

OPINION: LET'S BE REAL, SCANDAL INVESTIGATION WILL FREEZE TRENTON

CARL GOLDEN | OCTOBER 24, 2018

Select committee examination of Murphy administration's hiring practices will overshadow all else



Carl Golden

Despite repeated assurances from the Democratic legislative leadership that business as usual will prevail while the investigation into the hiring practices of the Murphy administration goes forward, the odds of timely approval of significant items on the governor's agenda are long, indeed.

The "we can walk and chew gum at the same time" rationale advanced by the leadership was an effort to calm jittery nerves over the extent of the select committee investigation and to send a message that the committee's probe was nothing out of

the ordinary and should be considered merely a normal reaction to allegations of improper behavior by a prominent administration official.

One can admire the attempt at spin to minimize the potential political impact, but scandals invariably dominate the political and media environment, overshadowing all else and, in their most serious and sensationalized form, bring normal government operations to a halt.

The investigation's dominance has been guaranteed by the involvement of high-profile participants – former Attorney General and Supreme Court Justice Peter Verniero named by the governor to review the issue; prominent defense attorney Michael Critchley named by Senate President Steve Sweeney (D-Gloucester) to advise the Senate members of the committee, and former Attorney General Christopher Porrino selected by Murphy to advise his office as the investigation proceeds.

Legislative leadership had no option

Once the news broke that Albert Alvarez had quietly and suddenly resigned from his \$140,000-a-year post as chief of staff to the Schools Development Authority a day ahead of public accusations that he had sexually assaulted a campaign co-worker in 2017, the legislative leadership had no option but to become involved and order an investigation.

Refusing to act or making a case that it was an issue involving the administration and dealing with it was, therefore, the responsibility of the governor's office would have produced an outcry that the Legislature did not view the allegations with the seriousness they deserved and was, in fact, eager to dismiss them entirely.

While in some quarters, an investigation produced some apprehension – largely because it is impossible to predict where it would lead or who it would ensnare – others were quietly gleeful at the prospect of taking a nip or two out of the political hide of the administration.

The rather rocky relationship between the governor, his staff and the Legislature is common knowledge and, for some, the opportunity to publicly embarrass the chief executive and raise questions about the competence and political smarts of his immediate circle was too tempting to ignore.

Murphy initially stonewalled

Murphy, after initially stonewalling and refusing to comment on Alvarez and the reasons for his departure, recognized his position was untenable but disclaimed any prior knowledge of the assault charges and said the fault lay with the gubernatorial transition officials who hired Alvarez.

His explanation drew skepticism from individuals with previous experience of gubernatorial transitions who said appointments at such a high policy and salary level are normally cleared with the governor's office or, at the very least, the office is informed.

The joint select committee will examine the practices and procedures followed by the administration and the transition office in filling positions, including delving into the backgrounds of potential appointees, their employment histories and personal lives.

The way the allegations of criminality were handled will not be examined by the committee although since those allegations were the catalyst for the investigation, the two will be inextricably linked in the media coverage and in the public perception of the credibility of the probe.

That the investigation, as it moves forward, will foreclose action on consequential legislative initiatives is inarguable.

Marijuana, minimum wage to go on back burner?

For instance, consideration of legalizing possession of small amounts of marijuana for personal use – already in jeopardy – is likely delayed until the 2019 session, even though it was a major component of the Murphy campaign along with a pledge to accomplish it in the first 100 days of the administration.

An increase in the state's minimum wage to \$15 an hour – a second major campaign pledge – likely won't be considered this year either. Sweeney has led on this issue, sponsoring the constitutional amendment in 2013 requiring the minimum wage be increased yearly by tying it to the Consumer Price Index. (It will reach \$8.85 per hour on January 1, an increase of 25 cents.)

Because the select committee's work will be open-ended, it very well may spill over into the Legislature's budget deliberations and become an additional complicating factor. The tensions and ill will that surfaced in the budget negotiations this year remain fresh in memory and introducing an investigation into the administration's personnel practices could generate even greater stress and strain in an already fractious relationship.

The legislative leadership will, in all likelihood, continue to insist that its work will continue apace, that it will not be unduly affected by the enormous attention certain to be paid to the investigating committee.

How successful that strategy will be is problematic; multi-tasking has never been a legislative strong point. Walking and chewing gum at the same time may appear an easy task but proving it day in and day out, with potentially explosive political revelations at a moment's notice, suggests otherwise.

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