomplete. Hold on until a decision is made by the Attorney General's Office on what to do."

Did you ask again?

LIEUTENANT SACHETTI: Several times.

MS. GLADING: And after Major Fedorko left, who did you ask?

LIEUTENANT SACHETTI: Um, myself or my bureau chief at the time,

Captain Roy VanTassell.

Once I was tasked-- After this, I was tasked to participate in a committee to ensure that the reforms enumerated in the interim and final report were being adhered to. We met weekly, biweekly, chaired by Al Ramey, and that issue was brought up at just about all of those meetings by Captain VanTassell: "Where are we gonna go with these? We got these guys sitting out here with all this -- these discrepancies. Are we going to investigate this? What are we gonna do?" And a decision was never made.

MS. GLADING: Ramey chaired these meetings. Who else was at these meetings?

LIEUTENANT SACHETTI: Whew, that was a big room. There was a -- a lot of AG people, all of us from IAB, Mattos, Volkman, myself, Brodowski, VanTassell, even others from IAB, and--

If we were gonna play them in a football game, we wouldn't have had enough guys -- as many as they had -- 'cause there were quite a number of AG people there. A lot more than what we had.

MS. GLADING: Was Mr. Ramey the highest ranking person--

LIEUTENANT SACHETTI: He was the chair.

MS. GLADING: --from the AG's Office there?

LIEUTENANT SACHETTI: I don't know rank in the AG's Office. He was the chair of this committee. We were reporting to him with the progress we were making with these different IAB reforms.

MS. GLADING: As part of the progress -- the reforms outlined in the interim and final reports?

LIEUTENANT SACHETTI: Yes.

MS. GLADING: Okay.

LIEUTENANT SACHETTI: And Captain VanTassell often would bring this subject up, and a decision was never made as to where we were gonna go.

MS. GLADING: Okay, so you've--

MR. JASO: I'm sorry.

Clarify: When was this meeting?

LIEUTENANT SACHETTI: Not meeting, meetings.

Right after the final report. There were a number of meetings. Those meetings, I don't have documented, because they specifically didn't pertain to my audit. I didn't see the need. I was just on this committee at the time. I didn't see the need to document these meetings.

MS. GLADING: So, in the fall of 2000, you do submit your report.

LIEUTENANT SACHETTI: Yes.

MS. GLADING: Did you complete the work in the interim?

LIEUTENANT SACHETTI: No.

MS. GLADING: No?

LIEUTENANT SACHETTI: No. After June of '99, no work was ever done on the audit again. That's what I'm saying, in June of '99, I would have been prepared to submit the same report that I submitted in the fall of 2000.

MS. GLADING: And you had told, "Hold off, it's not complete, we're waiting for instruction from the AG's Office." The AG's Office says, "It's not complete, hold off."

LIEUTENANT SACHETTI: Now, by instructions I mean, where are we gonna go with these troops?

I'll throw out a number. We looked at 169 troopers, 159 of them

exhibited some type of a discrepancy.

MS. GLADING: How many of those 159 would go to a Phase II analysis -- be serious enough to go to Phase II?

LIEUTENANT SACHETTI: I think it was maybe 50.

Now, see the major-- The overwhelming majority of these 159 are very minor, administrative violations, but nevertheless, internal affairs-- If this Trooper A is disciplined for not calling in one stop -- and he would be in the course of an internal investigation--

Say, for sake of discussion, an individual makes an allegation against this trooper for his attitude and demeanor. The course of the interview reveals that his attitude and demeanor was fine, but he didn't call that stop in. He would now be disciplined for not calling in one stop.

I always felt that it wasn't fair for this trooper to have received discipline for not calling in one stop, when, over this four-month period, I may have a bunch of troopers who didn't call in ten and under, but more than one. These troopers never had internal investigations initiated against them.

So that's why it was brought up. When I say it was brought up at these meetings, what I mean -- it was brought up -- it was brought up along the lines of, "What do you want us to do with these 159?" Okay?

I pers-- I'm getting off track. But that's what the meetings were, basically.

MS. GLADING: What did you personally think or feel?

LIEUTENANT SACHETTI: It's gotta be all or nothing. If one discrepancy gets this trooper a blue ticket -- which is a written reprimand, which stays on his record forever -- I have a trooper that has four or five, and

he gets a free ride.

MS. GLADING: Because nobody made a complaint, because it didn't get picked up, is that right?

LIEUTENANT SACHETTI: It was self-generated. The audit was self-generated. It wasn't the result of a citizen-based complaint, but nevertheless, I identified wrongdoing. And I didn't think it was fair for this trooper. And I'm sure if you ask this trooper, he certainly wouldn't think it was fair that this guy got a free ride.

MS. GLADING: Did Captain VanTassell agree with you on this?

LIEUTENANT SACHETTI: He felt the same way I did -- all or nothing.

MS. GLADING: Did he feel as strongly as you felt?

LIEUTENANT SACHETTI: Yes. Maybe even stronger.

MS. GLADING: What conversations did you have with Dunlop--

LIEUTENANT SACHETTI: Along those lines, like--

MS. GLADING: --or Fedorko about these issues?

LIEUTENANT SACHETTI: What are we gonna do with these guys?
We have these guys--

And that was the analogy that I would always use, that analogy that I just used: Trooper A and Trooper B. And the answer was always the same, we're just gonna-- We'll wait for a decision from them before we decide where we're gonna proceed with this. And it never came until--

MS. GLADING: Them being?

LIEUTENANT SACHETTI: --the fall.

MS. GLADING: I'm sorry. Them?

LIEUTENANT SACHETTI: The AG's Office.

MS. GLADING: The AG's Office.

Who at the AG's Office was directing them at various points?

LIEUTENANT SACHETTI: No idea. I'm not privy to them meetings. They're the two meetings I attended. I attended the first meeting. Maybe I didn't even get into the second meeting yet, but there was a subsequent meeting I attended in about December of '98.

MS. GLADING: Yeah, we haven't gotten there yet.

LIEUTENANT SACHETTI: Okay.

But they're the only two AG meetings I attended.

MS. GLADING: Okay.

Did they ever indicate that instruction was going to come-- How did they talk about the AG's Office? Did they say, "Downtown?" Did they say, "The AG's Office?"

LIEUTENANT SACHETTI: Downtown was a term that was used at times. AG's Office was a term that was used at other times.

MS. GLADING: Did they ever say the--

MR. JASO: I'm sorry.

Just to be specific, who is they?

LIEUTENANT SACHETTI: The colonels.

MS. GLADING: Dunlop and Fedorko?

LIEUTENANT SACHETTI: Yes.

MS. GLADING: Did they ever use the term, the AG?

LIEUTENANT SACHETTI: I don't recall that.

MS. GLADING: Or the Attorney General?

LIEUTENANT SACHETTI: Specifically, I couldn't say. I couldn't say

definitively one way or the other.

MS. GLADING: Should we go back to the December meeting, now, in '98?

LIEUTENANT SACHETTI: Okay.

Now, there was a sub--

MS. GLADING: Eric, are you done with that? I'm sorry, I should ask you.

MR. JASO: Yeah. No, that's fine. Just roll on.

LIEUTENANT SACHETTI: In December of '98, I attended another meeting.

MS. GLADING: Is this your second meeting in the Attorney General's Office?

LIEUTENANT SACHETTI: Yes.

Colonel Williams, Colonel Fedorko, Colonel Dunlop, myself, Detective Sergeant John Cuzzupe.

MS. GLADING: Cuzzupe?

LIEUTENANT SACHETTI: Yes.

Debbie Stone and Paul Zoubek.

MS. GLADING: Anyone else from the AG's Office at this meeting?

LIEUTENANT SACHETTI: No.

MS. GLADING: Do you recall if this was -- if you know--

LIEUTENANT SACHETTI: Maybe this wasn't December. Maybe this was Mar-- No, this may have been-- When-- This may be more towards the spring.

Why don't I-- Yeah, I'll go for that.

MS. GLADING: Why don't you--

We can take a break, go off the record for a minute.

LIEUTENANT SACHETTI: All right. Give me five.

(Off the record)

HEARING REPORTER: On the record.

MR. JASO: We're resuming after a break. Senator Lynch has departed.

And, remind me of your name again, please.

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

MR. JASO: Has joined us.

I think you were beginning to tell us about the second meeting, and you were going to find your personal notes that indicated when that was.

DEPUTY ATTORNEY GENERAL FLANAGAN: Yeah, just for the record, I reviewed the Lieutenant's personal notes, and my review indicates there is some Hogan-Kenna information on it.

And there's also information, seems unrelated to this issue, and also goes well beyond the April 20th, '99 date where the AG still remained attorney-client privileged. So I think there is privileged information in here that would -- needs to be redacted before it's turned over.

And, just for the record, I guess I should describe it. It's a seven-page document, beginning on day entry of May 5th, '98, and then going through 11/13/2000.

So, before it's turned over, it's going to have to have redaction through my office.

MR. JASO: Okay.

MS. GLADING: There is-- Just for the record, there is discussion and disagreement over the establishment of the date of April 20th, 1999, as the end of the relevant period for the purposes of this Committee's investigation and inquiry. So those discussions are going on now between, I believe, Attorney General Farmer and Michael Chertoff, Senator Gormley, and Senator Lynch.

MR. JASO: Okay.

In any event, I think that the reason you wanted to consult your notes is to see what date that second meeting happened on. And if you want to -- if that's refreshed your recollection--

LIEUTENANT SACHETTI: Yes, sir.

I was wrong on my original estimation of where -- what the date was. It's-- The date was actually February the 10th of 1999.

MS. GLADING: Which meeting was this?

LIEUTENANT SACHETTI: The second meeting.

MR. JASO: And who was in attendance? I think you had tried to remember before, but--

LIEUTENANT SACHETTI: Paul Zoubek, Debbie Stone, Colonel Williams, Colonel Fedorko, Colonel Dunlop, Detective Sergeant John Cuzzupe, and myself.

MR. JASO: Would you spell Cuzzupe's name, just so that the stenographer can get it?

LIEUTENANT SACHETTI: C-U-Z-Z-U-P-E. His badge number is 3966.

MS. GLADING: So it was Zoubek, Stone, Williams, Dunlop, Cuzzupe--

LIEUTENANT SACHETTI: Fedorko.

MS. GLADING: Fedorko.

LIEUTENANT SACHETTI: And myself.

MR. JASO: And do you recall how far in advance you learned about this meeting?

LIEUTENANT SACHETTI: No, I don't. Specifically, I don't. I think it was maybe about a week before -- a couple days. Somewhere -- between a week and a couple of days before.

MR. JASO: Were you asked-- How were you asked to prepare for the meeting?

LIEUTENANT SACHETTI: I was asked to prepare a synopsis of individual troopers by name and the discrepancies that I had found out about each of these individual troopers.

MR. JASO: Who asked you to do that?

LIEUTENANT SACHETTI: I believe Colonel Dunlop.

MR. JASO: And did you prepare that?

LIEUTENANT SACHETTI: Yes, I did, and it was submitted to Mr. Zoubek and Miss Stone.

MR. JASO: At the meeting?

LIEUTENANT SACHETTI: Yes.

MR. JASO: Only to them?

LIEUTENANT SACHETTI: No. Within the organization, we had-- We all had copies also.

MR. JASO: Did you bring any other documents with you to the meeting?

LIEUTENANT SACHETTI: Not that I recall.

MR. JASO: Did anyone else distribute any documents at the meeting?

LIEUTENANT SACHETTI: I don't recall. I don't know if John Cuzzupe had or he had not. I don't recall.

MR. JASO: And where did the meeting take place?

LIEUTENANT SACHETTI: Hughes.

MR. JASO: Was it Colonel Dunlop who also invited you to this meeting, or told you to come?

LIEUTENANT SACHETTI: If I recall correctly, yes. It was Colonel Dunlop that told me that we would be attending this meeting, and that I would be required to submit this synopsis.

MR. JASO: And what-- How long did the meeting last?

LIEUTENANT SACHETTI: Maybe a couple hours.

MR. JASO: And what was the topic of the meeting?

LIEUTENANT SACHETTI: The synopsis, what we had found, and we also described the Eco-Stat formulation for conducting our Phase III interviews.

MS. GLADING: And what had you found?

LIEUTENANT SACHETTI: I'm sorry?

MS. GLADING: What had you found?

LIEUTENANT SACHETTI: I'm sorry.

MS. GLADING: The synopsis -- what had you found?

LIEUTENANT SACHETTI: At that point? (affirmative response) A number of administrative discrepancies that I had described previously.

MS. GLADING: Involving how many troopers?

DEPUTY ATTORNEY GENERAL FLANAGAN: Can we take a break

for a minute? I just want a brief--

MS. GLADING: Sure.

MR. JASO: Off the record.

(Off the record)

HEARING REPORTER: On the record.

MR. JASO: And Ms. Accurso has joined us.

ASST. ATTY. GEN. ALLISON ACCURSO: Thank you.

MS. GLADING: How many troopers did that synopsis involve?

LIEUTENANT SACHETTI: I don't recall.

Up to that point, I know that we had completed I and II of Cranbury. We were in the process of doing III of Cranbury. I couldn't tell you the truth -- truthfully, whether or not Moorestown had been completed yet. I don't believe that it had, though.

So, in all likelihood, it just would have been Cranbury troopers, but I can't say with any certainty.

MS. GLADING: And what discussion was there about the materials you brought to that meeting?

LIEUTENANT SACHETTI: Just a general discussion, as far as what I had learned at that point, where we were--

MR. JASO: Were you asked--

LIEUTENANT SACHETTI: --where we were going.

MR. JASO: Were you asked to make a presentation?

LIEUTENANT SACHETTI: No. I submitted to them copies of the synopsis, and we just discussed it briefly. And, from what I recall, I didn't do any presentation.

MR. JASO: Did you walk them through the document?

LIEUTENANT SACHETTI: At great length, no. Just in general. Here it is, it's pretty much self-explanatory. Maybe there were a few questions back and forth, and that was it.

MR. JASO: Do you remember what questions were asked and by whom?

LIEUTENANT SACHETTI: No. No.

MR. JASO: Do you remember any general reaction to the figures that were in the information that was in the report?

LIEUTENANT SACHETTI: All I recall is Mr. Zoubek being very pleased with the thoroughness of it.

MS. GLADING: You were still in pretty much full gear at this point, right?

LIEUTENANT SACHETTI: I'm sorry?

MS. GLADING: You were still in full gear at this point.

LIEUTENANT SACHETTI: Yes. Yes, it was ongoing.

MS. GLADING: Okay.

And, at this point, you had how many troopers? Do you recall?

LIEUTENANT SACHETTI: I don't recall.

MS. GLADING: But this is before it got really cranked up--

LIEUTENANT SACHETTI: Yes.

MS. GLADING: --to cover Newark, right?

LIEUTENANT SACHETTI: Yes. That was March. So this was prior to that.

MS. GLADING: When you were in that meeting, was there any discussion about the formation of a review team?

LIEUTENANT SACHETTI: No.

MS. GLADING: Were you aware that the Attorney General, that day, would be issuing -- or had issued -- a statement?

LIEUTENANT SACHETTI: At this meeting was I aware? (affirmative response) No.

MS. GLADING: Was there any discussion about any upcoming -- any activities the Attorney General's Office had planned--

LIEUTENANT SACHETTI: No.

MS. GLADING: --in terms of reviewing the State Police?

LIEUTENANT SACHETTI: No.

MS. GLADING: When did you become aware of the review team?

LIEUTENANT SACHETTI: The next day.

MS. GLADING: How did you become aware of it?

LIEUTENANT SACHETTI: When I read the paper.

MS. GLADING: Had you read the paper on the 10th and read the *Star-Ledger* report?

LIEUTENANT SACHETTI: No.

MS. GLADING: Do you recall reading the *Star-Ledger* report--

LIEUTENANT SACHETTI: No.

MS. GLADING: --about stop rates on the Turnpike?

LIEUTENANT SACHETTI: No.

MS. GLADING: Okay.

Was there any other discussion at this meeting?

LIEUTENANT SACHETTI: Not that I recall specifically, no.

MS. GLADING: It's just your report -- the progress of your audit?

LIEUTENANT SACHETTI: Yes. And the fact that John Cuzzupe was there, I'm sure that there were other issues discussed relating to Hogan and Kenna.

MS. GLADING: Okay.

MR. JASO: Was there a written agenda for the meeting?

LIEUTENANT SACHETTI: No.

MR. JASO: Did you travel to the meeting with your colleagues from the division?

LIEUTENANT SACHETTI: Yes. I believe myself, Colonel Dunlop, and John Cuzzupe went in one car, and I guess the other guys went in the other car.

MR. JASO: And did you take the same arrangement going back to your office?

LIEUTENANT SACHETTI: Yes.

MR. JASO: Did you discuss the meeting in the car on the way back after the meeting?

LIEUTENANT SACHETTI: I'm sure we did, but the specifics of which I don't recall -- what we actually talked about.

MR. JASO: Do you remember any general impressions of the meeting that anyone expressed?

LIEUTENANT SACHETTI: Just what I said earlier about Mr. Zoubek saying that he was satisfied with the thoroughness of the audit to that date.

MR. JASO: And how about general impressions by your colleagues at the division about the meeting?

LIEUTENANT SACHETTI: I don't recall.

MR. JASO: Anything else?

MS. GLADING: Yes.

Was it your impression at that meeting that the work you were doing should continue at the pace that it was being conducted, and that it was the Attorney General's Office's wishes that you -- to complete that audit?

LIEUTENANT SACHETTI: Yes.

MS. GLADING: Was there a point in time when that impression changed? When do you recall--

You testified earlier that it did change at some point.

LIEUTENANT SACHETTI: March.

MS. GLADING: What do you think hap-- What, in your estimation, happened?

LIEUTENANT SACHETTI: I can't guess.

MS. GLADING: Have you been able to put the pieces together?

LIEUTENANT SACHETTI: I can't guess. I wasn't privy to any of the meetings that made that decision. I follow orders. They gave me an order, and that's what I did.

MS. GLADING: When you had conversations, in the course of doing this audit, with Majors Dunlop and Fedorko, and they were directing your activity and you were reporting back to them-- And, as you testified earlier, they indicated the--

Well, let me ask you this first. Was it your testimony earlier that Majors Dunlop and Fedorko were taking instruction from the Attorney General's Office?

LIEUTENANT SACHETTI: I said I didn't know.

MS. GLADING: At--

MR. JASO: Let me just caution you, Lieutenant, to wait until the question is finished--

LIEUTENANT SACHETTI: Okay.

MR. JASO: --being asked, just for the clarity of the record.

LIEUTENANT SACHETTI: Okay.

MS. GLADING: Was it your testimony earlier that when the decision -- when you were in limbo, and these 30 troopers were waiting for further instruction, that Colonels Fedorko and Dunlop indicated to you that they were waiting to hear from downtown--

LIEUTENANT SACHETTI: Yes.

MS. GLADING: --from the AG's Office?

LIEUTENANT SACHETTI: Yes.

MS. GLADING: Yes?

LIEUTENANT SACHETTI: Yes, that's correct.

MS. GLADING: When they indicated this to you, was there anyone present that heard them say this?

LIEUTENANT SACHETTI: Maybe at some of these meetings where it was expressed.

MS. GLADING: Which meetings? Internal meetings?

LIEUTENANT SACHETTI: Yes.

MS. GLADING: Who would that have been?

LIEUTENANT SACHETTI: I'll tell you in a second.

MS. GLADING: And just to clarify, the period of time we're talking about now is mid-May to mid-June, right? Of 1999?

LIEUTENANT SACHETTI: Okay.

MS. GLADING: Is that right?

LIEUTENANT SACHETTI: May 14-- Er, I'm sorry. May 14th, 1999, I met with Colonel Fedorko, Dunlop, Captain Volkman, Captain VanTassell. Also present was Lieutenants Brodowski and Meddis, Sergeant First Class Gallant and Vuono.

The discipline for the 159 troopers was discussed at that meeting.

MS. GLADING: Can you go through those last couple of names, beginning with Spidowski? (indicating pronunciation)

LIEUTENANT SACHETTI: Brodowski?

MS. GLADING: Was that BA-dowski? (indicating pronunciation)

LIEUTENANT SACHETTI: Brodowski. B-R-O-D-O-W-S-K-I. Meddis. M-E-D-D-I-S. Gallant. G-A-L-L-A-N-T. And Vuono. V-U-O-N-O.

MS. GLADING: Okay.

And I interrupted you. You were saying that the top--

LIEUTENANT SACHETTI: I'm sorry.

MS. GLADING: I interrupted you before.

You were saying that the topic of discussion at the meeting was?

LIEUTENANT SACHETTI: Was where we were gonna go with discipline for these 159 troopers who had been identified in the audit as committing some type of wrongdoing.

MS. GLADING: In the as-yet-incompleted audit, right?

LIEUTENANT SACHETTI: Yes, but we still had 159 troopers that we did identify with some type of discrepancies.

MS. GLADING: And do you recall what you were told in that meeting

with all of these people and by whom?

LIEUTENANT SACHETTI: Colonel Fedorko stated, "After you leave, myself and Colonel Dunlop will discuss this."

MS. GLADING: Was that-- And was there anything else?

LIEUTENANT SACHETTI: Yes. I have in my notes that Colonel Dunlop also called me later on that day to decide -- to advise me that the AG will decide discipline in this matter.

MS. GLADING: Did he use the words, "the AG?"

LIEUTENANT SACHETTI: Yes.

MR. JASO: Can I just--

When did you prepare the document that you are referring to?

LIEUTENANT SACHETTI: I'm sorry. Before you--

Did you say, did I use the word AG or did he?

MS. GLADING: Did he use the word, "the AG?"

LIEUTENANT SACHETTI: I don't know if, specifically, he used AG. I used AG. I don't know, specifically, that he did.

MS. GLADING: Your notes indicate that he said--

LIEUTENANT SACHETTI: It's not in quotes, though.

MS. GLADING: Okay.

How would you mean-- How would you typically use that phrase, the AG?

LIEUTENANT SACHETTI: The AG would be the AG, but I don't know in this particular instance whether or not he said the AG or the AG's Office.

MS. GLADING: Okay.

Eric, did you have something else?

MR. JASO: Yeah.

When did you prepare those -- the notes that you're referring to now?

LIEUTENANT SACHETTI: As I was going along, I prepared -- I was keeping notes of meetings that I had, topics that were discussed. This capsulizes a lot of the meetings.

The notes that I have this on -- that I'm taking this from -- I also have personnel notes that I keep notes of my personnel -- what they're doing every day, so forth and so on -- so I have a track day-to-day what I'm doing.

MR. JASO: So just to be clear, this -- this document that you're looking at, you prepared more recently based on notes that you had written contemporaneously.

LIEUTENANT SACHETTI: Yes.

MR. JASO: Do you still have the notes that you wrote contemporaneously?

LIEUTENANT SACHETTI: Yes. Yes.

MR. JASO: Okay.

Because of the redaction issue, and since we don't know what's in your notes, I think that -- I think a sensible way to go would be if you could just walk us through the meetings and events that are reflected in the document that you have in front of you. Obviously not, with your counsel's direction, going into the areas which he intends to redact.

But, in order to expedite the process, I think we have to go through the whole thing, if you would, and--

LIEUTENANT SACHETTI: Well, we're already past the date you're

talking about, though. April the 20th, right?

DEPUTY ATTORNEY GENERAL FLANAGAN: April 20th, '99.

MR. JASO: Okay.

Is there anything prior to that chronologically that we haven't covered?

LIEUTENANT SACHETTI: No. We've covered them all. Well, I don't know that we've covered them all, but there were--

MR. JASO: Well, it's difficult for me--

LIEUTENANT SACHETTI: --other meetings.

MR. JASO: I mean, I mean, again, you said there's stuff that's irrelevant, there's stuff that's privileged. It's difficult for me to--

Since I don't have it in front of me, I don't know what to ask you about. All I can do is ask your indulgence and your counsel's indulgence to, you know, identify -- knowing the topics that we're covering here -- the entries that you have in that document. And to the--

LIEUTENANT SACHETTI: Basically--

MR. JASO: --extent that it refreshes your recollection about matters that we're discussing here and that this inquiry is pertinent to, if you could just walk us through what's in your notes, so that we don't have to call you back after we get the redacted document and go through this process again.

Is that fair?

DEPUTY ATTORNEY GENERAL FLANAGAN: So you're gonna ask if he can testify to specific meetings that he attended in general terms?

MR. JASO: Well--

MS. GLADING: (standing) No. I think we'd be asking him questions in specific terms about those meetings.

DEPUTY ATTORNEY GENERAL FLANAGAN: Unless it's a matter that's a Hogan-Kenna investigation or active criminal investigation.

MR. JASO: Right.

Let me just say for an example, okay? Let's say you have a meeting on January 1st of '97 in your notes, and it says, "so and so was there, and this is what was said, ba, ba, ba, ba, ba." What I'd like you to do is read me what it says in that note, and then tell me about-- And then we can ask questions about the meeting.

LIEUTENANT SACHETTI: Okay.

How far back--

DEPUTY ATTORNEY GENERAL FLANAGAN: But if he reads you what he said in his notes, we might-- What I'm saying--

MR. JASO: Well, I'm saying with your--

DEPUTY ATTORNEY GENERAL FLANAGAN: It might be it needs to be redacted.

MR. JASO: --guidance, I'm saying that if you could help him walk through it-- I'm just trying--

Does this make sense?

MS. GLADING: Yeah. I think this is really the most productive way to go through it. Even a fine--

MR. JASO: I mean the other--

MS. GLADING: Even a fine memory is not perfect and can use some help.

MR. JASO: The only other way is that we retire and come back another day, and we walk through the memo once you've redacted it.

ASSISTANT ATTORNEY GENERAL ACCURSO: Why don't we take 10 minutes then, and see if we can't move it along.

MS. GLADING: That's a good idea.

MR. JASO: Okay. Fair enough.

Let's go off the record then.

(Off the record)

HEARING REPORTER: On the record.

MR. JASO: Okay, have we come to some arrangement where we can walk through the document?

DEPUTY ATTORNEY GENERAL FLANAGAN: Yeah. We had an opportunity to review the document for relative redactions. The Lieutenant has been indicated what redactions we made, and he can run through the documents' unredacted information.

MR. JASO: Okay, great.

LIEUTENANT SACHETTI: Would you prefer I start from the beginning, and just--

MR. JASO: Start at the beginning.

LIEUTENANT SACHETTI: --even though it's all through stuff that we've covered?

MR. JASO: Yeah.

LIEUTENANT SACHETTI: Okay.

MS. GLADING: Yes, sir.

MR. JASO: And, of course, as you go through, if it refreshes your recollection as to anything we haven't covered, then--

LIEUTENANT SACHETTI: Um, specifically meetings?

MR. JASO: I don't know what's in--

LIEUTENANT SACHETTI: How about I just run through everything then?

MR. JASO: I don't know what's in the document, so--

LIEUTENANT SACHETTI: Okay.

MR. JASO: --I have to ask you to go through the whole thing.

LIEUTENANT SACHETTI: I'll run through-- Okay.

May 9th of 1998, I was tasked to begin a warning audit.

MR. JASO: A what audit?

LIEUTENANT SACHETTI: A warning audit -- at Cranbury Station.

MR. JASO: Okay.

LIEUTENANT SACHETTI: May the 10th--

MS. GLADING: That was-- I'm sorry.

May 9th of 1998?

LIEUTENANT SACHETTI: May 9th, 1998, I was originally sent to Cranbury Station to begin a warning audit.

MS. GLADING: Does it indicate on the document who you were sent by?

LIEUTENANT SACHETTI: I recall. I don't need to-- It was Colonel Dunlop.

On May the 20th of 1998, I met with Captain VanTassell, reference perceptions that I felt the division had with our warning program. As a result of my meeting with Captain VanTassell, myself and Sergeant First Class Castillo began warning audits divisionwide.

MR. JASO: Now, the warning audit is -- was what?

LIEUTENANT SACHETTI: What we were trying to do was determine if falsification of statistics was occurring on a divisionwide level in regards to the administration of the warning program. This is irrespective-- This is completely different from the Troop D audit, but it's within my list of dates that I had here just for my own recollection.

On June 11th of 1998, I met with Colonel Fedorko, Colonel Dunlop, Captain VanTassell, Captain Kowal.

MR. JASO: Captain?

LIEUTENANT SACHETTI: Kowal. K-O-W-A-L.

Lieutenant Campbell, and the initiation of the Troop D audit, which we previously covered, began on that date.

MS. GLADING: Just to back up -- very briefly, can you describe what the perceptions were of the -- that you felt the division had, as a result of your beginning the warnings audit?

LIEUTENANT SACHETTI: We were-- The perceptions the division had? In regards to?

MS. GLADING: Yeah. The warnings audit. The audit. You indicated your notation says it was re perceptions--

LIEUTENANT SACHETTI: Oh, I'm sorry.

MS. GLADING: I felt--

LIEUTENANT SACHETTI: Statistical compilation of warnings. A trooper may be getting credit for 50 warnings that he's issuing in a month, when, in fact, he only issued 30.

So myself and Sergeant First Class Castillo began visiting each station throughout the division in an attempt to determine if this was going on.

MR. JASO: Was that due to some sort of possible -- I think you had mentioned falsification of records?

LIEUTENANT SACHETTI: Yes.

MR. JASO: Okay.

LIEUTENANT SACHETTI: Directly related to the warning program.

MR. JASO: And when you say the warning program, what does that mean?

LIEUTENANT SACHETTI: There is an SOP delineating exact -- delineating the administration of our warning program. We have a summons program. We have a warning program. Troopers issue warnings for minor violations, and in the SOP, it covers -- it delineates -- exactly under what circumstances they can do this.

MR. JASO: So it's like a policy?

LIEUTENANT SACHETTI: It's a policy.

MR. JASO: Okay.

LIEUTENANT SACHETTI: Program -- another word for policy.

MR. JASO: I understand.

LIEUTENANT SACHETTI: The audit was begun on the 11th.

I briefed Colonel Dunlop, Major Mattos, Captain Kowal, and Captain VanTassell on the 15th.

I received a call at home from Colonel Dunlop on the 16th, as far as an update -- as where we were on the audit.

On the 24th of June, I generated an interoffice--

MR. JASO: I'm sorry. Who called you at home?

LIEUTENANT SACHETTI: Colonel Dunlop.

MR. JASO: And what did he want, do you know?

LIEUTENANT SACHETTI: He wanted to know where we were, how we were gonna go about-- There was a lot of logistical things that we had encountered -- retrieving all the documents, which I never got into originally.

We had to retrieve documents from all three stations on the Turnpike. So we rented three cargo vans and had teams of troopers retrieve these documents. So all -- this whole time, there was a lot going on as far as setting this up.

MR. JASO: What kind of documents were you collecting?

LIEUTENANT SACHETTI: We collected all documents at all three stations prior to -- everything that they had maintained prior to April 23rd, 1998, with the exception of investigation reports, consent searches, and summonses that they would need for court purposes.

We didn't want to get into a situation where now we're custodian of all these documents. And court cases -- on a daily basis, troopers have to go testify in court. And get into that whole thing of-- We would now be handing these reports out and being charged with discovery and everything else. So we left those types of reports there; all other documents we took.

MS. GLADING: Did you take copies of those other types of reports?

LIEUTENANT SACHETTI: No. We weren't going to utilize them for our audit.

MS. GLADING: Okay.

MR. JASO: And when you say you took everything prior to that date -- again, what--

LIEUTENANT SACHETTI: I'd say everything.

MR. JASO: --categories?

LIEUTENANT SACHETTI: Patrol charts, radio logs--

MR. JASO: Okay.

LIEUTENANT SACHETTI: --summons-issued sheets, warning-issued sheets, um, weekly reports, cycle reports, monthly statistical reports, and there may be other reports that I'm missing here.

It may even be one of the documents you have there, where I outline in the synopsis. I don't know what you have coming up yet, but it may even be in there.

MR. JASO: Well, maybe-- Let me ask you, while we're on the topic-- Let me just show you this, if I may?

If you would take a look at that. This is a document that is a New Jersey State Police special report, dated 5/19/98, authored by Lieutenant Sachetti, three pages, bearing the Bates numbers OAG-2055 through 2057.

LIEUTENANT SACHETTI: Yes.

MR. JASO: Do you recognize this?

LIEUTENANT SACHETTI: Yes, I do. It's my report.

MR. JASO: Before we were talking -- early on -- about whether you had undertaken or been ordered to collect past information on previous audits. Does this refresh your recollection as to whether you did that?

LIEUTENANT SACHETTI: Yeah, you're right. I did. I synopsized Lieutenant Pete Hinkle's (phonetic spelling) previous audits that he had done by way of this special report.

MR. JASO: Let me show you another document.

This one is another New Jersey State Police special report. This one

authored by Lieutenant Hinkle, dated 3/29/96, with attachments -- which appear to be attachments -- bearing Bates numbers OAG-2058 through 2070.

Is this one of the documents that you looked at?

LIEUTENANT SACHETTI: Yes.

MR. JASO: Does this refresh your recollection as to--

LIEUTENANT SACHETTI: Yes, it does.

MR. JASO: Let me just ask the question.

Does this refresh your recollection as to whether you were directed to -- specifically directed to examine previous audit reports?

LIEUTENANT SACHETTI: Yes.

MR. JASO: And do you recall who directed you to do that?

LIEUTENANT SACHETTI: Lieutenant Leon Brodowski, Assistant Bureau Chief, Internal Affairs.

MR. JASO: And do you recall when he asked you to do that?

LIEUTENANT SACHETTI: I would assume it's some date prior to May 19th, 1998. That's the date of my report. I don't recall, specifically, how further previously that was.

MR. JASO: Do you recall him saying whether or not someone else had told him to assign this task?

LIEUTENANT SACHETTI: No, I don't.

MR. JASO: Did he tell you why he was asking you to do this?

LIEUTENANT SACHETTI: I don't recall, specifically, the reason, no.

MR. JASO: What was Brodowski's role in the -- in the -- in the audits that we've been discussing?

LIEUTENANT SACHETTI: In the Troop D audit?

MR. JASO: That's correct.

LIEUTENANT SACHETTI: During this whole period of time, he would have been the Assistant Bureau Chief for Internal Affairs.

MR. JASO: So, was he -- as we say -- in the loop--

LIEUTENANT SACHETTI: Yes.

MR. JASO: --as far as the audits?

LIEUTENANT SACHETTI: Yes.

MS. GLADING: Can I clarify something?

When you went to this duty-- You were in the--

LIEUTENANT SACHETTI: Staff Inspection Officer?

MS. GLADING: Right.

Did you succeed Lieutenant Hinkle?

LIEUTENANT SACHETTI: Yes, I followed him. Yes. He left, I came in.

MS. GLADING: Okay.

MR. JASO: Let me just show you one more document, Lieutenant.

This one is a New Jersey State Police IOC, dated 6/4/96, from Captain Touw to Major Sparano, with attachments, bearing the Bates labels GC-1434 through 1441.

Was this another one of the documents that you reviewed in preparing your synopsis of audits -- which was the first document that I handed to you.

LIEUTENANT SACHETTI: I don't know if this was or not.

MR. JASO: I note-- If you turn to the second page of that--

LIEUTENANT SACHETTI: Of my special report?

MR. JASO: No, of the document that I most recently handed to you.

LIEUTENANT SACHETTI: Right.

MR. JASO: It's a report-- The date is unfortunately cut off, but it's from Lieutenant Hinkle to Captain Touw regarding audit of radio logs. And then, if you look at your report, it indicates that on May 16th, '96, Lieutenant Hinkle conducted an--

LIEUTENANT SACHETTI: Okay.

MR. JASO: Does that refresh your recollection as to whether this was one of the documents that you incorporated?

LIEUTENANT SACHETTI: Yes, it would be then, after reading that. Yes, sir, it would.

MR. JASO: How did you undertake to collect this information and put together this synopsis of audits that--

LIEUTENANT SACHETTI: These reports generated by Lieutenant Pete Hinkle were kept in a file maintained in the office of the staff inspecting officer.

MR. JASO: Of where?

LIEUTENANT SACHETTI: The staff inspection officer.

MR. JASO: Within IAB?

LIEUTENANT SACHETTI: Yes.

MR. JASO: Did you discuss -- did you talk to Hinkle, at the time--

LIEUTENANT SACHETTI: No.

MR. JASO: --about his audits?

LIEUTENANT SACHETTI: No.

MR. JASO: Did you study these numbers that are contained in the Hinkle reports fairly carefully?

LIEUTENANT SACHETTI: I went through them.

And when I submitted the synopsis, I also submitted copies of Hinkle's reports to accompany that synopsis. If anyone needed further clarification, they could refer directly to Hinkle's documents.

MR. JASO: So, when you submitted this synopsis -- I guess directly to Captain VanTassell -- you attached the reports?

LIEUTENANT SACHETTI: Yes. Yes.

MR. JASO: Do you recall your own reactions to the numbers that were contained in the Hinkle report?

LIEUTENANT SACHETTI: My reactions?

MR. JASO: Yes.

LIEUTENANT SACHETTI: Um, no, I don't recall my reactions, no.

MR. JASO: Look at Page 2 of your report, if you would. It says, "Cranbury Station," indicating that -- I guess -- arrest statistics broken down by race: white 16 percent, black 75 percent, other 9 percent. And that's for Cranbury Station.

LIEUTENANT SACHETTI: Right.

MR. JASO: Do you recall -- do you recall having any reaction to those figures?

LIEUTENANT SACHETTI: I don't recall what my reaction was, no.

MR. JASO: What's your reaction as you sit here today?

LIEUTENANT SACHETTI: My reaction is, I was tasked to do a synopsis as to what Hinkle's report reflected, and I did it. That's my reaction.

MS. GLADING: Can you say, when you -- in the transition between Hinkle and you assuming the position that you assumed, did he discuss the

audit activity? Did he bring you up to speed on the audit activities that he had conducted?

LIEUTENANT SACHETTI: I don't believe that he did.

Basically, as far as I know, these were the only audits that had ever been completed up to this date. So the majority of our job obligation had to do with inspecting troopers on a daily basis, as opposed to conducting audits. Even though it was a function, obviously, day-to-day we inspected troopers.

MS. GLADING: Okay.

So up until May 19th of 1998 -- the date of the synopsis -- to your awareness, these are the only audits that had been conducted up till that date?

LIEUTENANT SACHETTI: As far as I can recollect, yes.

MS. GLADING: Okay.

LIEUTENANT SACHETTI: These were the only audits that were contained in the file maintained in the staff inspecting office. So that would be the only reference that I would have to complete this synopsis as directed by Lieutenant Leon Brodowski.

MR. JASO: Do you know -- and I apologize if I asked this before -- do you know what Captain VanTassell did with your synopsis?

LIEUTENANT SACHETTI: No, I don't.

MR. JASO: Did you ever discuss this with Captain VanTassell in substance?

LIEUTENANT SACHETTI: I don't believe that I did. I don't recall. I don't recall. I don't recall if I did or I didn't, but--

MR. JASO: Did you discuss it with anyone else or, perhaps, were asked to give a presentation?

LIEUTENANT SACHETTI: No, not on this.

MR. JASO: Okay.

Jo?

MS. GLADING: Yeah. I just want to make sure I understand.

MR. JASO: Actually, let me ask you one other question, if I may?

If you look at Page 2 of your audit report--

LIEUTENANT SACHETTI: Yes.

MR. JASO: I'm sorry, synopsis of audits.

LIEUTENANT SACHETTI: Yes.

MR. JASO: At the bottom, it says, "On September 24th, Lieutenant Hinkle conducted an audit of Moorestown Station motor-vehicle stops. The audit was initiated by a complaint from minority troopers stationed at Moorestown that racial profiling was being practiced."

Were you stationed at Moorestown at that time?

LIEUTENANT SACHETTI: Yes, I was.

MR. JASO: And do you recall Lieutenant Hinkle conducting this audit at the time?

LIEUTENANT SACHETTI: I recall Lieutenant Hinkle and Sergeant First Class Castillo conducting an audit of some type at our station. I was not privy to exactly what it was they were doing. I knew it was an internal audit. As such -- as is often the case, now that I'm on this side -- you don't advise station personnel exactly what it is you're looking at. And I think that was the case with this particular audit.

MR. JASO: Does that include the -- I guess you were Deputy Commander?

LIEUTENANT SACHETTI: I was Assistant Station Commander, yes.

MR. JASO: Assistant station commander. So, in this instance, did Lieutenant Hinkle ever tell you what he was doing there?

LIEUTENANT SACHETTI: He was conducting an audit.

MR. JASO: That's all he said?

LIEUTENANT SACHETTI: And that was fine by me. He was the inspecting officer.

MR. JASO: Was it -- and, perhaps, maybe you have to call upon your IAB experience-- Would they tell the station commander what they were doing?

LIEUTENANT SACHETTI: You may, you may not.

You want-- There may be a concern that-- It's two different sides. It's-- By sides, I mean there's a certain function that you may not want to advise the station commander what it is you're doing until your audit is complete. And maybe even then, you may not even have advised the station commander what it was you were doing. It happens now.

MR. JASO: Were you aware at the time -- when you were stationed at Moorestown -- that there were complaints from minority troopers with regard to racial profiling?

LIEUTENANT SACHETTI: Yes.

MR. JASO: And what was your knowledge of that?

LIEUTENANT SACHETTI: Of racial profiling or the complaint?

MR. JASO: Of the complaints.

LIEUTENANT SACHETTI: Sergeant Smith (phonetic spelling), one of my buck sergeants at Moorestown at that time, had expressed to Lieutenant

Gilbert, the Station Commander, that he was approached by several minority troopers at Moorestown who wished to have it looked into that racial profiling was taking place at Moorestown Station.

MR. JASO: Smith told who? I'm sorry, again.

LIEUTENANT SACHETTI: Lieutenant Gilbert.

MS. GLADING: (standing) Was Captain Silvert (phonetic spelling) the commander at this point?

LIEUTENANT SACHETTI: I believe it was.

MS. GLADING: (standing) If I showed you this document--

If you could just turn to the next page -- sorry.

I'm looking at OAG-5905, which is a memo from Lieutenant B. Gilbert to Captain Silvert.

Is that the-- Does this begin a discussion of the work you did on that investigation -- the work you did in response to that complaint?

I notice your name is mentioned in the first--

LIEUTENANT SACHETTI: Yes, ma'am--

MS. GLADING: --paragraph.

LIEUTENANT SACHETTI: --my name is mentioned.

MS. GLADING: Yeah.

If you turn back to Page OAG-5908 -- the statistics there on that page about consent searches -- do you know who compiled them? Did you have any participation in that?

LIEUTENANT SACHETTI: I had no participation. Due to the fact that it's Lieutenant Gilbert's report, I would assume he did, but I can't say with any certainty.

MS. GLADING: Okay.

And then, just so we're clear -- 'cause this document is cut off at the bottom--

I'm going back now to your synopsis of audits.

LIEUTENANT SACHETTI: Okay.

MS. GLADING: Is this the audit that's referred to on Page OAG-2056, at the bottom, on September 24, 1996?

LIEUTENANT SACHETTI: No, I wouldn't think so. I would think that Hinkle did an audit of his own--

MS. GLADING: Okay.

LIEUTENANT SACHETTI: --and that would be memorialized in some other fashion.

MS. GLADING: Okay.

So this audit is not in the synopsis, is that correct? This--

LIEUTENANT SACHETTI: The Moorestown Station audit?

MS. GLADING: Right.

LIEUTENANT SACHETTI: I don't know if it's included in any of these reports that I was just handed.

MS. GLADING: The one I just -- the one I just gave you.

LIEUTENANT SACHETTI: Oh, no. No. No, that--

MS. GLADING: Okay. Why is that? I was confused by that.

LIEUTENANT SACHETTI: Well, this wouldn't be an audit.

MS. GLADING: Okay.

The numbers at the back of this wouldn't be the product of an audit?

LIEUTENANT SACHETTI: It wouldn't be an audit that would have

been conducted by the Staff Inspection Unit.

MS. GLADING: Okay.

LIEUTENANT SACHETTI: I saw this report just the other day -- handed to me as a result of the CD-ROM documents that were handed over in preparation for my testimony today. And this was the first time that I had seen this document.

MS. GLADING: Where-- Do you know where this document was within the division?

LIEUTENANT SACHETTI: It was in the pile of 91,000 documents that were turned over. Where they got it, I have no idea.

MS. GLADING: Just so I understand the structure of your office, your office is within IAB, right -- or what used to be known as IAB?

LIEUTENANT SACHETTI: Yes.

MS. GLADING: Is this something that--

Just to clarify, we're talking about OAG-5905 through 5912. And there's two cover sheets on this; one dated May 14th, 1996, and it's written to Colonel Williams from Captain Silvert.

And then an additional cover sheet written from Major Sparano to -- via Roberson -- to Fedorko via Littles. And that's dated June 6th, 1996.

From looking at those cover sheets, can you ascertain where this might -- where this might have been sitting in the Division of State Police during -- in the three years between--

LIEUTENANT SACHETTI: Could I guess?

MS. GLADING: --then and now? Four years between then and now?

LIEUTENANT SACHETTI: Could I guess?

MS. GLADING: Yeah.

LIEUTENANT SACHETTI: No, I can't guess. I don't know.

MS. GLADING: Could you make an educated guess?

LIEUTENANT SACHETTI: No, I can't even make an educa-- I would have no idea.

If I was to try to track it down, I would imagine it would be from a -- either in one of the offices of the from or the to.

MS. GLADING: And the top -- the top cover sheet, as you can see, is a request to IAB and EEO bureaus to review the attached special reports.

Could it have been there, do you think? Would this be something that would--

LIEUTENANT SACHETTI: I'm sorry, what was the question?

MS. GLADING: On the cover memo--

LIEUTENANT SACHETTI: From Sparano to Fedorko? (affirmative response)

MS. GLADING: It's asking IAB and EEO to look at this.

LIEUTENANT SACHETTI: It could have been in one of those offices. Could have been.

MS. GLADING: Okay. All right, that's clarified a lot for me.

Thanks.

Do you have more, Eric?

MR. JASO: Well, yeah.

Let me ask you just a quick question, if I might, Lieutenant.

If you look at the second page of the document that Ms. Glading handed to you -- the letter from Captain Silvert to Colonel Williams -- it indicates that,

“this command does not agree with the suggested division/troop remedial action of Lieutenant Gilbert, with the exception of continuing education for our troopers in the area of search and seizure.”

And I think he's referring to -- if you turn to Page 5909--

MS. GLADING: What's the number? I'm sorry.

MR. JASO: Sorry. 5909.

It says, “suggested division/troop remedial action,” sort of toward the top of the page, and then the numbered items.

Do you recall discussing with Captain Silvert, at the time, Lieutenant Gilbert's suggestions, or whether or not certain items of proposed remedial action would be appropriate or not?

LIEUTENANT SACHETTI: No, I don't recall ever talking to Silvert about any of this.

MR. JASO: Again.

LIEUTENANT SACHETTI: I don't recall ever talking to Silvert about any of this.

MR. JASO: Okay.

But, at the time, you were-- At the time of his letter -- May 14th, '96, you were--

LIEUTENANT SACHETTI: I'm way down the chain.

MR. JASO: You're way down the chain, still, at this point.

Okay.

MS. GLADING: Let me just ask you one more question about this document.

When you were asked to do -- to prepare this synopsis in May of '98 by

Lieutenant Brodowski--

LIEUTENANT SACHETTI: Right.

MS. GLADING: And he's in IAB, at this point.

LIEUTENANT SACHETTI: Yes.

MS. GLADING: And presumably, that's where this document -- 5903--
A copy of it might exist there, since it went there two years earlier.

LIEUTENANT SACHETTI: I'd be guessing. I don't know.

MS. GLADING: Right.

Did Lieutenant Brodowski represent to you that all of the audit activity that we've done is in the inspection staff -- Inspection Staff Unit's files?

LIEUTENANT SACHETTI: No, I don't recall that he would have told me that. If I recall correctly, it was, "See what you have over there" -- something along these lines -- "and generate a report." That's what I had, and that's the report that I generated.

MS. GLADING: And you-- I think you testified earlier you didn't know who had directed him to have--

LIEUTENANT SACHETTI: No.

MS. GLADING: --compile this information?

LIEUTENANT SACHETTI: No, I don't.

MS. GLADING: Okay.

Eric, are you ready to go back to his--

MR. JASO: Yes, I am.

Just so the record's clear, we'd like you to return to your personal notes and to continue with the narrative of the chronology.

LIEUTENANT SACHETTI: June 25th, 1998, I met with Colonel

Fedorko and Dunlop and Lieutenant Campbell in reference to the direction of the Troop D audit, and also, I'm sure, the progress to date.

On the 26th of June--

MR. JASO: Do you remember what you meant by direction of the audit?

LIEUTENANT SACHETTI: Where we were at. Where we were-- It'd just be-- As a matter of fact, we hadn't even begun it yet. So, probably at this stage, we were still talking about what my plans were for conducting this audit. That's what I meant by direction.

MR. JASO: Okay.

LIEUTENANT SACHETTI: On the 26th of June, I met with Colonel Fedorko, Major Mattos, Captain VanTassell, Lieutenant James Bruncati -- B-R-U-N-C-A-T-I, he was an aide to Colonel Fedorko -- Lieutenant Meddis, and Sergeant First Class Gallant in reference to the detail.

MR. JASO: Lieutenant? Again?

LIEUTENANT SACHETTI: Gallant-- Er, I'm sorry, Meddis and Sergeant First Class Gallant.

MR. JASO: And, I apologize, the date again?

LIEUTENANT SACHETTI: Is June 26th.

MR. JASO: '98?

LIEUTENANT SACHETTI: '98.

MR. JASO: And the topic of the discussion?

LIEUTENANT SACHETTI: I have no idea, just reference to this detail.

As we go through these lists of meetings, more often than not, I'm not gonna be able to recall the specifics of what exactly we talked about. If it was

something important, or something in the audit was going to change--

An example: we're moving to Moorestown, now -- I'll recall that specifically. If we move to Newark-- Things along these lines. But as far as general updates, I'm sure it was, "Here's what we have up to now, and progress is still being made." Period.

MS. GLADING: Would your contemporaneous notes reflect more detail?

LIEUTENANT SACHETTI: No, that's what I copied these from. They were just dates that I wanted to keep track of the meetings.

Now, on July the 2nd of 1998 is when we actually began the audit. We actually sat down and started working on putting things together.

I generated, on July the 23rd, an interoffice communication updating the chain of command as to where we were. I did the same thing on July the 30th.

On July 31st, I briefed Major Mattos in reference to the status of the audit.

On August the 5th of 1998, I generated another interoffice communication, updating the chain of command on the Troop D audit.

MS. GLADING: Who would that have gone to?

LIEUTENANT SACHETTI: Right on up to Fedorko, I would imagine.

MS. GLADING: And that was an IOC?

LIEUTENANT SACHETTI: I think I generated them generally to VanTassell, unless otherwise directed. But I'm certain that they made their way up.

MS. GLADING: Why?

LIEUTENANT SACHETTI: We met on a weekly -- biweekly basis. I

had testified earlier with Colonel Fedorko, in regards to IAB matters. And a lot of times, these IOCs were generated and handed to him at these meetings, even though they had VanTassell's name on them.

On July 31st of 1998, I briefed Major Mattos.

On August the 5th, I generated an additional interoffice communication updating.

On August the 6th, I briefed Colonel Fedorko, Major Mattos, Captain VanTassell -- reference progress to date.

On August the 14th of 1998, my assistant, Sergeant First Class Benny Castillo, briefed Colonel Fedorko, Major Mattos, and Captain VanTassell -- reference progress of the audit.

August the 20th of 1998, Phase II for Cranbury Station was initiated.

MR. JASO: Can I ask you-- Let me interrupt, if I may. As information started being collected, did that become part of the status updates? Was that information passed on?

LIEUTENANT SACHETTI: Yes. I don't know if you have any of the IOCs -- the interoffice communications there, but-- As I stated earlier, the exact date of which-- I don't know if I have it in here or not. As we get through it, I'll see. But I was, on a daily basis, sending a daily briefing to Captain VanTassell and to Colonel Fedorko. And on these interoffice communications, generally, I was doing a breakdown of the types of discrepancies we were finding. In other words, I might have stops not called in -- 52 up to this point -- undocumented searches, and a number to follow that.

MR. JASO: These were memoranda in the IOC format that you sent

daily to Fedorko?

LIEUTENANT SACHETTI: Not daily.

MR. JASO: Okay. I thought you said daily briefings.

LIEUTENANT SACHETTI: IOCs-- Daily briefings sheet was just bond paper. I was typing it up in the computer and giving it to Captain VanTassell and Colonel Fedorko. I would burn two copies in addition to the original.

MR. JASO: And, if you can recall, did it have a to-from on it, even if it wasn't in this format?

LIEUTENANT SACHETTI: No. It was just a piece of bond paper that would have what the interviews the day before had revealed. It had a heading in bold, capitalized, and so forth, but there was no IOCs or memos similar to that.

MR. JASO: What was the heading, if you recall?

LIEUTENANT SACHETTI: I believe it said daily progress report. And on that daily progress report, it enumerated all the interviews that we had conducted the previous day and what those individuals that we interviewed had said to us.

MR. JASO: Did you sign or have your name on this document?

LIEUTENANT SACHETTI: No.

MR. JASO: And you said it did not have a to--

LIEUTENANT SACHETTI: No.

MR. JASO: --the individuals.

LIEUTENANT SACHETTI: No. It was-- The actual logistics of it was-- Every day I went over and gave VanTassell two copies, and the one copy was for Colonel Fedorko.

MS. GLADING: One for VanTassell, one for Fedorko?

LIEUTENANT SACHETTI: Yes.

MR. JASO: And did you keep a file of these?

LIEUTENANT SACHETTI: Yes.

MR. JASO: Okay.

Go ahead.

LIEUTENANT SACHETTI: What were we up to? Oh, all right, Castillo.

August the 20th of 1998, Phase II of Cranbury was begun. Oh, here we go.

August 28th, 1998, daily briefing sheets begun for VanTassell and Fedorko.

MR. JASO: What date?

LIEUTENANT SACHETTI: August 28, 1998. The same continued until the detail was terminated.

MR. JASO: And the daily briefings are what you just described, those--

LIEUTENANT SACHETTI: Yes. No to, no from.

MR. JASO: Did you do periodic briefings in the similar--

LIEUTENANT SACHETTI: Yes.

MR. JASO: --format before that date?

LIEUTENANT SACHETTI: Yes. All the briefings that I've told you about so far are the ones that I was conducting on a periodic basis.

MR. JASO: Well, I mean, in written form.

LIEUTENANT SACHETTI: No, just what I've described. The IOCs that I've described, to my knowledge, are the only IOCs that I generated.

MR. JASO: Okay. So, to your recollection, prior to August 28th of 1998 -- you would either put some status report in an IOC or you would orally report to them as to the status.

LIEUTENANT SACHETTI: Yes.

MR. JASO: And then that date in following, you would prepare the daily briefings in the -- sort of informal fashion that--

LIEUTENANT SACHETTI: Yes.

MR. JASO: --you just described.

LIEUTENANT SACHETTI: Yes, sir.

MR. JASO: Okay.

MS. GLADING: Did anybody request these daily briefings from you, or--

LIEUTENANT SACHETTI: Captain VanTassell.

MR. JASO: Did he say why he wanted you to start doing that?

LIEUTENANT SACHETTI: If I recall, it was just like, "Hey, why don't you just, every day -- just burn a couple copies of what the interviews the day before revealed?"

MR. JASO: Did he tell you, at any point in time, whether he or Colonel Fedorko -- I guess at that time Major Fedorko--

LIEUTENANT SACHETTI: No. He was Colonel Fedorko.

MR. JASO: --he was Colonel Fedorko.

LIEUTENANT SACHETTI: Lieutenant Colonel.

MR. JASO: --Lieutenant Colonel -- right -- was forwarding this to anyone else?

LIEUTENANT SACHETTI: No. I never heard that.

MR. JASO: Okay.

Go ahead.

LIEUTENANT SACHETTI: September the 8th, I briefed Colonel Fedorko in person -- reference and update on the progress of the audit. September the 9th, I attended a meeting between Captain VanTassell, Lieutenant Brodowski, Lieutenant Meddis, and myself. Captain VanTassell, at that time, made it known that he wished internals to be made on all discrepancies that we had uncovered.

MS. GLADING: Can you clarify what that means?

LIEUTENANT SACHETTI: What I had spoke about earlier, some of these minor discrepancies that had no racial implications. He wanted an internal investigation done on every single one of these. That would be the 159 out of the 169 that I described earlier.

MR. JASO: What date was that again?

LIEUTENANT SACHETTI: That was on September the 9th of 1998.

As a result of this meeting with Captain VanTassell, I generated a synopsis IOC, and it was an interoffice communication where I synopsized what we had found up to that point by trooper, individually. It had a cover on it with a to and a from, but included in it-- It was a little thicker document. It had every trooper that we had uncovered discrepancies on up to that point.

MS. GLADING: What was the date of that document?

LIEUTENANT SACHETTI: That document was generated on September the 9th. That was as a result of the meeting that we had had earlier. And that only pertained to Cranbury troopers.

September the 10th, that list was presented to Colonel Fedorko. Colonel

Fedorko and Captain VanTassell decided, at that time, that internal investigations would be initiated against troopers that were identified in that synopsis. Also included in my notes is that Colonel Fedorko decided, at that time, that the audit would include only Cranbury Station at this point. This is September the 10th.

September the 11th, I met with Colonel Dunlop, Fedorko--

MS. GLADING: Excuse me. Before you move on-- Do you recall why Colonel Fedorko said only Cranbury should be included at this point?

LIEUTENANT SACHETTI: Like I had stated earlier, that was the initial focus of where we were going. It was my understanding that the only reason at the time that we went to Moorestown was as a result of the *Soto* decision -- the decision whether or not to appeal. And Newark-- I still don't have an idea as to why we did it. I can guess, but I'm not certain.

September the 11th, I met with Colonel Fedorko, Colonel Dunlop, and Lieutenant Brodowski. I recall Colonel Dunlop being upset over the fact that the focus of the audit was starting to change into some of these administrative issues and getting a little bit away from our focus being on race-based wrongdoing. In other words, my recollection of that meeting was that he sensed, I think, that we were going to start allocating personnel to look into all these other types of administrative violations that we were uncovering that had absolutely nothing to do with race. And he didn't want us to get bogged down at that point investigating all these administrative-type issues. He still wanted to keep the focus on race-based wrongdoing.

MR. JASO: Did anyone else have a view in response to that?

LIEUTENANT SACHETTI: I agreed with Dunlop, for whatever that

was worth. I was the lowest in this food chain. I don't know what it was worth.

MS. GLADING: So you said you agreed with Dunlop.

LIEUTENANT SACHETTI: Yes, that we should try to stick, at this point, with what our initial objective was. We could address these administrative issues at a later date. Our initial focus was to see if troopers out on the Pike were practicing race-based wrongdoing. And I agreed that we shouldn't try to get a little sidetracked away from our original objectives.

MS. GLADING: You indicated earlier that it was Fedorko who expressed concern that the audit was getting into these administrative issues.

LIEUTENANT SACHETTI: No, I didn't. I said Dunlop.

MR. JASO: Dunlop.

MS. GLADING: Did you say Dunlop? I misheard you. I apologize.

MR. JASO: Did-- Colonel Fedorko, I think you said, was there. Is that right?

LIEUTENANT SACHETTI: Yes.

MR. JASO: Did he have any reaction that you recall?

LIEUTENANT SACHETTI: I don't recall his reaction, other than what I had said earlier about the day before, that Colonel Fedorko agreed with Captain VanTassell that we would address these administrative violations.

MS. GLADING: Was there any sense of urgency about your work that you -- that was indicated to you by your superiors?

LIEUTENANT SACHETTI: At what point?

MS. GLADING: At this point.

LIEUTENANT SACHETTI: I don't know what you mean by urgency.

MS. GLADING: Well, did this seem routine to you, or was there a point to it?

LIEUTENANT SACHETTI: It seemed to me there was a point to it. I don't know what-- If you mean urgency to get this completed, I never sensed-- Well, I can't say I never-- Yes, I guess there was an urgency to get this completed.

MS. GLADING: What makes you think that?

LIEUTENANT SACHETTI: Well, in March, obviously, when I got all these additional personnel to finish up Newark, I certainly sensed it then. Originally, the fact that this is just a basic audit, without going into anything in depth-- As an example, when we identify a stop not being called in, our only proofs, at this point, are a patrol chart and a radio log. That trooper may have called that stop in. In order for us to do a thorough investigation, we would now have to check the radio tape to ascertain whether or not he actually did call that stop in. We weren't going to that depth.

MS. GLADING: You mean the radio log might be inaccurate?

LIEUTENANT SACHETTI: It could have been.

MS. GLADING: Okay.

LIEUTENANT SACHETTI: The dispatcher may have missed it. So, if that's what you mean by urgency -- that we didn't go as thorough as an internal investigation would have gone, yes. We didn't go as thorough. What we wanted-- It was always my understanding, from the beginning, what we wanted was a picture. And the way it was always described to me, as I've stated earlier-- We wanted to see what the troopers in Troop D were doing.

MS. GLADING: Troop D, or Troop D Moorestown.

LIEUTENANT SACHETTI: Troop D.

MS. GLADING: I mean Troop D -- the whole Turnpike.

LIEUTENANT SACHETTI: Eventually, that's what it became, but originally Cranbury.

MS. GLADING: Okay.

LIEUTENANT SACHETTI: As I went through the whole chronology of events, it was just to see what these troopers were doing. When it was Moorestown, it was to see what the Moorestown troops were doing, eventually Newark, which would encompass the whole Turnpike.

MR. JASO: To clarify, is it then what you're saying that-- Is what you're saying then that your understanding of the original intent of this entire project was to get a picture, as you put it, of all of Troop D, notwithstanding the fact that--

LIEUTENANT SACHETTI: No.

MR. JASO: --you had started out with--

LIEUTENANT SACHETTI: Cranbury. When it originally started--

MR. JASO: Well, let me finish. Okay. Well, I'm asking if -- notwithstanding the fact that you started with Cranbury only-- Was it your understanding that the long-term goal of the project was to get a picture of what was going on with regard to the entire troop?

LIEUTENANT SACHETTI: I didn't know. I had my doubts -- or had my feelings that eventually we're going to end up doing the whole Pike. But I didn't know. It was never described to me through this, until each of the specific dates -- where now we're going to start Moorestown, now we're going to start Newark. Then it, obviously, became clear to me that we're going to

end up doing the whole Pike.

MR. JASO: Now, when you said on September the 10th, if I'm not mistaken -- it was VanTassell and/or Fedorko who indicated that you were going to confine this, for the time being, to Cranbury. Is that right?

LIEUTENANT SACHETTI: I never said that we would confine it to Cranbury. I said that at that meeting on the 10th, Fedorko and VanTassell wished internals to be initiated against troopers that were identified with these minor administrative violations.

MR. JASO: At Cranbury.

LIEUTENANT SACHETTI: That's all we had done at this point. MR. JASO: I understand. Okay.

MS. GLADING: So on the 11th, when Dunlop expressed concern, that was-- There was a cause and effect there. Is that right?

LIEUTENANT SACHETTI: Yeah, there was a cause and effect as a result of the 11th meeting.

MS. GLADING: No. Was Dunlop reacting to what had been decided at the meeting on the 10th about starting internals on these administrative--

LIEUTENANT SACHETTI: I assume that it was only because we're now meeting again on the 11th, which was the day after we met on the 10th.

MS. GLADING: Okay.

LIEUTENANT SACHETTI: So now we meet. And he was upset over the fact that we seem to be getting sidetracked for some of these other issues. He wanted to get back on track, allocate our personnel towards these race-based wrongdoings.

MS. GLADING: Dunlop was not at the meeting on the 9th, was he?

LIEUTENANT SACHETTI: No, not on the 9th or the 10th.

MS. GLADING: Okay. The 10th. Right.

MR. JASO: How did it come to Dunlop's attention that those directives had been given, with regard to the administrative violations at the previous meetings?

LIEUTENANT SACHETTI: I don't know. I don't know if they had a conversation. I don't know.

MR. JASO: When you say he was upset, was he upset at anyone in particular?

LIEUTENANT SACHETTI: No. He just didn't want it to get sidetracked. He didn't want us to lose our focus from what our original objective was.

MR. JASO: Okay.

LIEUTENANT SACHETTI: Okay. September the 15th, I attended a meeting with Colonel Fedorko, Colonel Dunlop, Major Mattos, Captain VanTassell, Lieutenant Brodowski, Lieutenant Meddis, Lieutenant Campbell, Sergeant First Class Gallant, Sergeant Castillo, and Sergeant First Class Vuono.

MS. GLADING: Who?

LIEUTENANT SACHETTI: Vuono, V-U-O-N-O.

At that meeting, I suggested the Phase III methodology, where we would pick troopers at random -- pick all troopers, but randomly, we would look at their work to see if we could identify any types of discrepancies. Prior to this, I had discussed this -- my thoughts along these lines with Lieutenant Bill Meddis, and he agreed with me. So we sort of presented this together.

MR. JASO: Why did you discuss it with Meddis?

LIEUTENANT SACHETTI: See what his feelings about it were. Just needed an ear. You know, I had this idea, and I thought, let me just discuss it with him and see what he thinks about it before I go bring it to them guys.

On the 17th of September, Major Mattos advised me that Colonel Williams had read the synopsis that I had prepared and was very upset over the types of discrepancies that were listed on these synopses.

MR. JASO: And who had read it? I'm sorry.

LIEUTENANT SACHETTI: Colonel Williams.

On September the 23rd, I met with Colonels Fedorko and Dunlop and described what I thought the methodology for Phase III should be, and we discussed where we were going to go with that.

MR. JASO: Could you just stop for just a second? Thanks.

I apologize for the interruption.

Okay. Go ahead.

LIEUTENANT SACHETTI: All right.

On September the 25th, I met with Colonel Fedorko and updated him on the progress of the audit.

October the 9th -- the same thing. I don't recall the specifics of either of these meetings, other than it was an update.

On October the 16th, I met with Colonel Fedorko and Colonel Dunlop -- an update on the progress. I don't recall the specifics.

On October the 30th, I attended a meeting with Colonel Fedorko, Major Mattos, Captain VanTassell, Captain Volkman, Lieutenant Brodowski, and an update was provided at that time.

On November the 18th, I met with representatives from Eco-Stat.

MS. GLADING: November the 15th?

LIEUTENANT SACHETTI: November the 18th I met with members representing the Eco-Stat Corporation regarding how we could implement Phase III.

On November the 30th, I met with Major Mattos, Captain Volkman, Captain VanTassell -- reference to the status of the audit. And I'm certain I included a briefing, as far as what Eco-Stat could do for us.

On December the 4th, I met with Colonel Williams, Colonel Fedorko, Colonel Dunlop, Major Mattos, Captain Volkman, Captain VanTassell, Lieutenant Brodowski, Meddis, and Bruncati. I did a presentation for the Colonel, as far as what the synopsis to date had revealed.

MS. GLADING: Do you recall any more details about that meeting?

LIEUTENANT SACHETTI: No.

On December the 7th, I met with Major Mattos, Captain Volkman, and Captain VanTassell. They decided that Eco-Stat would be okay, and it was approved through budget to get the money to hire Eco-Stat. At this meeting, it was also explained to me that Colonel Williams will now decide to discipline, as far as these troopers that we had identified. I also, that date, myself, met with Colonel Dunlop. He ordered me to submit a synopsis to date. I submitted it to Captain VanTassell. I have in my notes it was a rough copy, not formalized. I'm not sure what I mean by that.

On December the 14th of 1998, Phase III was begun for Cranbury Station.

On January the 8th, I met with Colonel Fedorko and updated him.

MR. JASO: The 18th, you said?

LIEUTENANT SACHETTI: I'm sorry. The eighth.

On January the 12th, I met with Colonel Dunlop -- updated him. The synopsis that I had previously prepared and handed to VanTassell was sent to Colonel Williams by VanTassell. This is on January the 25th.

MS. GLADING: I'm sorry. Did we just go from-- Oh, those were January dates -- January 8th, January 12th.

MR. JASO: Oh, that's why I was confused.

LIEUTENANT SACHETTI: January 8th I met with Fedorko. January the 12th, I met with Dunlop.

January the 25th, I was advised by VanTassell that the synopsis that I had previously prepared was sent to Colonel Williams, I'm assuming by him.

February the 2nd, I met with Colonel Dunlop in reference to that synopsis. He advised me that we would be meeting on February the 4th with the AG's Office in reference to the audit.

On February the 3rd-- He also advised me I would be giving some sort of a presentation at that time.

MR. JASO: That you would be giving one?

LIEUTENANT SACHETTI: Yes, or I would have to prepare the synopsis and be prepared, at least, to discuss it.

February the 3rd, I met with Colonel Dunlop. He advised me that the meeting will not be with the Attorney General's Office, but will be with Colonel Williams.

On February the 4th, I met with Colonel Williams, Colonel Fedorko, Dunlop, Captain VanTassell, Lieutenant Brodowski, and Meddis. The synopsis was discussed.

On February the 8th, I met with Colonel Dunlop, Fedorko, Major Mattos, Captain VanTassell, Volkman, Sergeant First Class Gilbert, Lieutenant Campbell. And I was advised, at that time, that the briefing at the AG's Office would take place on February the 10th. At that time a decision was made by Colonels Fedorko and Dunlop to initiate a State Police Form 251, which is an internal investigation complaint form against Moorestown and Cranbury troopers. And the criteria was established, I believe, by Captain VanTassell. I wasn't privy to any of the decision as to who would actually meet the criteria to have internal investigations, at this point, against them.

MR. JASO: Were the criteria focused on racial profiling or on these administrative matters?

LIEUTENANT SACHETTI: I think that even though the media-- I know, subsequently, that the media had played it up that these were racial profiling -- internal investigations. They weren't. They were stops not being called in, for the most part.

On February the 10th, I met with Zoubek, Stone, Colonel Williams. And that was the meeting that I had spoke about earlier.

MS. GLADING: Do your notes reflect who else was in that meeting?

LIEUTENANT SACHETTI: Yeah. I told you that-- I explained that earlier. It was Zoubek, Stone, Colonel Williams, Colonel Fedorko, Colonel Dunlop, Detective Sergeant John Cuzzupe, and myself.

On February the 18th, I was advised by phone from Colonel Dunlop that as a result of his staff retreat, Colonel Williams intended to beef up the inspection unit full-time, other than these detach personnel, from the present complement of two men to sixteen.

On February the 22nd, Colonel Dunlop advised me that the unit will be scaled back and that we would not have 16 individuals assigned.

MR. JASO: What date was that?

LIEUTENANT SACHETTI: February the 22nd.

On February the 23rd, I met with the Assistant Bureau Chief, Leon Brodowski, and we discussed the staffing of this unit -- basically personnel issues, who would be fit for that type of a job, different names that were submitted to us, things along these lines.

MR. JASO: Did Dunlop explain what the change in the size was a result of?

LIEUTENANT SACHETTI: No, he didn't say who made the decision, if it was his or it was someone else's. All I know is I got it from Dunlop that it would be scaled back from 16. Now, this was on February the 22nd. On March the 15th, eight individuals reported to me, so -- plus, I had two already. So it went from 16 to 10.

I met with Colonel Dunlop on February the 24th, and he advised me that I should prepare a Phase III update for Mr. Zoubek.

On March the 2nd--

MS. GLADING: Excuse me. Was this the first time you were advised to prepare something directly for the Attorney General's Office?

LIEUTENANT SACHETTI: No, I did it previously for the briefing that was -- occurred back in, what was it, February the 4th -- February the 8th. No. Wait a minute. When was it? When was the-- February the 10th. I'm sorry.

MS. GLADING: Did-- In either case-- On either occasion, did Colonel Dunlop indicate why he wanted -- why Mr. Zoubek wanted an update -- why

he was following this issue so closely?

LIEUTENANT SACHETTI: No, he didn't-- I wouldn't be privy to that information. It would just be, "Prepare this. And here's what we're going--" We're going to go prepare it for him on this date.

MR. JASO: So, going back to that February 10th meeting, and the preparation for that meeting, you were asked to prepare a more final version of your synopsis for that meeting, because if I'm following the-- I'm trying to follow the time line here. And I recall back in December you had prepared something that -- the asynapsis that got into Colonel Williams's hands that you said, if I'm not mistaken -- that it was kind of a draft -- a rough draft.

LIEUTENANT SACHETTI: Right.

MR. JASO: And then-- So, in preparation for the first Attorney General's meeting on the 2nd -- on the 10th of February, were you asked not only to prepare to discuss your synopsis, but also to polish it and make it more final in a document form?

LIEUTENANT SACHETTI: Yeah. I think I did. I don't recall specifically, but yes. I can't-- The fact that I put rough copy in my notes-- I'm sure that I would not have submitted to Mr. Zoubek any kind of rough copy that I had done.

MR. JASO: Okay.

MS. GLADING: I wonder if we could take a short break.

MR. JASO: Sure.

Off the record.

(Off the record)

HEARING REPORTER: On the record.

MS. GLADING: I just would like to ask you in this period that you've described in early February on the 2nd, the 3rd -- a meeting on the 3rd -- on the 4th-- Was there any sense-- Did you sense any increased urgency at this point in time to the completion of your work -- with the work that you were undertaking?

LIEUTENANT SACHETTI: It was never described to me by any of the colonels that that was the intent. Judging from the fact that, as you just pointed out, we had meetings one right after the next there, I would imagine there was something going on there. I wasn't privy to exactly what it was.

MS. GLADING: In retrospect, have you put any pieces together and figured out what it was?

LIEUTENANT SACHETTI: I have opinions, of which I'm not going to get into one opinion here -- while I'm here today.

MS. GLADING: Beg your pardon?

LIEUTENANT SACHETTI: I have opinions, but I'm not here to testify about what my opinions are about anything. I'm here to testify about facts that I have knowledge of, and I'm not going to get into any opinions. So I wouldn't offer an opinion on that.

MS. GLADING: Okay.

We were, I guess, on the 24th -- a meeting with Dunlop -- who asked you to prepare a Phase III update--

LIEUTENANT SACHETTI: Okay.

MS. GLADING: --for Mr. Zoubek.

LIEUTENANT SACHETTI: On March the 2nd, I was asked to attend a meeting with Colonel Dunlop, Major McPartland, and several other

Intelligence Section personnel in Colonel Dunlop's office. The purpose of that meeting was to discuss a racial composition survey that we had completed during my audit. One of the things that we had completed during the audit was all the troopers that we did examine for discrepancies. We also took the stops that they had conducted during that period of time and compiled a racial composition for each trooper, each squad, and each station.

MR. WHEELER: Who asked you? You said you were asked.

LIEUTENANT SACHETTI: Colonel Dunlop asked me to attend this meeting that he was chairing with Major McPartland, who was the Intelligence Services Section supervisor, and several other Intelligence Service Section individuals that were there.

On March the 8th of '99, the Newark audit began.

On March 15th, the new personnel assigned to the Staff Inspection Unit reported for duty.

On March 24th, I generated an interoffice communication regarding an update.

On April the 6th, Phase I of Newark was completed. I met with Colonel Dunlop, at which time it was discussed where were going to go with the Phase III audit. And also discussed during that time was the discontinuation of Phase III. We had discontinued Phase III once the Newark audit began, because they wanted to complete the Newark audit and allocate the personnel that were previously working on Phase III at Cranbury-- We moved them over to Phase I and II of Newark so that we could complete that.

MS. GLADING: If I could give you a document.

Do you have that one handy, Eric?

MR. JASO: Which one?

MS. GLADING: GC-5974 to 5975?

MR. JASO: I don't think so. Oh, yes, here we are.

Oh, no. This is OAG-5974.

MS. GLADING: Oh, my mistake. Sorry. OAG--

MR. JASO: It is OAG-- Okay.

MS. GLADING: Can you tell us what that document is?

LIEUTENANT SACHETTI: That's an update of the Troop D audit sent to Major Mattos through my captain, Roy VanTassell, the date of which is April the 5th of 1999.

MS. GLADING: Okay. You had just testified that on the 6th you met with Colonel Dunlop and discussed the discontinuation of Phase III in Cranbury in order to complete--

LIEUTENANT SACHETTI: Right.

MS. GLADING: --Phase II of Newark. Is that correct?

LIEUTENANT SACHETTI: Phase I and II.

MS. GLADING: Phase I and II. Okay.

Thank you.

MR. JASO: Go ahead.

LIEUTENANT SACHETTI: Okay. I'm sorry.

On April the 14th, I generated an interoffice communication. I was requesting, at that time, personnel that were assigned to me on this detachment since the original date be sent back to their original assignments. We still had the personnel if we were going to continue with whatever phases we were going to continue to complete that task. But as I had testified earlier

about, I was concerned with individuals losing out on promotions, reassignments, and things of this nature, because by now, they had been detached to me almost a full year. And my concern was that these individuals that were detached to me would more or less be forgotten by the units in which they had come from and any consideration for promotion or better assignments would be given to personnel that are presently assigned there. That was denied.

MS. GLADING: By whom?

LIEUTENANT SACHETTI: I got the word from Captain VanTassell, but I don't have any idea who it came from.

MS. GLADING: Did it come to you in writing or verbally?

LIEUTENANT SACHETTI: It came to me, more or less, in those words. Denied. More or less like, "That IOC you sent-- It's denied."

MR. JASO: How long after you sent the memo did you get the feedback?

LIEUTENANT SACHETTI: That I don't recall. I know that that's when I generated the IOC -- would have been on the 14th, but I don't think it was too long after that.

MR. JASO: Did you ask why?

LIEUTENANT SACHETTI: I don't recall if I did or I didn't. I probably argued about it in the most subordinate way that I could, but I don't recall the exact circumstances of that discussion. No.

ASSISTANT ATTORNEY GENERAL ACCURSO: I think that's known as whine.

LIEUTENANT SACHETTI: I'm sure he referred to it as-- He probably

has me down as a lot of whining during the period of time that we were together for this.

April the 19th, I met with Colonel Fedorko. We discussed the same types of issues, as far as we were going to go with this, the fact that Phase III is still on hold and that if we were going to conduct an audit -- Phase III of the entire Pike, that it would probably take a year and a half to two years to complete.

MS. GLADING: From that date?

LIEUTENANT SACHETTI: Yes, just because of what I had testified to earlier about the return rate we were getting, and how it was incumbent upon us that we plugged in other numbers for individuals that were not responding to our survey.

That was my concern at the time -- was that this thing could just drag on for years and years with us never getting to the bottom of what it is we're looking for.

MS. GLADING: What were you looking for at this point?

LIEUTENANT SACHETTI: Attempting to find out if troopers on the Turnpike -- by now, all three stations -- were practicing race-based wrongdoing.

MS. GLADING: Was it your recommendation that Newark be added?

LIEUTENANT SACHETTI: It was never my recommendation that anybody should be added. It was always my request for guidance as to where we're going to go. All I wanted-- I would have done whatever they wanted me to do; I just wanted some guidance as to where we were going to go. And by now, we were starting to get into that phase that I had testified about earlier, where I have guys standing by awaiting for further direction. And I could see

that coming, and I didn't want to get into a situation where I had these guys standing by.

MS. GLADING: And this was because Phase II was complete in Newark.

LIEUTENANT SACHETTI: Phase II-- I don't know that Phase II-- I have April the 6th -- Phase I of Newark is completed. So we're still doing Phase II. But all Phase II is, is telephonic interviews. And we have more than enough personnel to accomplish that task.

MS. GLADING: And then once those -- the people you don't reach -- they drop off in Phase II-- So Phase III-- You needed to know Phase-- I don't want to put words in your mouth, but did you need to know that Phase III was going to start afterwards?

LIEUTENANT SACHETTI: If it was going to start for either Moorestown or Newark, or we were going to go back and complete Phase III of Cranbury, because we had never completed that? That was personnel work -- taken off of that detail and placed onto the Newark detail.

MR. JASO: I think you had said that the main reason that it was taking so long or would take so long to complete Phase III was that there had to be some sort of a minimum good sample.

LIEUTENANT SACHETTI: Yes.

MR. JASO: Did you ever go back to Eco-Stat and say, "Is there any more efficient way to do this?"

LIEUTENANT SACHETTI: No, because I was very satisfied, as was everyone in the chain of command that met with the Eco-Stat people, that this methodology that they had determined for us would be appropriate, and we

just stuck with that. I couldn't see how they could have varied. They were so insistent that you needed -- because they actually had a breakdown by number. If it was 250 to 300 stops, you needed to interview this amount of people. If it was 200 to 249 stops, this amount. And how we-- It was determined that-- I was pretty comfortable with their methodology.

MS. GLADING: You indicated, and it's a pretty recent meeting to this date, that, at the 2/8 meeting, that Gilbert was in attendance.

LIEUTENANT SACHETTI: I'm sorry.

MS. GLADING: That Sergeant Gilbert was in attendance.

LIEUTENANT SACHETTI: Yes.

MS. GLADING: That's the, unless I missed it-- That was the only time I heard that Sergeant Gilbert was in one of these meetings.

LIEUTENANT SACHETTI: That I recall.

MS. GLADING: Do you recall why he was there -- what his involvement was?

LIEUTENANT SACHETTI: No idea. I have no idea.

MS. GLADING: Okay.

LIEUTENANT SACHETTI: On April 22nd, I met with Fedorko, Dunlop, Volkman, and VanTassell, and several members of IAB, in reference to a periodic update.

On May the 4th of '99, I was required to give a presentation for every division member, rank of captain and above, in the log cabin as far as what the audit revealed -- basically in a methodology for the audit and what we had found at that point.

MR. JASO: That was May what?

LIEUTENANT SACHETTI: May the 4th.

MR. JASO: What's the log cabin?

LIEUTENANT SACHETTI: It's an annex attached to the State Police Museum on Division headquarters property.

MR. JASO: And there was a presentation to all above the rank of captain.

LIEUTENANT SACHETTI: Captains and above. I gave a presentation on that date. Sergeant First Class Steve Serrao gave a presentation on that date, and Colonel Fedorko spoke to the captains and above at that meeting also.

MR. JASO: Who directed you to prepare that presentation?

LIEUTENANT SACHETTI: If I recall correctly, Colonel Dunlop.

MR. JASO: Did you discuss with him, or with anyone else, the substance of what was going to go into that presentation?

LIEUTENANT SACHETTI: I don't recall that I did. I think it was just prepare a summation for the captains and above and give it on whatever date I described.

MR. JASO: May 4th.

LIEUTENANT SACHETTI: May 4th.

MR. JASO: To your knowledge, was this the first time that some of these folks had heard about this -- these results?

LIEUTENANT SACHETTI: I know it was.

MR. JASO: How do you know?

LIEUTENANT SACHETTI: Judging by conversations I had subsequent to that briefing.

MR. JASO: And what were those conversations?

LIEUTENANT SACHETTI: A lot of guys were surprised at some of these administrative violations. There was a lot of offering of advice as to what we could do to correct some of these administrative violations that I had talked about earlier that as police managers, we should certainly be concerned with. So I know that was the first time that they had heard of some of these types of issues.

MR. JASO: So your presentation dealt solely with administrative-type violations?

LIEUTENANT SACHETTI: No, no. It dealt with all types of violations that we had uncovered in general without specifically saying Trooper A, Trooper B, Trooper C. These are the types of things that we found. We found that troopers are leaving early. We found that we have problems with our warning program. We have-- For some reason, they're not abiding by the SOP that requires them to call in their stops, things along these lines. And I also spoke about, you know, everything in general -- what the audit had revealed.

MR. JASO: What did you present about the racial profiling issue?

LIEUTENANT SACHETTI: It wasn't termed racial profiling. It was termed -- that last IOC that you had given me -- racial discrepancies. What I would do during my presentation was go through these types of categories. Here's what we found. We found a number of troopers that have what appears to be searches that were undocumented, warnings that were not issued, right on down according to this -- same types of categories that are contained on the April 5th interoffice communication.

MR. JASO: Did the information that went into the April 5th memo--

Was that information incorporated, in part or in whole, into your presentation?

LIEUTENANT SACHETTI: Yes.

MR. JASO: And did anyone in attendance express surprise at the racial discrepancies information afterwards?

LIEUTENANT SACHETTI: I think there-- I don't recall specifically, because I think that the number at the time was so small of racial discrepancies that we had uncovered -- that it was more concerned with -- more or less why aren't these guys getting the message about calling in their stops. And the 10-hour day comes up again with troopers leaving early, these types of issues.

MR. JASO: Did anyone express any surprise why the numbers were so small?

LIEUTENANT SACHETTI: I don't recall.

MR. JASO: So the only surprise that you remember -- or reaction to the presentation was with regard to the administrative violations--

LIEUTENANT SACHETTI: Because out of all the discrepancies that we found, the overwhelming majority were these types of administrative violations that have absolutely nothing to do with race.

MR. JASO: The call-- Did you-- Was it in your mind, at that time-- Let me rephrase the question. Did you consider the failure of officers to call in their stops unrelated to the racial issue?

LIEUTENANT SACHETTI: Did I consider it?

MR. JASO: Hmm.

LIEUTENANT SACHETTI: I considered it in relation to the racial issue. Why I wanted to put such a big emphasis, initially, on troopers not

calling in their stops, was that I wanted to find out, by way of the interview process, if the reason they're not calling in their stops is because they're trying to hide the fact that they're stopping a disproportionate amount of minority motorists. I never revealed that. It revealed quite the opposite -- that for the numbers of individuals who were identified as discrepancies for stops not called in, overwhelmingly, when we interviewed these people, they were white. So I could never show that the reason that troopers were not calling in their stops had anything to do with race.

MR. JASO: When you say interviewed these people, you mean the individuals that they stopped.

LIEUTENANT SACHETTI: Individuals that were stopped by these troopers, both in Phase II and Phase III of our audit, both randomly and for these large numbers of discrepancies.

MS. GLADING: In the cases of specific troopers, were there any troopers in which you found that was not the case and the number of motorists were overwhelmingly black when they had been identified as white--

LIEUTENANT SACHETTI: No.

MS. GLADING: --were not called in at all.

LIEUTENANT SACHETTI: No.

We identified, through this whole audit, 42 racial-- Let me break this down first. We classified two separate types of racial issues, strictly on identification of race. One was a trooper calls in a race being, let's just say, white male. We now contact this individual. This individual tells us over the phone that he's a minority. So we term that a racial difference, meaning that it's called in one race, identified through interview as being another race. Now,

keep in mind, at the time frame that this audit encompasses, troopers were not required to correct the race of individuals that they stopped. So, if it was an honest mistake -- that this trooper just called in white male, and when he went up to the car, he now saw that this was, in fact, was a minority male, he was under no obligation to correct that by way of radio. And also significant was the fact that we were not requiring troops, at that time, to make a notation on their patrol chart of the race of these motorists.

Now, to step back a minute, I was terming these call-in -- interview reveals -- call in one race, interview reveals another race as a racial difference. What I was describing as a racial discrepancy-- Some troopers did make notations on their patrol charts for race of individuals, even though they weren't required to. Some squad sergeants made their men do that. If his patrol chart indicated it was one race, and our interview indicated that it was another race, I termed that a racial discrepancy, because in most cases -- and we never have interviewed these troopers yet for these specific cases, because it's still ongoing -- in most cases, troopers make the entry on their patrol chart after the stop.

Now, to step back, adding racial differences and racial discrepancies together, there's a total of 42 of those identified. Those 42 were committed by 29 different troopers. So, for the most part, most of the troopers that are committing this type of a violation committed one offense in a four-month period.

MS. GLADING: Go back over the numbers. You said there were 42 identified.

LIEUTENANT SACHETTI: Yes.

MS. GLADING: And of those, how many were committed by-- You said something right after that.

LIEUTENANT SACHETTI: Twenty-nine troopers committed these 42 differences and discrepancies.

MS. GLADING: And I assume that that 42 and 29 -- that those numbers include Troopers Hogan and Kenna.

LIEUTENANT SACHETTI: No.

MS. GLADING: I'm not sure I understand the process you went through then and why it wouldn't include them.

LIEUTENANT SACHETTI: That was a separate entity. There were two separate investigations going on. There was my audit, and there was another investigation being conducted on those two troopers.

MS. GLADING: Just those two troopers, is that correct?

LIEUTENANT SACHETTI: No, there were two other troopers that had ridden with these two troopers during the time frame. They were also investigated during that period of time.

MR. JASO: Okay. Let's resume your chronology.

LIEUTENANT SACHETTI: Okay.

May the 20th, I met with Colonel Dunlop in an informal setting. I asked him for some direction, as far as where we were going to go with this audit. He advised me that the decision was not his, that it was in the hands of the AG's Office.

MR. JASO: When you say informal setting, what do you mean by that?

LIEUTENANT SACHETTI: We were working out in the gym together.

MR. JASO: You worked out back then, I guess.

LIEUTENANT SACHETTI: Yeah. I sort of worked out my entire life. Was that a shot?

May 24th, I generated an interoffice communication to Colonel Dunbar -- I'm sorry, to Colonel Fedorko in reference to returning these personnel to their original assignments. Colonel Fedorko returned that IOC to me and stated that he wanted more on it, more reasons why we should. I then generated a subsequent IOC with more information on it.

MS. GLADING: The same day?

LIEUTENANT SACHETTI: Probably the same day or the following day.

On June the 2nd, Colonel Fedorko requests, from me, a synopsis on Newark Station, advising me that before a decision to terminate this audit could be made, he needed to see that. I generated an IOC to him updating him on everything.

MR. JASO: Who requested that again?

LIEUTENANT SACHETTI: Colonel Fedorko.

Once again, that same situation that I described earlier-- We had personnel sitting around waiting for direction as to where we could go with this. I couldn't see where we were going with this thing. We just had these personnel sitting around. If a need was established for us to continue this, we could assemble another group of individuals tomorrow if we needed to do that.

Our return rate was really low. The guys I had answering the phones were getting two, three, four responses a day. And I had these numbers of guys just sitting around. So, on June the 10th, a decision was made, and the detail was terminated. Everyone was sent back to their original assignments.

MS. GLADING: What do you know about that decision?

LIEUTENANT SACHETTI: Tomorrow everybody gets sent back to their original assignments.

MS. GLADING: Who told you that?

LIEUTENANT SACHETTI: Colonel Fedorko. Then I heard it through Major Mattos. Then it was-- All right. That'll be done. Get the word to them, and they were sent back to their original assignments.

MS. GLADING: Were you given a reason?

LIEUTENANT SACHETTI: No.

MR. JASO: What date again? I'm sorry.

LIEUTENANT SACHETTI: June the 10th.

MS. GLADING: Did you ask for a reason?

LIEUTENANT SACHETTI: I don't-- You know, it's an order I'll-- If it's -- not in this for a reason.

Once again, on September the 9th, I met Colonel Dunlop at the same type of informal setting. I inquired as to-- The original intent was for me to complete a final report identifying all these administrative violations. I assume determination would be made as to, as a result of my final report, who would have internal investigations initiated against them. Whether it was going to be all-- This was the ongoing discussion as to all, some, none, lying in the sand, and the consent decree. You know, everything that was happening at that period of time. It was uncertain what was going to happen. I asked Colonel Dunlop if he needed a report from me on September the 9th. He advised that he did not.

MR. JASO: And when you say a report, you mean a final report?

LIEUTENANT SACHETTI: A final report was along the lines of what I submitted in the fall of last year.

MR. JASO: Last year meaning?

LIEUTENANT SACHETTI: I'll give you the exact date: October of 2000.

MR. JASO: Okay.

LIEUTENANT SACHETTI: Everything--

MR. JASO: Had you-- I'm sorry to interrupt. Did you go back to-- Were you reassigned after the detail terminated?

LIEUTENANT SACHETTI: I never was-- I was detached. I supervised the audit. As a result of all the personnel coming in on March the 15th, I now -- my full-time job was supervising the personnel assigned to go out and do inspections every day. Also, as a result of some of the problems that we uncovered since that time, a lot of the methods in which we inspect have changed. I don't know if you want me to get into that or not.

MR. JASO: I don't think that's necessary.

LIEUTENANT SACHETTI: Okay.

DEPUTY ATTORNEY GENERAL FLANAGAN: Can we have a minute?

MR. JASO: We can-- The record can reflect that Ms. Accurso has left the room.

LIEUTENANT SACHETTI: All right. The rest of the stuff has nothing to do with the Troop D audit, other than in the fall of last year, as I've testified earlier, I was required to submit a rough copy of a final report to determine who would have internal investigations initiated against them.

MS. GLADING: What was the date of that?

LIEUTENANT SACHETTI: October the 10th. I first met-- I could sense it was-- It started to come about October the 3rd. I received an E-mail from Major Brennan that he wanted me to attend a meeting.

MS. GLADING: I'm sorry. You received an E-mail from whom?

LIEUTENANT SACHETTI: Major Brennan.

MS. GLADING: On the 3rd?

LIEUTENANT SACHETTI: On the 3rd. That he wanted me to attend a meeting on the 5th to discuss the Troop D audit. This is the 5th of 2000. So about a year had gone by. That meeting was canceled, and subsequently, we met on the 10th.

MS. GLADING: With whom?

LIEUTENANT SACHETTI: With Mamta Patel, Chief Dorn (phonetic spelling), who is the Internal Affairs Investigations Bureau chief, Major Brennan, and Lieutenant Meddis. And as a result of that meeting, internal investigations were presently being conducted on those members identified.

MS. GLADING: Why was Brennan there and not at the earlier meetings?

LIEUTENANT SACHETTI: He wasn't in the loop. And Brennan didn't come aboard until the Office of Professional Standards was created, in which Brennan was given the task of being the supervisor.

MS. GLADING: He was at the academy, I guess, at that point, while you were doing this work.

LIEUTENANT SACHETTI: Academy or he -- academy. Yeah, it would have been academy. And that's it.

MR. JASO: Do you-- Do you keep detailed personal notes of all of your activities?

LIEUTENANT SACHETTI: I don't know detailed. I keep notes of all my personnel activities, what my personnel are doing on a daily basis, things along these lines.

MR. JASO: Well, the notes that you've just gone through that you've, I guess, put into a document, has it been your practice throughout your career or during this part of your career to keep these types of notes -- of the types that you've been going through -- with regard to your activities?

LIEUTENANT SACHETTI: No.

MR. JASO: And why is it that you kept these notes in particular?

LIEUTENANT SACHETTI: I sensed from the beginning that this thing would be unlike anything that I had ever been tasked to perform in my career, and I felt that I'd better keep some type of an accurate accounting of what had taken place in the event that a forum, such as we're sitting at right now, came up three years later and I was sitting in it.

MR. JASO: Did you tell anyone that you were keeping these notes?

LIEUTENANT SACHETTI: I don't know that I ever did. Maybe someone in the office who worked with me on a daily basis would be aware of it.

MR. JASO: Did you keep the notes in the office in your desk or at home?

LIEUTENANT SACHETTI: I kept them on the computer in the office.

MR. JASO: So they are computerized notes, not handwritten notes?

LIEUTENANT SACHETTI: Right.

MS. GLADING: Did you keep any notes or files at home on this matter?

LIEUTENANT SACHETTI: You know, I have a copy of this now at home -- what I've generated.

MR. JASO: Were you concerned about some sort of personal negative repercussions?

LIEUTENANT SACHETTI: I was concerned about just why I went out and got this list of notes. I was concerned about, at some later date, someone questioning me about any aspect of what I was tasked to do, and I didn't want it to appear that I was hiding something or that I was unsure of dates or what had actually occurred. That's why I kept these notes.

MS. GLADING: The maintenance of these notes-- What-- I mean, at a certain point last summer, I guess the Division of State Police was asked to gather up any documents related to racial profiling. Were you asked to gather documents?

LIEUTENANT SACHETTI: Yes.

MS. GLADING: Did you provide these notes?

LIEUTENANT SACHETTI: No, because these were notes-- There was a lot of notes unrelated to the audit that had to do with, like I said, personnel matters on a daily basis. If I had personnel assigned that I thought I needed documentation as to their shortcomings, that I felt I needed to document this so on their six-month evaluation I could refer to it, these types of notes were also kept in this log and continued to be kept in this log.

MS. GLADING: Did you discuss with anyone about whether you ought to provide it?

LIEUTENANT SACHETTI: No, because I felt these were just -- had nothing to do with the audit. Everything that I did for the audit was provided.

MS. GLADING: In looking over, and I couldn't tell you for sure without counting it up, but it looks as though you met with Fedorko alone more frequently than you met with Dunlop on the audit. Is that your sense?

LIEUTENANT SACHETTI: I probably would have, because Fedorko was in my chain of command.

MS. GLADING: You had mentioned that you had spoken with Dunlop once on the phone from home. Did that happen frequently?

LIEUTENANT SACHETTI: He called me several times.

MS. GLADING: What would he want to discuss?

LIEUTENANT SACHETTI: Where at the progress-- What was going on.

MS. GLADING: How about Colonel Fedorko? Did he ever--

LIEUTENANT SACHETTI: No, he never called me at home.

MS. GLADING: Okay.

MR. JASO: Did he ever call you at home about anything but this?

LIEUTENANT SACHETTI: We may have talked about working out or something like that. I've known Colonel Dunlop since I was a recruit in 1974.

MR. JASO: Are you social friends with him as well?

LIEUTENANT SACHETTI: Not social friends. As a matter of fact, I've never shared a beer with him, but I've remained friends with him over the years.

MR. JASO: Let me show you this document. Actually, there are two documents, but I--

MS. GLADING: Can I just go back to the time line for a second, Eric?

MR. JASO: Sure, go ahead.

MS. GLADING: The-- Some of the meetings are in much smaller groups than others. You know, in some meetings it sounds like there's seven or eight people, and in others it's just three or four. Why would that-- What would account for that?

LIEUTENANT SACHETTI: I don't know. I didn't invite these additional people to go there. So I would-- I could guess why they were there. There may be issues that they were discussing. A name that popped up on a couple of the meetings, Keith Vuono, he was assigned to the Administrative Internal Proceedings Unit. If we were to going to brief Colonel Fedorko as far as progress the whole Bureau was making, there may be no discipline matters coming up that Vuono would have to attend. Maybe I mentioned Eddie Dunna (phonetic spelling), but I don't know his sergeant. I may or may not have mentioned him, Delant (phonetic spelling). They were working on reforms mandated by the interim and final reports. So they may have come along to these meetings to talk about how we're making out with some of these reforms that they were tasked to implement. May-- I don't know. They may have been, "Hey, why don't you come on upstairs with us for the meeting?" I don't know. I didn't invite them.

MS. GLADING: Who was convening the meetings?

LIEUTENANT SACHETTI: Colonel Fedorko. They were in Colonel Fedorko-- The IAB meetings were convened in Colonel Fedorko's office.

If you go through that, I say weekly IAB meetings. Some meetings, as you notice, it isn't weekly. I didn't attend. So it may not have been an update of Troop D being discussed at a meeting. Maybe there was something else that they needed to get into. Somebody was going to be suspended and that was urgent, and they needed to just talk specifically about that.

MS. GLADING: When you-- When you had the meeting in the log cabin on May 4th--

LIEUTENANT SACHETTI: Yes.

MS. GLADING: --of '99, was there discussion in talking with troopers afterwards about the indictment -- the recent indictment of Troopers Hogan and Kenna?

LIEUTENANT SACHETTI: Had they been indicted at that point?

MS. GLADING: On the records falsification, I think they had.

LIEUTENANT SACHETTI: I don't know. I don't know that they had been indicted at that point. I can't say right now, and I don't recall any conversation about it.

MS. GLADING: Okay. Did you ever get a sense in talking with people in -- with your colleagues around the state, as you did this work -- that there was a -- that there was a sense out in the community of State Police of -- that there -- of what the agenda was behind the work you were doing? Maybe I haven't said it that clearly.

LIEUTENANT SACHETTI: I don't have an idea of what you're talking about.

MS. GLADING: Did you ever-- Did people ever discuss with you what they thought the motives were--

LIEUTENANT SACHETTI: For what I was doing?

MS. GLADING: --behind the Troop D audit?

LIEUTENANT SACHETTI: No.

MS. GLADING: Was-- Did anyone ever discuss with you their views about the fairness or unfairness of this kind of an audit?

LIEUTENANT SACHETTI: That I was performing? No.

MS. GLADING: Just to clarify the-- The break that, in what you've accounted for us, from September 9th of '98 when you asked -- of '99 -- when you asked Colonel Dunlop if he wanted a final report September 9th--

LIEUTENANT SACHETTI: Right.

MS. GLADING: --to October 10th, the fall of last year, we're talking about a period of more than a year there, right? Is that correct?

LIEUTENANT SACHETTI: Yes.

MS. GLADING: Thank you.

MR. JASO: You had said that you had continued to ask Dunlop and others -- Fedorko, I guess -- whether they wanted a final report periodically over time. Was there some sense in your mind that if a final report, and correct me if I'm not mistaken or correct me if I am mistaken-- I think you might have mentioned before that in the process of conducting these audits you had some concerns that if it was not as broad as possible that some individuals would be accused and/or punished unfairly, whereas others would -- others who had committed wrongdoing of some type, administrative or otherwise, would not be held accountable. Is that correct?

LIEUTENANT SACHETTI: I don't-- I'm not comfortable with your characterization--

MR. JASO: Okay, well--

LIEUTENANT SACHETTI: My characterization would be, just as I stated earlier, if through an internal investigation a trooper receives discipline for any violation, if it's one which he does all the time-- Troopers receive and have received discipline for not calling in one stop, for example. Leaving early, getting caught leaving early -- they have received discipline for these matters. I felt that, in fairness to those individuals, all individuals identified in the audit had to be disciplined or nothing. I didn't want to get into a situation where you were coming up with percentiles. Okay. If we have, just say for sake of argument, everybody with over 20 stops not called in, we'll do an internal investigation on him, and he's going to be severely disciplined. The guy that has 19 gets a free ride. I didn't want to get into one of those situations.

MR. JASO: Was that opinion on your part the motivating factor or a motivating factor for you going -- continuing to go back to your superiors and ask them whether they wanted a final report?

LIEUTENANT SACHETTI: Or at least where we're going to go with this thing. This thing is dead. Is that the end of it? It just dies a death? And that would be -- that was my motivation. I wanted to know where we were going to go with it, what was going to happen, in fairness to these troopers previously that had been disciplined for one of these types of offenses. MS

GLADING: In August of 1999, when the Attorney General's Office closed the cases on 10 State Troopers who were suspected of falsifying records and referred the matter back to the Division for internal handling, Attorney General Farmer -- no, it was still Attorney General Verniero-- Did you-- Were you aware of that?

LIEUTENANT SACHETTI: Yes, I was aware of that.

MS. GLADING: Did you speak with anyone in the Division about that?

LIEUTENANT SACHETTI: Yes.

MS. GLADING: Who did you talk with?

LIEUTENANT SACHETTI: I may have talked to other coworkers about it.

MS. GLADING: Did you speak with superiors about it?

LIEUTENANT SACHETTI: I don't know that I spoke with superiors about it, no.

MS. GLADING: Do you remember discussing it -- any of your superiors discussing it with you? Colonel Dunlop or Fedorko?

LIEUTENANT SACHETTI: Specifically, I couldn't point to a specific date and say this conversation took place and it encompassed that, but, yes, I would say that we all talked about it.

MS. GLADING: What was your sense of the views of your superiors about that?

LIEUTENANT SACHETTI: What was my sense of--

MS. GLADING: The views of your-- The views your superiors held about that decision? Had they made that decision?

LIEUTENANT SACHETTI: No, I don't think-- No. They didn't make that decision. I don't-- The Attorney General's Office made the decision. That's my understanding. My understanding is that these internal investigations, when completed, were sent to the Attorney General's Office for review and sent back, no criminal action and that they would pursue-- It was up to internal affairs to pursue administrative action against these troopers.

MS. GLADING: Okay. And these 10 troopers-- Were these the people who were within those numbers we discussed before -- the 42--

LIEUTENANT SACHETTI: Yes.

MS. GLADING: --and 29 troopers?

LIEUTENANT SACHETTI: Yes.

MS. GLADING: So these 10 were among the 29?

LIEUTENANT SACHETTI: Yes.

MS. GLADING: Were they somehow more serious than the remaining?

LIEUTENANT SACHETTI: In someone's estimation.

MS. GLADING: Do you know whose estimation?

LIEUTENANT SACHETTI: Captain VanTassell's. He authored the 251. He authored the internal complaint form against these individual troopers.

MS. GLADING: The internal complaint form?

LIEUTENANT SACHETTI: That's a 251, yes.

MS. GLADING: What got these cases to the Office of the Attorney General? How did that happen?

LIEUTENANT SACHETTI: Investigations were conducted, they were completed, and they were sent down there.

MS. GLADING: Was that their normal course for this kind of an incident and this kind of an investigation?

LIEUTENANT SACHETTI: It's a normal course for a lot of-- If I'm not-- I'm not in that shop, so I don't know the exact routing of their jobs. But in my understanding, I think all jobs get sent to the Attorney General's Office for review. I'm not sure. I'm not in investigations, so I don't know.

MS. GLADING: Did you think that was an appropriate decision at the time?

LIEUTENANT SACHETTI: To send it down there for review?

MS. GLADING: For it to be closed and sent back for internal affairs?

LIEUTENANT SACHETTI: That's an opinion. I'm not going to give an opinion.

MS. GLADING: Did it seem to comport with other -- with the way other cases you knew of had been handled?

LIEUTENANT SACHETTI: I don't know of that. We never did anything of this type before, so there's nothing to compare it against.

MS. GLADING: Well, if an isolated trooper had--

LIEUTENANT SACHETTI: Well, it would only be one stop. See, to send downtown an internal investigation where a trooper didn't stop or didn't call in 80 stops over a four-month period, there was nothing to compare that with, because that particular category of wrongdoing -- had been identified in the past in an internal investigation -- would have been one instance.

MS. GLADING: Okay.

LIEUTENANT SACHETTI: Okay. You know, it wouldn't be 80 complainants calling in about a trooper, and as a result of these 80 complainants calling in, we now know that this trooper didn't call in 80 of the stops.

MS. GLADING: Did-- Where do you draw the number 80 from?

LIEUTENANT SACHETTI: That may have been the high.

MS. GLADING: The high of?

LIEUTENANT SACHETTI: Of the troopers not calling in their stops.

MS. GLADING: Of the people you looked at?

LIEUTENANT SACHETTI: Yes.

MS. GLADING: Okay. I really didn't understand the numbers you gave me earlier, maybe.

LIEUTENANT SACHETTI: By 80, I mean one trooper--

MS. GLADING: One trooper?

LIEUTENANT SACHETTI: --failed to call in 80 stops.

MS. GLADING: Okay. That's a separate number from racial discrepancies and differences?

LIEUTENANT SACHETTI: Oh, yeah. It's not calling in stops. That's his only offense. He failed to abide by the SOP mandating him to call in his stop.

MS. GLADING: So 80 would be the high for these 10 troopers?

LIEUTENANT SACHETTI: It was in-- Yeah. It was in the 80s. It think it was 83, something like that.

MS. GLADING: It was a big job you undertook.

MR. JASO: So were you saying, then, is that this was the first time that there was sort of aggregate information over multiple stops, multiple months, per trooper?

LIEUTENANT SACHETTI: As far as I know in the history of the Division.

MR. JASO: So I don't know if you -- forgive me if I didn't hear your answer -- but I think that Ms. Glading had asked you what was your sense of your superior's reaction to this decision to close these cases and refer them back to the Division?

LIEUTENANT SACHETTI: What was their sense of?

MR. JASO: What was their reaction to that decision?

LIEUTENANT SACHETTI: Just that here -- and here it was.

MR. JASO: Was it positive, negative, indifferent?

LIEUTENANT SACHETTI: I think there were mixed opinions.

MR. JASO: Do you remember anyone's opinion in particular?

LIEUTENANT SACHETTI: Not specifically, no. I wouldn't point to one individual, no.

MR. JASO: How about among your colleagues?

LIEUTENANT SACHETTI: Same thing. Like I say, like I had testified to earlier, I recall that we all spoke about it, but I couldn't identify sergeant this, lieutenant captain this, said the following. You know, everyone had different opinions about it. It was what it was. We take our orders from the Attorney General's Office. If that's what they decided to do, the troopers followed their orders, and they go from there. And that's the way it should -- it was viewed.

MS. GLADING: When you--

LIEUTENANT SACHETTI: You're entitled to personal opinions, and that's just what they are is personal opinions.

MR. JASO: But there was no-- The opinions were so diverse then that there was no agreement of opinion among, say, a majority of the people you talked to?

LIEUTENANT SACHETTI: Some felt along some lines. Some felt along other lines.

MR. JASO: Was it an issue of dispute?

LIEUTENANT SACHETTI: What? Where troopers would actually argue about it?

MR. JASO: Well, not argue, but, I mean, was there any kind of a tension created between the opinions of the various troopers?

LIEUTENANT SACHETTI: No.

MS. GLADING: When you met with Colonel Dunlop informally on the 9th of September, 1999, I think you said it was in the gym?

LIEUTENANT SACHETTI: Okay.

MS. GLADING: You asked him if he wanted a report, a final report, from you?

LIEUTENANT SACHETTI: I'm sorry.

MS. GLADING: You asked him if he wanted a report from you?

LIEUTENANT SACHETTI: Yeah. Once again, I asked him would -- should I be completing a report now that everything's over.

MS. GLADING: This was on September 9th, 1999. Is that correct?

LIEUTENANT SACHETTI: Yes.

MS. GLADING: Did you discuss at all the fact that two days earlier the grand jury had indicted Troopers Hogan and Kenna?

LIEUTENANT SACHETTI: I'm sure we did, but I don't recall the circumstances of that discussion. If that's the case, I don't know that it-- Was it two days before?

MS. GLADING: It was on the 7th.

LIEUTENANT SACHETTI: Okay. I'm sure we discussed it. I don't recall, you know, what the exact circumstances of the discussion was.

MS. GLADING: Do you recall if your discussion about completing the

report was asked in the context of the indictment?

LIEUTENANT SACHETTI: No. It wouldn't have been asked in that context.

MS. GLADING: Okay.

LIEUTENANT SACHETTI: It would be separate -- separate context.

MR. JASO: I'm going to show you this document. That's the synopsis. I've handed the witness a document, which is a synopsis of Troop D audit bearing Bates numbers D-1 through D-31.

LIEUTENANT SACHETTI: Okay.

MR. JASO: Do you recognize this?

LIEUTENANT SACHETTI: Yes, I do.

MR. JASO: What is it?

LIEUTENANT SACHETTI: It's a synopsis of Troop D audit completed by me.

MR. JASO: Looking through this document, can you identify when this was prepared?

LIEUTENANT SACHETTI: I can't.

MR. JASO: I think you had testified that at some point it was more of a rough draft and---

LIEUTENANT SACHETTI: I don't know if this is that document, though. You see, I can't definitively state that this document-- I would say, just judging by Page D-00002, Page 2, where I have on there Phase III of the Cranbury -- excuse me (coughs) -- Cranbury Station audit was initiated on December 14th, 1998 and has not yet been completed. So, obviously, it has to be subsequent to that, but exactly when I can't definitively state at which

point this synopsis would have been generated.

MR. JASO: I note--

LIEUTENANT SACHETTI: And I don't know that this is even-- I don't know that this is all one document that would have been submitted together. I don't know that.

MR. JASO: Okay. Well, if you look at--

LIEUTENANT SACHETTI: This may be three separate documents.

MR. JASO: Well, I don't know, because it was all produced altogether.

LIEUTENANT SACHETTI: Okay.

MR. JASO: So I'm hoping you'll be able to help me out. If you look at Page 2 at the bottom, it says attached is a racial composition by squad of all drivers stopped at the Moorestown and Cranbury Stations from January 1st, '98 to April 23, '98.

LIEUTENANT SACHETTI: Right.

MR. JASO: So it looks to me like some of these pages were attached at some point.

LIEUTENANT SACHETTI: Yes. I would imagine that these racial compositions from Moorestown and Cranbury were attached at that point.

MR. JASO: Okay. And then if you leaf past those and get to Page 17, it says Cranbury Station.

LIEUTENANT SACHETTI: Okay.

MR. JASO: Does this and the following pages seem to be part of the same original document?

LIEUTENANT SACHETTI: I don't know.

MR. JASO: Look at the last page. Do you-- Looks like your-- Well, is that your signature on the last page?

LIEUTENANT SACHETTI: Yes.

MR. JASO: Does that refresh your recollection as to whether you signed each and every version of this that you had prepared?

LIEUTENANT SACHETTI: All I would say that I signed, obviously, is what begins on 4017 through 4031. Like I said earlier, I don't know if this was all included in one update synopsis that was submitted or it was two or three. It could have been two, because obviously, the racial composition is referred to on Page 2, of the second page, of this first document. But I don't know whether or not this was submitted at the same time. It could be two separate times. I don't recall.

MR. JASO: But is this document or documents, which we can't tell which is which, I guess, is it fair -- is it appropriate to describe this as the synopsis that you were talking about before or parts of it?

LIEUTENANT SACHETTI: It's parts of it at different phases. You see, that's why I wouldn't get too hung up on anything that's contained in any of these reports, because even the racial composition was incomplete, because Newark Station is not included. And Newark Station was done. I can describe what I think the last document is, you know, if you want me to go there.

MR. JASO: Sure, that'd be--

LIEUTENANT SACHETTI: If I'm going to say it, I can state that this, obviously, is one document altogether.

MR. JASO: This being what?

LIEUTENANT SACHETTI: 00017 through 00031.

MR. JASO: Okay.

LIEUTENANT SACHETTI: I would think that these were the troopers that were identified that met the criteria established for Phase II interviews for Newark, or for Moorestown and Cranbury Stations.

MR. JASO: I note that on Page D-17, the first page of what we're looking at, at this point, describes that 17 troopers met a criteria established to warrant further investigation. And then skipping on, it says these criteria were established to determine the extent, if any, of race-based wrongdoing. What criteria were those? And if -- do they--

LIEUTENANT SACHETTI: For example, if I can go to--

MR. JASO: Yeah.

LIEUTENANT SACHETTI: --00018--

MR. JASO: Yes.

LIEUTENANT SACHETTI: --my preference would have been in the first trooper that's identified -- the 25 motor vehicles stops not listed on the radio log. Okay. I want to get into that to determine whether or not he's practicing any type of race-based wrongdoing. And when you get down into Phase II of the audit-revealed radio log, you have several in there where race is mentioned.

MR. JASO: Now, when you say you referred to the 25--

LIEUTENANT SACHETTI: See, what you have to step back to-- If I could step back for a second, Phase I-- All this paragraph on 00017--

MR. JASO: Yes.

LIEUTENANT SACHETTI: --is a description of what we did in Phase I and its purpose.

MR. JASO: Okay.

LIEUTENANT SACHETTI: Okay. So, by me including in there these criteria were established to determine the extent of any race-based wrongdoing-
- For Trooper 1 it would be, in Phase I, he had 25 motor vehicle stops.

MR. JASO: Not listed on the radio logs?

LIEUTENANT SACHETTI: Not listed on the radio logs. So I--

MR. JASO: And that--

LIEUTENANT SACHETTI: --wanted to see if the fact -- these -- are these 25 minority motorists that he stopped that he doesn't want anybody to know about.

MR. JASO: I understand. So this is what we were referring to as failure to call in a stop?

LIEUTENANT SACHETTI: Yes, sir.

MR. JASO: And--

LIEUTENANT SACHETTI: See, if I could for a second, not to interrupt you, but I prefer to list it as stop not listed on the radio log, because we haven't checked the tapes yet. Okay. If we check these 25 stops, there may be none, there may be one or two, three, four, five that were called in, but they still were not listed on the radio logs. So it needs further investigation.

MR. JASO: So you would check the radio logs for an annotation?

LIEUTENANT SACHETTI: Yes.

MR. JASO: And then you would also go back and listen to the tapes?

LIEUTENANT SACHETTI: We haven't done that. That's what I'm saying. When I talked about earlier how we just-- We didn't have--

MR. JASO: Was that a phase--

LIEUTENANT SACHETTI: This would have taken forever.

MR. JASO: That was a Phase III activity?

LIEUTENANT SACHETTI: No.

MR. JASO: Okay.

LIEUTENANT SACHETTI: That would be an internal investigation activity.

MR. JASO: Okay.

LIEUTENANT SACHETTI: Okay. Any of these discrepancies that were found would not rise to the level of proofs needed to discipline a trooper. This is just what I talked about earlier. We wanted to get a picture of everything. To prove that this trooper failed to call in 25 stops, that internal affairs investigator would now have to sit and listen to tapes for those 25 stops.

MS. GLADING: In Phase I of that portion of that document on D-00018, you -- it mentions 25 motor vehicle stops not listed on the radio logs--

LIEUTENANT SACHETTI: Right.

MS. GLADING: --statistical discrepancies involving 28 warnings missing and 8 summons missing. Are those additional and different kinds of record keeping problems or--

LIEUTENANT SACHETTI: Yes.

MS. GLADING: --potential discrepancies?

LIEUTENANT SACHETTI: Yes. That may be an area where we want to look at the supervisor.

MS. GLADING: Okay. And then you move to Phase II and you come up with a total of 55 discrepancies remain to be investigated. How have you weeded some out at this point?

LIEUTENANT SACHETTI: I'm sorry.

MS. GLADING: In Phase II--

LIEUTENANT SACHETTI: Right.

MS. GLADING: --I'm looking at B.

LIEUTENANT SACHETTI: Right.

MS. GLADING: It says a total of 55 discrepancies remained to be investigated. How have you weeded them out? From--

LIEUTENANT SACHETTI: Parking-- It's in there in parenthesis, parking summonses, aids to motorists, other non-self-generated contacts.

MS. GLADING: Okay.

LIEUTENANT SACHETTI: Now, there's two separate-- You'll see in the Paragraph small *a*, six were thrown out right from the beginning. Okay. During the course of *b, c, d, e, f*, as you go through all of these, it may come up again. As the individual investigator is doing his review, he may have determined that, "Oh, there's another parking ticket, so we're not going to include that," or, "There's another aid to motorist," things that are not self-generated. You know what I mean? You come upon a parked car that's just parked. You can't determine the race of the individual that left that car parked there. An aid to motorist we have no control over. We pull over to see if the individual needs assistance. We have no control over their ethnic background. So we wanted to eliminate them.

MR. JASO: So, just to clarify, going back to the radio logs, that was considered in the Phase I a criterion that could be a possible indicator of what you describe as race-based wrongdoing?

LIEUTENANT SACHETTI: Yes.

MR. JASO: But not a proof in and of itself?

LIEUTENANT SACHETTI: Correct.

MR. JASO: Then below you say -- below that sentence on 17, Page 17, you say, "Other areas of administrative violations will be noted and addressed in a final staff inspection report. Included among these administrative violations are discrepancies involving the activity reporting system (patrol logs, weekly activity sheets, statistical sheets, etc.)." And then it says that "certain troopers were -- exhibited possible discrepancies in this area."

LIEUTENANT SACHETTI: Right.

MR. JASO: It says, "These discrepancies were not addressed initially, as they would not be interpreted as being indicative of any 'race-based wrongdoing.'"

LIEUTENANT SACHETTI: Right.

MR. JASO: So these are what you, I guess, described before as purely administrative--

LIEUTENANT SACHETTI: Correct.

MR. JASO: --errors?

LIEUTENANT SACHETTI: Correct. Nah, I don't know errors.

MR. JASO: Or omissions?

LIEUTENANT SACHETTI: Okay.

MR. JASO: Is that right?

LIEUTENANT SACHETTI: Yes. If I could just throw one quick example out?

MR. JASO: Sure, please.

LIEUTENANT SACHETTI: Statistical discrepancies -- the squad

sergeant, on a monthly basis, is required to count the number of summonses and warnings, drunks, and arrests that every man on his squad has during that period of time in a month. We may have differences between -- if we just go to 18 -- statistical discrepancies involving 28 warnings and 8 summonses. So he may be getting credit for more than he's actually doing. So these would be the types of discrepancies that would have-- Unless you could explain to me otherwise, I can't see any race-based-type wrongdoing there. But as police managers, we still want to look into it, because it shouldn't be.

MR. JASO: So, in general, in conducting the audit, your initial focus was on what you call race-based wrongdoing. But in doing the audit simply by virtue of the thoroughness of the audit and the detail, you're going to sweep up a lot of other problems that are not necessarily indicia of race-based wrongdoing--

LIEUTENANT SACHETTI: Correct.

MR. JASO: --that you still felt obligated by your office to report as such?

LIEUTENANT SACHETTI: Correct.

MS. GLADING: Do you recall when the decision was made to refer the 10 cases downtown?

LIEUTENANT SACHETTI: No. That's out of my hands. That's Investigation Bureau.

MS. GLADING: Okay.

LIEUTENANT SACHETTI: Our-- At the time, Investigation Unit. It's now a bureau.

MS. GLADING: Were you aware of it when it was done?

LIEUTENANT SACHETTI: I don't know if I was aware of it that day,

but I know I'd heard about it after that -- that they were sent down.

MS. GLADING: When did you hear about it?

LIEUTENANT SACHETTI: I'm sorry.

MS. GLADING: When did you hear about it?

LIEUTENANT SACHETTI: That the 10 cases were sent down for criminal review. That's not uncommon, though.

MS. GLADING: When did you hear about it?

LIEUTENANT SACHETTI: I don't recall.

MS. GLADING: That would have been done, I guess, after Phase II, right, since you never completed Phase III anyplace?

LIEUTENANT SACHETTI: No. This is done way after that. This is done after the internal investigations are completed. Okay.

MS. GLADING: Okay. Gotcha.

LIEUTENANT SACHETTI: That's completely out of my hands. At the time that Captain VanTassell initiates an internal complaint form against a trooper, an investigator from the Internal Affairs Investigation, at this time Unit, is assigned to do the full-blown internal investigation, which may take months to complete. At his completion, that's now sent downtown.

MS. GLADING: Okay.

DEPUTY ATTORNEY GENERAL FLANAGAN: Want some water?

LIEUTENANT SACHETTI: Hey. Hey. Hey. Give me a shot. I'm talking a lot more.

DEPUTY ATTORNEY GENERAL FLANAGAN: There you go.

MR. JASO: It's the only way they can get us to stop, is to cut off the water supply.

MS. GLADING: Where are you at, Eric?

MR. JASO: I just have, like, one more question on this document.

Look at Page 1 of what I originally handed you, which is D-1--

LIEUTENANT SACHETTI: Okay.

MR. JASO: --the paragraph right in the middle of the page. It says, "On June 15th, '98, the personnel assigned to the Staff Inspection Unit were detailed to seize and secure all documentation from Troop D which would be relevant to this inquiry." Why did you use the terminology seize and secure?

LIEUTENANT SACHETTI: That's what we did -- seized and secured them.

MR. JASO: Is that a police term or is that a--

LIEUTENANT SACHETTI: I don't know. I don't know another way you could describe it. We went, we seized the documents--

MR. JASO: Well--

LIEUTENANT SACHETTI: --and we secured them in a trailer.

MR. JASO: Seizure, to my mind, suggests, and correct me if I'm wrong, that there is some concern that what you're seizing is going to be destroyed or gotten rid of. Was there that concern?

LIEUTENANT SACHETTI: No. We needed these documents to conduct our inquiry. I could have used the word gather.

MR. JASO: Collect?

LIEUTENANT SACHETTI: Collect.

MR. JASO: Okay.

LIEUTENANT SACHETTI: But we didn't. We seized them. I went there, by virtue of my authority, and seized these documents.

MR. JASO: Okay. Give us a second.

Just go off the record, please, for a moment.

(Off the record discussion)

MR. JASO: Did there come a time that it came to your attention that the Department of Justice, that is the Federal Department of Justice, was conducting an investigation into the New Jersey State Police with regard to selective enforcement and/or racial profiling?

LIEUTENANT SACHETTI: I read it in the newspapers.

MR. JASO: That was the first time it came to your attention. Were you involved in any way in responding to the Department of Justice's request at any point in your employment with the New Jersey State Police?

LIEUTENANT SACHETTI: Let me stand corrected. While I was at Moorestown Station, I-- Originally, I'm thinking that you're talking about during this time frame that I did the audit and the consent decree and all--

MR. JASO: I'm talking about generally.

LIEUTENANT SACHETTI: You're talking back. Okay. Now, at Moorestown Station, yes, I was certainly aware. I think he was a Sergeant at the time. I don't believe he was a Sergeant First Class, but I could be wrong. Tom Gilbert was coming to Moorestown collecting documents. And in addition--

MR. JASO: I won't ask you whether he was seizing them. (laughter)

LIEUTENANT SACHETTI: I would say he was seizing them. That's how I would categorize it. He was seizing them, by his authority.

MR. JASO: Okay. Right.

LIEUTENANT SACHETTI: And we were cooperating with him in

whatever way he needed documents to supply whatever it was they were doing.

MR. JASO: Did you have any special responsibility?

LIEUTENANT SACHETTI: Just to assist him with the production of these documents.

MR. JASO: Did he ever discuss with you the Division's and/or the Attorney General Office's strategy in dealing with the Department of Justice investigation?

LIEUTENANT SACHETTI: No. I wasn't even aware what was going on other than it was a Department of Justice investigation, and he was tasked to provide them with documents. That's all that I know.

MS. GLADING: When you got to Division Headquarters in 1997, did you have any awareness of work that Tom Gilbert was doing concerning audits?

LIEUTENANT SACHETTI: No.

MS. GLADING: Did you develop any awareness through talking with Sergeant Gilbert?

LIEUTENANT SACHETTI: As of today?

MS. GLADING: Well, when? You tell me?

LIEUTENANT SACHETTI: Well, I'm aware of what, you know, Gilbert had done in the past for a couple different reasons -- what I've read in the newspaper. And then I also, back about-- I would say -- don't quote me on this, because I don't have notes on this -- December of '99, maybe, I was tasked with assisting the Attorney General's Office in the collection of documents that continued right up to today, and I became aware as a result of Sergeant Gilbert coming over to the trailer that my unit occupied. Because we

were tasked with this -- the production of these documents, they purchased this very high-priced copy machine for my trailer that I'm assigned in. And I'm aware of that, because Sergeant Gilbert came over and made copies on my copy machine.

MS. GLADING: Did Sergeant Gilbert ever discuss with you in the period 1997-1998 audits that he had conducted?

LIEUTENANT SACHETTI: No. What do you mean? Other than he had conducted them?

MS. GLADING: Well, did he ever discuss the topic of audits?

LIEUTENANT SACHETTI: He discussed the fact that he had conducted audits. I don't know the time frame. The conversation probably went along the lines of this was work that I did while I was assigned to Colonel Williams. We never got into the specifics of it, as far as I can recall.

MS. GLADING: So you never discussed the results of the audits?

LIEUTENANT SACHETTI: No. You know, I wouldn't.

MS. GLADING: Did you have any indication from Sergeant Gilbert of what his interaction was with superiors or with people downtown about those audits?

LIEUTENANT SACHETTI: Did I have any--

MS. GLADING: Any indication from Sergeant Gilbert as to what his interaction was, either with his superiors or people who were not his superiors or people downtown--

LIEUTENANT SACHETTI: No.

MS. GLADING: --concerning those audit results?

LIEUTENANT SACHETTI: No.

MS. GLADING: Did Sergeant Gilbert ever express to you concerns that action was not being taken on findings that he has reached?

LIEUTENANT SACHETTI: No. No.

MS. GLADING: Did you read the interim report and the final report?

LIEUTENANT SACHETTI: Yes.

MS. GLADING: Do you recall generally, and I'm not going to ask you at this hour specifically--

LIEUTENANT SACHETTI: That's -- I hope we don't get into a test.

MS. GLADING: Do you recall generally the statistics reported in those reports concerning minority -- the rates at which minorities -- drivers were stopped or searched?

LIEUTENANT SACHETTI: I could recall in general, not specifically about where they were at.

MS. GLADING: Do you have any knowledge, based on the work you've done or based on the work that colleagues of yours have done that you know about, where those numbers came from?

LIEUTENANT SACHETTI: That the interim-- That was contained in the interim report? I have no idea.

MS. GLADING: Did you ever talk with Sergeant Gilbert about the--

LIEUTENANT SACHETTI: No.

MS. GLADING: --content?

Have you read Sergeant Gilbert's deposition that he did in the *Baez* case?

LIEUTENANT SACHETTI: I didn't know that he did one. In the what case?

MS. GLADING: *Baez* -- the case recently settled.

LIEUTENANT SACHETTI: No.

Did Sergeant Gilbert ever talk with you about meeting with the Attorney General in May of 1997 -- on May 20th, 1997?

LIEUTENANT SACHETTI: No. I've read newspaper accounts. You know, I've heard others talk about it, newspaper accounts that they've read, but I never talked specifically to Gilbert about it, no.

MS. GLADING: Did Gilbert--

MR. JASO: In reading your--
I'm sorry.

In reading in the newspaper about the meeting and allegations about what was said at the meeting, did that refresh your recollection or ring a bell as to whether you'd ever heard these comments previously?

LIEUTENANT SACHETTI: No. No. I didn't hear of them, and certainly not at the time that it was taking place.

MS. GLADING: What was? I'm sorry.

LIEUTENANT SACHETTI: These alleged conversations between Gilbert and whoever.

MS. GLADING: What alleged--

MR. JASO: I just asked him whether he had heard at the time about the comments that were allegedly made. He said, "No."

MS. GLADING: Thank you.

Did Sergeant Gilbert, or anyone else, ever indicate to you comments that the Attorney General had made about statistics concerning minority stops on the Turnpike?

LIEUTENANT SACHETTI: No.

MS. GLADING: Did you read in the newspaper the comment, “They’ll have to throw a rope around my neck and drag me down the tracks, or they’ll have to drag me down the tracks before I--”

LIEUTENANT SACHETTI: Yes. I believe-- I’ve read that.

MS. GLADING: Did you ever hear that comment or anything like that from anyone else who had been in that meeting?

LIEUTENANT SACHETTI: No.

MS. GLADING: Did-- Aside from the comments about -- made in the period between the middle of May and the middle of June of 1998, by Colonels-- I think your testimony, Colonels Fedorko and Dunlop both indicated that the decision of where to go with the Troop D audit was going to be made downtown in the Attorney General’s Office. Aside from those conversations you had during that period of time, do you recall Colonels Fedorko or Dunlop or anyone else ever referring to conversations with the AG’s Office about the work you were doing?

LIEUTENANT SACHETTI: No. Other than decisions like I had previously testified to.

MS. GLADING: Did Sergeant Gilbert ever indicate to you the extent to which he was working with George Rover in the Attorney General’s Office?

LIEUTENANT SACHETTI: I heard that. When Gilbert was over doing his copying detail, I had heard the name George Rover, and I had never heard that name before. So that’s why you mentioning it, it pops up in my mind. I don’t recall the specific discussion that we had other than Gilbert had mentioned George Rover, and I never even heard of the guy.

MR. JASO: When was he doing this copying again, if you can

remember?

LIEUTENANT SACHETTI: I would say-- When were the documents released?

MS. GLADING: They were released in November. They were gathered, I think, in the summer.

LIEUTENANT SACHETTI: So I would say in the fall of last year Gilbert was over in the trailer.

MR. JASO: I have another document that I'd like to do.

MS. GLADING: Did you have any interaction with Officer Serrao about data collection or analysis?

LIEUTENANT SACHETTI: I presented-- I gave my presentation to the captains and above in the log cabin. I was present while he gave his presentation about data that he had compiled. I also had a subsequent conversation with Serrao, when we were turning documents over, where he had indicated at a meeting that we had attended for document turning-over that he had conducted studies back in the early '90s also. That was the first that I had heard that.

MS. GLADING: I'm not really clear on the chains of command between -- the differences in the chains of command between you, Serrao, and Sergeant Gilbert. Is there any explanation for why you would have all been working on similar topics in terms of audit activity and not been communicating with each other or not been in--

LIEUTENANT SACHETTI: I can't explain that. That's a decision made at a higher pay grade than mine. I can't explain those decisions.

MS. GLADING: Okay. How high a pay rate was that decision made at?

LIEUTENANT SACHETTI: That I don't know, but I know it's higher than Lieutenant's grade.

MS. GLADING: Just so I'm clear, Serrao, his rank is?

LIEUTENANT SACHETTI: Sergeant First Class.

MS. GLADING: Sergeant Serrao reports to whom?

LIEUTENANT SACHETTI: He's in the Intelligence Services Section. He would report to-- There is a chain of command there, eventually ending at his Major. And well, right now, are you talking about this time frame, or are you talking about now?

MS. GLADING: I'm talking about '97, '98, '99.

LIEUTENANT SACHETTI: Serrao would have reported to the Executive Officer, who would have been Colonel Dunlop.

MS. GLADING: And Sergeant Gilbert?

LIEUTENANT SACHETTI: He was in my, as best as I -- to my knowledge, he was reporting directly to the Colonel. I could be wrong, but, you know, don't hold me to that. I think that he was-- The unit that he was in, Division Services Unit, I think they reported directly to the superintendent. I may be wrong, but I think that they did.

MS. GLADING: And Lieutenant Colonel Fedorko was in your line of command?

LIEUTENANT SACHETTI: Yes. We-- Internal Affairs at that time fell under Division Staff Section, which was under Colonel Fedorko's domain.

MS. GLADING: Go ahead, Eric.

MR. JASO: Okay. If you could look at this document, which I've handed to you, which is a two-page document -- I think it is, anyway -- but it

bears consecutive Bates numbers GC-2375 and 2376. The front page is a memo from Sergeant First Class Gilbert to Colonel Williams, dated 5/27/98. I note that on the second page you are mentioned. Do you-- Have you ever seen this document before?

LIEUTENANT SACHETTI: No, I've never seen this document.

MR. JASO: Were you involved in a standing committee on profiling issues?

LIEUTENANT SACHETTI: The way it was presented to me, and I don't know if you have a copy of it, but I'm sure I could find a copy, was-- I was-- It was a patrol practices study group. Not study group, patrol practices. Some working group or something like that, it was termed.

MR. JASO: Let me give you another document which seems to have that mentioned.

So, I'm sorry. What was--

LIEUTENANT SACHETTI: Okay. I'm not familiar with the first document you gave me, but I am familiar -- because I received the second document assigning me to this working group addressing patrol practices and procedures.

MR. JASO: Okay. So you were never part of a standing committee on profiling issues?

LIEUTENANT SACHETTI: No.

MR. JASO: Do you recall anyone ever asking you to participate in a standing committee on profiling issues?

LIEUTENANT SACHETTI: No, just the second document that you presented to me. I got a call on the second document, and never on the first,

that there was a profiling -- however you termed it.

MR. JASO: Do you recall there being, at any point, a standing committee on profiling issues?

LIEUTENANT SACHETTI: I never heard of it.

MR. JASO: Nothing? Nothing else?

MS. GLADING: Did the committee form -- the patrol practices committee?

LIEUTENANT SACHETTI: No. We never met.

MS. GLADING: You never met?

LIEUTENANT SACHETTI: No. It's a great-- In my opinion, it's-- And I'll give you-- No. No. I don't want to go down the opinion road, because then I open that door. But this is a good group, and I was looking forward to that assignment, but it never-- We never met.

MS. GLADING: Do you know why?

LIEUTENANT SACHETTI: I have no idea.

I can't see -- maybe your copy. What is the actual first date of that?

MS. GLADING: My copy doesn't have it either.

LIEUTENANT SACHETTI: Because what month would it have been in '98, would you know?

MR. JASO: I don't know. It looks like it was hole punched or something.

LIEUTENANT SACHETTI: All right.

MS. GLADING: Is it possible that it's May, and it's the day after the previous memo?

LIEUTENANT SACHETTI: I don't-- I don't know. I'm not going to

go there.

MS. GLADING: Did you make an extra copy of this GC-3732? This is the one she brought down.

MR. JASO: She would have made three. I mean, as long as he has one. Do you want to give him this one?

MS. GLADING: Okay. Maybe I could just ask some questions.

I just handed Lieutenant Sachetti a document numbered GC-3732 to 3735. This is my last document and my last question, or series of questions. Are you familiar with this?

LIEUTENANT SACHETTI: Yes.

MS. GLADING: Can you discuss why Sergeant Robinson (phonetic spelling) wrote both this special report?

LIEUTENANT SACHETTI: Yes. Let me give you the chronology of events. I may have them. All right. I don't have the dates of when this all originated, but I was ordered by Captain VanTassell, like I say, date unknown. I don't recall. I'm sure it wasn't too far before this, this special in '99, to look into Sergeant Thomas Robinson -- had made allegations that he had been stopped, I believe the number was 30 to 40 times, by troopers on the Turnpike, and he felt he was proof of the existence of racial profiling. I was asked by, or I asked Captain VanTassell how he wished me to proceed in this, if he wanted an internal investigation done or how he wanted this handled. And he advised me to interview Robinson and complete what's known as a *M* file, a miscellaneous file -- report. I don't know if that's here or not. No, it isn't here. I interviewed Sergeant Robinson in the presence of Sergeant First Class Castillo. I explained to him that the nature of why I was interviewing

him and that I would need to have some information from him, and we would proceed with an internal investigation into any of his concerns that he may have, if he could provide us with specific instances that we could look at to determine a specific trooper had stopped him and go from there. Sergeant Robinson could provide in a nutshell-- I'll condense the interview. Sergeant Robinson could provide to me no specific dates, instances of when he was stopped. He said that--

Now, without my report here, it's a little difficult. I don't know if either of you have this, but I forget the exact percentage, but it was very high. It was 30, 40, 50 percent. I don't recall exactly, but it's in my *M* file report that Sergeant Robinson said that amount of times he was breaking the law. So that those stops would have been valid stops if he had been committing a motor vehicle violation.

We talked further about what actually took place on the stops, and Sergeant Robinson's response to me was -- I forget the percentage once again, but in a certain percentage of these cases -- "I'm a big man. I take care of it right there on the side of road with the trooper." In other words, he dressed the trooper down for what he felt was an improper stop.

I asked Sergeant Robinson to put on paper exactly anything he feels would be necessary for us to follow up on this, and subsequently I received this special on March 10. The May 18th special that Sergeant Robinson generated I never saw until I was assigned the (indiscernible) to do this investigation, which would have been shortly before March the 10th of '99. Sergeant Robinson submitted to me this special report. I've memorialized it in an *M* file report, which isn't attached here, and then I turned it into Captain VanTassell.

MS. GLADING: That explains it. It was a hard-to-understand document.

MR. JASO: When you said that he said he was, in fact, breaking the law X percentage of the time, what was that? Speeding?

LIEUTENANT SACHETTI: Speeding.

MS. GLADING: Was it your sense that he had a valid complaint -- that the concerns were valid--

LIEUTENANT SACHETTI: I didn't know.

MS. GLADING: --but unverifiable?

LIEUTENANT SACHETTI: You know, I'd like to go into this without any preconceived notions. However, we deal in facts. And it's-- If his opinion is based upon a perception, I can sympathize with that, but I-- In order for us to proceed with discipline against these troopers who have, in his estimation, done wrong, we need specific instances. And without those and as you can see, as a result of his special report here, he doesn't want to go any further with it. It's impossible. How can you-- You can't attack this -- his particular concerns without specifics.

MR. JASO: Do you know what a violator survey is?

LIEUTENANT SACHETTI: A violator survey?

MR. JASO: A violator survey.

LIEUTENANT SACHETTI: Give me an-- I don't know. Help me out here. Is this a question I should know the answer to?

MS. GLADING: No.

MR. JASO: No. Nothing you should know the answer to except your

name, rank, and badge number, I guess. What I understand is a violator survey to be is-- Well, let me ask it this way. In the course of your audits, was there ever discussed the possibility of taking a survey of motorists on the Turnpike to determine what percentage of motorists were speeding or otherwise violating the law at any given time and breaking those figures down by race?

LIEUTENANT SACHETTI: In the course of my audits?

MR. JASO: Right.

LIEUTENANT SACHETTI: No.

MS. GLADING: What was the-- I guess I was not truthful before. It was not my last series of questions. I have a couple more.

Your audit results -- what did you find in terms of the percentage of stops that were minorities? Do you recall?

LIEUTENANT SACHETTI: Well, it was broke down by trooper. It's broke down by squad, it's broke by station.

MS. GLADING: Overall.

LIEUTENANT SACHETTI: You know, it's all included without me reading it off of the reports. It's all in the reports, and I'm sure you people have.

MS. GLADING: Okay.

MR. JASO: Was it ever discussed in any context with regard to the audits whether or not a very high percentage of motorists on the Turnpike speed?

LIEUTENANT SACHETTI: No. You mean like a breakdown as far as what types of violations were committed? Is that where you're headed?

MR. JASO: Well, I've seen figures that indicate-- And I don't-- You know, again, these are surveys that other folks have taken over the years, but -- that indicate that at times close to 100 percent of motorists on the Turnpike are exceeding the posted speed limit. Did you ever see anything like that?

LIEUTENANT SACHETTI: I've seen Buckman's (phonetic spelling) report that he submitted in the Gloucester County decision. If that's, you know, if you want to call that, yeah, I saw that.

MR. JASO: And did that-- Did that fact ever enter into any of the-- I don't want to call it a fact. Did that statistic ever enter into any of your analyses?

LIEUTENANT SACHETTI: No. I had a methodology by which I wanted to conduct this audit by virtue of my experience on the road and what I felt we could identify and how we could go about identifying it, and I stuck to it. You know, we didn't try to waver, because once it began, to change in midstream would have been counterproductive.

MS. GLADING: Aside from the meetings with the Attorney General's Office that you've discussed, has anyone from-- Has Peter Verniero or anyone from his office ever discussed these matters with you, aside from the two meetings that you discussed earlier?

LIEUTENANT SACHETTI: No.

MS. GLADING: Is there anything that you want to raise today or discuss--

LIEUTENANT SACHETTI: No.

MS. GLADING: --in addition to what you've talked about already?

LIEUTENANT SACHETTI: No.

MS. GLADING: Okay.

MR. JASO: Well, thank you very much for your time and your patience.

When I said we'd be done by 12:30--

LIEUTENANT SACHETTI: Six ain't bad.

MR. JASO: --I think I was referring to tomorrow.

LIEUTENANT SACHETTI: Are we still on?

HEARING REPORTER: Yes.

MR. JASO: Off the record.

(INTERVIEW CONCLUDED)