**Interview with Robert E. Mulcahy, III**

Don Linky: It is September 13, 2006. My name is Don Linky. This is another in the series of interviews for the Brendan T. Byrne Archive, which is being conducted by the Rutgers Program on the Governor. This morning our guest is Robert E. Mulcahy, III, who, among other things, served as chief of staff to Governor Byrne. Also prior to that as the first Commissioner of the State Department of Corrections after it was created. And prior as Deputy Commissioner of the Department of Institutions and Agencies. After leaving the position of Chief of Staff to Governor Byrne, Mr. Mulcahy became the Chief Executive Officer of the New Jersey Sports and Exposition Authority and he’s currently the athletic director of Rutgers University. Bob, why don’t we start with your recollections of your first meeting with Brendan Byrne, when was that?

Robert E. Mulcahy, III: The first meeting that I had with Brendan Byrne in person was during the primary campaign of ’73. Nine of the ten Democratic mayors in Morris County of which I was one endorsed Anne Klein, who was the Assemblywoman from Morris County in her bid for the gubernatorial nomination. Governor Byrne came into the race sort of at the last minute. He came in as a candidate for integrity and I first met him at the Knoll Golf Club during the campaign in Parsippany and that was my first recollection and introduction to him.

Q: Now given the fact that Morris County was fairly solidly in the Anne Klein camp. What made you impressed by Brendan Byrne in 1973? We’ve heard from other people during this series of interviews that he wasn’t all that impressive as a candidate in that first race?

Mulcahy: Well before he had come into the campaign, all of the Democratic mayors with the exception of Mayor Harry Luther in Parsippany had agreed to endorse Anne Klein. And once you make that kind of commitment, then I felt that we should make it. And Anne was a great person. She had very strong beliefs in what was good for the downtrodden and the oppressed and the mental health problems, the corrections problems and it resonated with me and we felt very strong about her. So we endorsed her and stood by her and campaigned for her through the primary. When she lost the primary and Governor Byrne was the candidate, then we all endorsed the Governor.

Q: Well you were Mayor of Mendham Borough at the time. Talk a little bit about your political career at the local level.

Mulcahy: Well we moved to Mendham when we had one child and another one on the way in 1962. And I’d always had a long interest in both politics and sports and I’d been president of my class in college and had served two years as a Naval officer. And when we moved to Mendham I wanted to get involved locally. I was energized by the John Kennedy campaign in 1960. I think it certainly was a thing that provided impetus for me to run. So I ran in 1963 for the Borough council as a newcomer Irish Catholic Democrat in town that was strongly, strongly Republican and shocked all of the troops when I won. And I won because I had studied the local issues and I went door to door. So I began to understand campaigning at the grassroots. I subsequently was reelected twice more and then without opposition as Mayor.

Q: Was there a particular issue that provoked you to run for office in that first election?

Mulcahy: No I think it was more of my own feeling that I wanted to serve and began to study the issues and felt that they had total one party rule and there was absolutely no opportunity for another view to be expressed. And there were several issues confronting the town at that time. The most important one being growth and I took a position on those issues and it resonated with the people.

Q: At the county level who were the key players at the time in Morris County, like Mendham Borough was pretty solidly Republican for many years, and Morris continues to be one of the stronger Republican counties in New Jersey.

Mulcahy: Morris County is a very staunch Republican county. We had elected one Democratic freeholder and he served one term and he was gone. We really had very little representation on the county level. Arthur Krauser was
the county chairman at that time and obviously they recognized what I had done. But because I had done it in a way in which I didn’t have to rely on the party for the nomination I was sort of a maverick and I could do really what I wanted to do. But the county chairman, I think, saw merit in what I had done and I went out and organized the Democratic Party in places like Mount Olive Township and Chester Township. Places where there really had never been any Democrats and subsequently they elected Democratic mayors. But I really learned at the grassroots level. I then got involved with Steve Wylie when ran for State Senator and he was running against Josephine Margetts who was the wife of the former State Treasurer Walter Margetts and nobody gave Steve a chance, but we organized the campaign and we won and much to the shock of everybody else. Steve served one four-year term, he voted for the income tax. He and I spoke about that before he voted for the income tax and he knew that if he voted for the income tax it was unlikely he could win reelection. But he believed, as he did in so many other things, that he had to do the right thing. In his mind the right thing was to vote the income tax and he voted it. And he subsequently lost reelection by a close margin, but he lost. So that’s sort of what Morris County was like at that time. And it was very hard to make a lot of inroads. The thing that I understood when I was elected mayor was that I was never going to have a Democratic majority, although I pulled one Democratic councilman in with me. So and I also appointed a Republican to my vacancy. But what I did do was go out and find people like Bob Del Tufo and he became the Borough attorney and I found a guy like Burton Pareasor and made him the local magistrate. So what I did do was take and replace some of the people who had been there for a long time, with bright, young people who wanted to do the right thing. And I feel good about that because not only did Burt Pareasor go on to become the judge for several municipalities, Bob Del Tufo went on to become the Attorney General and the US Attorney, a very distinguished career. So I had appointed Bob Mauer as town attorney, subsequently became the assignment judge for Morris, Sussex and Warren County and after that went to the appellate division and he was my next-door neighbor for 37 years. He was a Republican; it didn’t matter to me because we were trying to do the right thing.

Q: Going back to that first meeting with Brendan Byrne. How did you take his presentation? Was he good, weak?

Mulcahy: Well it was a political function and I won’t say that he sent anybody off with a feeling of “Go get em”. He had a very quiet demeanor and certainly wasn’t a personality that you were going to jump for, other than the fact that there was a sense of honesty and integrity about his demeanor and what he stood for and what he said. And those were the things that I think captured us.

Q: Now after the primary, Anne Klein loses, Brendan Byrne is nominated, what was your next contact with Brendan Byrne?

Mulcahy: Occasionally during the campaign when we all went out to work for Brendan, I can’t say that I had a lot of interface with him. What happened is after he got elected in the general election, he named Anne Klein to be the Commissioner of Institutions and Agencies. And Joel Kobert, who had worked in the campaign with us, was there to do the transition for Anne as she took over the department, which as you know, was the largest department in State government. It encompassed mental health hospitals, the schools for the retarded, public welfare, Medicaid, corrections and youth and family services. And Joel was instrumental in suggesting to Anne that I might be a very worthy candidate for Anne as her Deputy Commissioner to deal with the daily operations of the department. And that’s frankly; she took me over to meet Dick Leone. Dick Leone’s question to Anne was “How is this guy, who comes from a small town going to know how to find people to appoint to office?” But the Governor subsequently agreed to the appointment along with Allen Gibbs, who came from New York and we were the two Deputy Commissioners for that department.

Q: Talk a little bit about your responsibilities as Deputy Commissioner.

Mulcahy: There were several things, I mean there were problems in every area that we took over. The issue regarding the mental health hospitals was the de-institutionalization. And it was an issue that really became almost a moral issue and when you looked at it the issue, it broke down two ways, one was are these people better off in an institution or out of an institution, the problem being when you put them out of an institution where were you going to place them. And after several discussions and particularly impressive was Dr. Michael Rotoff, who was running mental health at that time, and after going and visiting the mental hospitals, we came down squarely on the side that
it was, we had to de-institutionalize these facilities. And we went about doing it, even though we knew that there were not sufficient facilities, halfway houses and other places to care for these people, believing that they were better off on their own than locked up the way they were in these institutions. We had problems in corrections with overtime; with the correction unions we had problems in the prisons with overcrowding, the same kind of issues that you see today. Youth and family services we had the same kinds of issues you read about today. We had a shortage of social workers the case loads were too large. You’d get problems and you’d have to respond to them. So it was almost wherever you looked there were significant issues that in many ways I believed were not only organizational structure but moral to deal with. And Anne had a very strong social conscious in dealing with these issues and I think that carried over into the people that she appointed and the people who were in the department.

Q: She’s been described by Governor Byrne during these interviews as one of the cabinet people who was most helpful and loyal to him even though she ran against him in that 1973 primary. What was she like as a manager and as a cabinet officer within the administration?

Mulcahy: Anne was very loyal and very loyal in the sense that when the Governor was down in his polls in the months before reelection and people were jockeying to see who could run against him. Pressure was applied to her to run and she went to the Governor and said, “I will not run”. She had been loyal, she was a cabinet member who was loyal, we all were loyal and I think it was part of her conscious that she would do the right thing. Selma Rubin played a major part as Anne’s executive assistant in guiding her through so many of these things. But she did have a very strong loyalty and we had discussions about that during the campaign and we were all asked specifically by her, what she should do and I think to a person we all agreed that she had a great sense of loyalty and that was the right thing to do.

Q: Of course, during that first term of the Byrne administration the State was economically in a cycle where unemployment was at historically high levels since the depression. The State budget was extremely stressed, particularly in that first year before the legislature grappled with the larger problem of the financing public schools and the income tax. How as a policy issue did that affect you given the fact that the State really didn’t have much money for social programs that were run by the department?

Mulcahy: Obviously it was a problem. In many ways it’s similar to the things existing in the State today. And I think when you look at the makeup of the State and all of the diversity in population and the issues that come forth in a social nature. I mean it’s almost; it’s a very difficult problem to face. We had to make manage with what we had. And there were layoffs, there were cutbacks, there were things you didn’t like to do but you had to manage it and you had to understand that we were taking care of I guess some 500,000 residents in one way or another everyday. And it certainly had an impact on us. There were a lot of nights that I went home thinking about “Wow” all I did today was deal with difficult human problems. And it would take its toll on you because you’d feel that I didn’t make enough of an impact. It was hard many times. You know, there were things I did; I showed up unannounced at Greystone a couple of times at night. But by the time you went through a couple of wards, word would spread and you weren’t, the effectiveness of your visit would be diminished. But just by doing it, it sent a message that we cared. Anne spent a lot of time going to the institutions, reaching out to the people in the institutions to let them know that she cared and she cared a lot. And sometimes, we had to rein her in a little bit because we just didn’t have the capacity to do the things that she would have liked to have done at that time. And I think that the Governor was very sensitive to what she brought to the table and her issues. He couldn’t always do the things that she wanted but he was very sensitive to those issues.

Q: As you’ve mentioned, at that time corrections was part of this huge department, later would be split off and you would head the department. What was your first approach to the correctional issues and did you have any experience in dealing with criminal law and corrections prior to joining the State government?

Mulcahy: No I didn’t but I had some dealings with PBA Union and things like that. I actually made my reputation handling two riots at Trenton Prison and, for example in the first one, it happened on a morning in the school area where there was an insurrection from the new world bellites, which was a sect of the Muslims who were rebelling against the older leaders. And they killed two or three people and seriously injured others. And when I got to the
prison and the prison was locked down and we had a meeting in the boardroom at the prison. There were about five police agencies there and I said that I was going to go out and I was going to tell the press what had happened. The police agencies with the exemption of the State Police who backed me, all didn’t want to really answer the questions and tell the press. And I said we have to have light on this situation and we’re going to tell them to the degree that I can and we’re going to let them in and see what happened and I did that. When I got finished with the press, I was told by the superintendent or the warden of Trenton Prison and the Captain Curran, I remember that name, came to me and said that the day shift officers were up in the officer’s mess and were refusing an order to go back to work. I said, “Well I better go up there” and they said “Well we better go with you”. So I went up there and they said they had a list of grievances and I said “Well you got 15 minutes to go back to work and I’ll meet with you when your shift is over.” When I left, Captain Curran said to me “If we weren’t with you they probably would have attacked you because you went into their area and did this and nobody had ever done that. I subsequently met with them when they left their shift, there were about 20 issues and I said “All right”, I thought about when’s the time that they would least like to meet and I figured they’d be watching pro football on Sunday in a bar. So I said “I’ll meet you at two o’clock on Sunday afternoon over in the school building across the street and I did. And I came there and I said they were, I think I had picked out 4 or 5 issues that I could do and the rest I said I’m not going to do. And they were stunned, “Well we want to negotiate”, and I said, “There is no negotiation, this is what it is”. Now I had formed a pretty good relationship with the head of the correctional unions at that time it was Frank Ginese. Subsequently became the State PBA president and subsequently got himself in trouble. But we had a good relationship and we were able to work that out. The second riot at Trenton Prison involved, I was going home with Jim Stabile who was our press officer and he was listening to WHWH to an inmate who had a radio show and he said “Bob there’s bullets flying around Trenton Prison”. So we turned around and came back and there had been an inmate shot and there was gun in one of the wings but we worked it out and took care of it. So I sort of achieved a little bit of a reputation and because of that and the overtime problems the legislature decided to create a separate Department of Corrections and Governor Byrne called me in and asked if I would go over and organize the department. It was certainly a formidable task. There were a lot of things that you realize very quickly about how to do deal with these situations and I think I was Commissioner 10 days when I came home with the kids from a high school football game and Terry was at the door and said that “Colonel Pagano called and there’s a woman hostage in the sex offenders unit and they’re sending a helicopter for you”. So I went down there and I called the Governor, he was going to a black tie affair and he said “Bob I have confidence in that you’ll be able to handle it, if you need me just call me.” And that’s the way he was. If he gave you a job to do he let you do it. And I think it’s one of the reasons that we worked even harder to do well because we didn’t want to disappoint him. And he sort of gave you that feeling the, so I served in the Department of Corrections until end of his first term.

Q: Prior to your appointment as Commissioner of the new department, do you think your appointment was related to your record in handling the prison riots in particular or did you have other contacts with the Governor or the Governor’s staff that you think led to that appointment as head of the new department?

Mulcahy: Well I think how we handled it obviously was a point but then I spent about four or five months in between that and the corrections post when they had this major public works bill that was really approved in Washington led by Congressman Bob Roe and the Governor asked me to come in and take over running the program throughout the State and we held meetings throughout the State and we apportioned the dollars throughout the State for public works projects and obviously if I had failed at that I’m sure I wouldn’t have been appointed Corrections Commissioner. So I did have other contacts. One of the things that I remember about the election campaign, the reelection campaign was it was in October and we had a cabinet meeting and the Governor walked into the cabinet meeting and he said “I want all of you to relax, we’re going to win this election” and it sort of picked everybody up and, you know, it’s one of those moments you remember and the other moment that I remember very much was the Columbus Day weekend on Friday night I got a call from John Degnan who was then Secretary to the Governor, and he said that Senator Bateman has issued his economic plan and he wanted to gather some people together to look at it, including Cliff Goldman who was the Treasurer and we looked at it and advised the Governor that this couldn’t possibly be the plan and what we were really worried about was that on Monday or Tuesday they would come out with a very thick document that we’d never have time to respond to. So over the weekend he referred to it as the Simple Simon Plan because Bill Simon had drafted it. And of course, as we all know, they didn’t have any other economic report and on Monday or Tuesday the Governor did take it apart and I
think, you know, those are some of the moments that you remember in a campaign just to get through the first term.

Q: I want to back track a little bit to earlier in that first term. The Byrne administration loses its first attempt to get the State income tax passed. People start questioning the Governor’s credibility on tax issues, others are criticizing him on other programs. His popularity in the polls is dropping sharply. What was the mood in the departments both in institutions and agencies and within corrections during that first term as the Governor’s political standing weakens?

Mulcahy: Well I think that as far as our department was concerned our workload was so heavy that we didn’t have a lot of time to spend about conjecturing about how his political standing was. Obviously we understood it but it wasn’t that we had a lot of time to sit around because these problems came on a daily basis. We’d have, we were having a lot demonstrations in those days, both outside our offices and outside the State house. There were issues relating to inmates, there were campaigns to get certain inmates out, there were demonstrations about the death penalty, there were a whole series of things that went on to keep us busy. I would say this, there was a time when Dick Leone and Lew Kaden, who I describe as two of the most brilliant public minds I’ve ever met. I’ve often said “I think if you lock the two of them up for 24 hours they could come out with a very viable policy on almost any issue.” That’s how brilliant they were. But they put together a group of Deputy Commissioners sort of the young turks in the administration and we were given an assignment to put together a paper for what we thought the Governor could do to enhance his standing and initiatives that he could undertake. We wrote the paper and we handed it to Lew Kaden and he probably put it in a drawer and never showed it to the Governor. I think, because he subsequently admitted he didn’t want to show it to him at that time. The night of the end of his second term, we all had dinner at Lorenzo’s and brought that issue up and told the Governor about it.

Q: What was the content that you think Lew Kaden thought the Governor would not appreciate?

Mulcahy: Well we looked, put in writing some of the personal traits that you’ve referred to in terms of what we thought he had to do to change his image. And I think Lew was very nervous about bringing that up.

Q: Well let’s press a little bit on that.

Mulcahy: I don’t want to go any further.

Q: What were his, you know, special weaknesses in terms of public perception at least?

Mulcahy: Well we wanted to see him be more decisive and to be stronger and had outlined a series of initiatives that we thought he could undertake that would at least present that image.

Q: Do you recall any specifics?

Mulcahy: No I don’t at this date, I wish I had saved the paper. It was about ten or twelve pages long and, you know, there were, John Degnan, Cliff Goldman, there was Deputy Commissioner in DEP

Q: Paul Arbesman?

Mulcahy: No.

Q: Rocco Ricci?

Mulcahy: No. And Kevin Sullivan who was a speech writer, a very famous speech writer, who worked with us to draft this and I remember even having a meeting on our porch during the summer putting this thing together.

Q: As you get closer to the reelection campaign, did you see a political role for yourself or did you feel that as a cabinet member you should sort of stay away from the campaign?
Mulcahy: I think this, I think each cabinet officer had to make their own decision relative to their job. And at that time trying to run the Department of Corrections did not leave me an awful lot of time to deal with politics. What I had to do, what I felt I had to do was to make sure that the issues of corrections didn’t come out and overtake the campaign and become part of the campaign. And I think we were successful in doing that. I had given a speech in Valley Forge early on in my tenure in which I was printed in the New York Times in which I talked about the lack of rehabilitation and the fact that in my view it was a fraud to talk about rehabilitation and that we really needed to focus on at least humane treatment in handling people in a proper way. There are a lot of lessons you learn along the way. One of the ones was if we had a disturbance in an institution I would go on the scene, not so much because I thought I could direct what happened but because I had to make sure that there was no brutality on either side. The first, I had been, Commissioner Klein went away on a holiday weekend and I was serving as the acting Commissioner and there was a disturbance in the yard at Trenton and they called me and said “We’re going to have a show of force and that always takes care of it.” What I didn’t realize was it turned into a real beating and when that happened that’s when I knew that when we had these kinds of things I had to show up on the scene. So people were aware that I was there, watching what transpired. Now I will tell you that some of these inmates obviously are very tough but there is also a way in which you bring humane treatment to the system and convince people that they can handle these things. There was one night we had to paint a wing in Trenton Prison and we had to move the inmates for the night. And I sent one of the staff lawyers down to watch and I’d given orders, specific orders on how we were going to do this and they were to walk up to a cell and to say “Mulcahy, we’re going to paint the wing tonight, we’re moving you down to” whatever spot it was. Instead of going up and rattling the door and saying this, you know. It created a tension and the significant thing was the next day they said “Gee this happened without any problems.” Well it happened without problems because it was the way in which it was handled. But it’s a tough existence the, I mean there were meetings about how to balance the power within the prison itself so that inmates didn’t get hurt. And there’s a whole life there that people really don’t understand. I mean, I had, I guess, pleasure of taking in JoAnne Chesimard when she was first sent to New Jersey and we had her at the women’s prison in Clinton and subsequently I moved her to a special place at Yardville in which she had recreational area and so on and was subsequently sued by all the civil rights groups but we won the suit. Then she was transferred to a federal prison and subsequently escaped but

Q: Just for the record, why don’t you give a little background of JoAnne Chesimard and her crimes.

Mulcahy: JoAnne Chesimard was a member of the Black Panthers and she had been involved in killing at least one State Trooper if not two and obviously she was on a heavily wanted list. I have to tell you that the day we sat down to talk about her transfer to Clinton, Colonel Pagano gave me an intelligence report and I read it and it was so scary I took it home and hid it in a drawer. He also told me that I better change the license plates on my car because the car would be watched. So these are some of the sidelights and yet there were some very significant moments. We had the scared straight program, which became a very big hit at Rahway Prison where we used inmates to enact for kids who were facing probation or had been involved in some minor crimes, in an effort to warn them about what prison life was like, to bring them into the prisons and they wanted to televise the thing. So I went up and watched it unannounced and felt it was okay to let it happen. And when New Jersey public television did a special on it, which was very well done and then all of a sudden the commercial channels wanted to get involved and then one of the networks came in but they put an actor into it and that screwed the whole thing up and, you know, after that it never was the same. It would have worked fine if they’d just let it happen. You know, there were things you had to do, you’d go out, one night I walked, at midnight I went to Rahway Prison and walked all of the posts in the prison and I didn’t have to do it after that because then they never knew when I would show up. The point being, I wanted to talk to every officer who was on duty that night and let them know that I existed and I cared about what they did.

Q: Now you mentioned campaigns to free inmates. Was one of those Rubin Hurricane Carter?

Mulcahy: Absolutely, that was one of the ones that was continually going on. The other one was

Q: Oh we can come back.

Mulcahy: Yeah but
Q: Talk a little bit about the Carter case.

Mulcahy: You’ll remember it because he finally got freed and he was in a halfway house and then he had shot the two cops in Lodi.

Q: Right, yeah I don’t remember the details.

Mulcahy: That was one I had more problems and demonstrations about than any.

Q: Okay. Let’s talk about the Carter case. We had Stanley Van Ness in for an interview and I didn’t realize, but Stanley later became Carter’s attorney. But let’s talk about the Hurricane Carter case and did you have any personal contact with him or was it all through the warden and the others?

Mulcahy: Well as far as his case goes I didn’t have personal contact with him but I did have a session at Trenton Prison one day when we had prepared the corrections master plan and I, he was among a group of about 14 hardened inmates at Trenton Prison that I wanted to present the master plan to. At one point, you know, they’ll test you and they were fine except then they get to a point where you have to make a definitive statement. And that moment for me was I had to say to them “There is legitimate aspect of punishment for the crimes that you committed”. And he was in the room when I said that. You know, they’ll push you so far and then you have to make a stand and you have to let them know that you’re not going to be intimidated by all of this.

Q: Any other correctional issues with inmates in terms of the public protest.

Mulcahy: You know, we would have, actually and I’ll get to this when we talk about the second term but probably the most difficult night for me was I had referred earlier to the hostage situation at Rahway and when I got there it was sort of a scene of chaos, which we calmed down and I called for Dick Seidel who was the Superintendent of Yardville who had been a hostage himself and he got up there and provided very significant guidance. However, the most important point was there came a point in the night when this State Police Captain walked up to me and he said, and I remember these words very vividly, “Commissioner we have a sharp shooter in position how do you feel about taking the inmate’s life?” And I walked down the hall and I remember these words, I said “Dear God what am I doing?” And I turned around and came back and I said, “No I don’t want to do it if I don’t have to.” Those are the kinds of moments I think in your life that I guess define you and if I had to pick out one particular moment of all of the confrontations in corrections it would probably be that. Now one of the things that happened is I wanted my own person there and I brought at that time, Judy Naillen, who was assistant counsel to the Governor’s office, over to be a Deputy Commissioner so that I would have somebody that could look at the issues and that I know would be loyal. Probably the next most difficult decision I faced was removing the warden at Trenton Prison based on evidence that had been given to a grand jury and at the request of the Attorney of General. And subsequently being sued because the grand jury testimony became sealed and I never was able to prove the case for myself and that dogged me for a period of years because the warden attempted to get his job back and eventually did. Not at the Trenton prison but in another State and, you know, those, and the rest of the system you couldn’t tell what was going on and it’s a very close knit system and you, there were real challenges.

Q: When you become Commissioner of the Department of Corrections, you’re formally part of the Governor’s cabinet. In the second term you’ll sort of have a different role in relation to the cabinet. But let’s talk about the time as Commissioner, attending cabinet meetings, what were they like in that first term?

Mulcahy: Well I think what you saw was there were a certain cabinet officers who were leaders. I think that what became very clear was that Dick Leone was obviously a leader in this, subsequently Cliff Goldman. The Attorney General was a leader.

Q: That would be Bill Hyland in the first term.

Mulcahy: Bill Hyland was the Attorney General. And I think rather than issues of great substance, the cabinet
meetings were really information sessions in which the Governor was able to impart to us his thinking about current
issues and pass along information he wanted for things that were coming up and how to handle them. But I found
that cabinet meetings really weren’t the right place to discuss many of the issues because you had such diversity
and views from the cabinet positions. More often, they would be special groups that would be built around people
who were related to a specific issue, whether it was DOT or DEP or Institutions and Agencies for example, a
Commissioner of Banking and Insurance might not have anything to do with what we were dealing with. But you
needed people like the Attorney General’s office and those people who are related to that issue and that’s, you had
more of that kind of thing going on, which is really the way I think government operates.

Q: And again, you’ll, in the second term you have a much different relationship with the legislature and individual
legislators as Chief of Staff. But talk a little bit about the legislators that you remember as a Deputy Commissioner
and later as Commissioner.

Mulcahy: During the first term Joe Merlino was the President of the Senate, Al Burstein and...

Q: Bill Hamilton?

Mulcahy: Bill Hamilton were the leaders in the Assembly, subsequently Alan Karcher. These were all people who
had very strong beliefs, were strong personalities and had an interest in a lot of our issues but they and I also have
to say that Senator Bateman had a very strong interest in some of our issues and subsequently became a supporter.
So our department almost in many ways was bipartisan in the sense that our issues could affect any particular
district depending on whether we had an institution there or something else. So we tried to pay attention to the
legislators of that district when we were there.

Q: Now are you referring to corrections at this point or institutions and agencies?

Mulcahy: All of the institutions, yes.

Q: All of them. Okay. Was there any legislator that you recall who had a special interest in correctional policy or
management?

Mulcahy: Millicent Fenwick and subsequently when she went to Congress still had that same interest in
correctional issues. Anne Klein obviously had a lot of interest in the correctional issues, even after I became
Commissioner and was no longer in the department. It would almost depend on what the issue was and where it
was. But you had a strong social conscious in the legislature at that time.

Q: On both sides of the aisle.

Mulcahy: On both sides of the aisle. Yes.

Q: Okay. Now moving back into this campaign for reelection, which we’ve dealt with a little bit but Brendan Byrne
in this primary in 1977 is facing several opponents including one former cabinet officer, Joe Hoffman, the
Commissioner of Labor. As candidly as possible what did you think his prospects were as the primary season
started?

Mulcahy: Difficult. I mean I think it was common knowledge that we all thought it was difficult. And there were
some people like Joe Hoffman who went out and ran against him. I always felt that if you were in the cabinet you
had to stay loyal unless you separated yourself totally at some time before that. And so we stayed loyal and we
fought the campaign. One of the things that I liked about Governor Byrne was he would not compromise his
principles for campaign gain. There were instances where people wanted certain things and he frankly threw them
out of the office. It takes a lot of courage to do that and, you know, my recollection of the thing was that we were
concerned but I go back to that cabinet meeting two or three weeks before the election when he walked in and was
very strong and positive about “We’re going to win and I don’t want you to worry about it, just do your job and do
your job well.” And that was sort of the mandate that we had.

Q: Did you think personally that he would win that primary election?

Mulcahy: Well I can say this there were a lot of people in Mendham who when they saw me on the street said “Don’t worry you won’t be around in the second term.” So it was kind of sweet music when we won.

Q: Were you at the campaign headquarters on primary election night?

Mulcahy: I was at campaign headquarters both nights.

Q: And what was the mood?

Mulcahy: I think the mood was

Q: Because in the primary he still looks like a long shot.

Mulcahy: He’s going to have a tough time winning the

Q: A long shot in November.

Mulcahy: But you know, you can only take one step at a time and I think frankly what happened in the primary and I’m sure all the political scientist have said this is that there were so many candidates that it enabled him to pull through.

Q: We’ve asked some people during these series of interviews why all those anti-Byrne candidates couldn’t get together to back one particular anti-Byrne horse. What’s your view?

Mulcahy: I think Don, it gets down to personal egos and nobody, they all think that they can be elected and they all want the shot and they’re unwilling to get together for what may in their view be the common good and I think this is what happened here. They all thought they had a shot and in reality none of them did.

Q: Now you mention that you had some contact with Bob Roe previously. He was one of those candidates.

Mulcahy: Yes.

Q: What was your take on his campaign and candidacy?

Mulcahy: Well he had an individual named Peter Levine, who was a shopping center magnate, who was backing Bob Roe and raised a lot of money for Bob Roe. But Bob Roe didn’t have the appeal statewide. And I think no matter how difficult his problems were in the first term, people looked at Brendan and said, “You know, he made some tough decisions, he dealt with the State income tax and he stands for integrity. And I think in the end that’s what pulled him out.

Q: Another candidate was Jim Florio. What was your view of his campaign?

Mulcahy: I didn’t know Jim Florio very well at the time. He was from the south and I had met him in the legislature some to deal with but I really didn’t know him well.

Q: What campaign role did you take in the general election campaign?

Mulcahy: Our role at that time was to make sure we did our job. It depended on the job that you had and in corrections we didn’t have a lot of time to do things. I mean the job was seven days a week and many hours a day
and as I had said earlier, my view was the best thing that I could do for the Governor was to run the place and keep it out of the newspapers. And if we kept it out of the newspapers it would help.

Q: Now you’ve mentioned previously the Bateman position on taxes. At what point did you feel the campaign was turning in Brendan Byrne’s favor?

Mulcahy: I felt it shortly after they released their report the campaign started to turn in his favor. And you could sort of sense it from people. I think we were astonished by the margin on election night and I can remember driving to the campaign headquarters with Terry and Jim Stabile who was my press guy at corrections and turning on CBS before we even got there and them declaring that Brendan was the winner. I mean it almost took some of the celebration out of it because by the time you got there, which was maybe a half hour or forty-five minutes after the polls closed, we all, it was all over.

Q: Did you get a chance to speak to Governor Byrne on election night or was it too hectic?

Mulcahy: I think it was too hectic. I might have said “Congratulations” I think we all did that but it was, everybody was just sort of in a happy mood.

Q: Now that he wins reelection, what are your personal considerations about staying in the cabinet or doing something else, returning to private life?

Mulcahy: Well at that point I was happy to be reassured that I had a job and I think it was a Friday afternoon in December when I got a call from the Governor’s office and he asked if he could see me. And I came over and he talked to me about the second term. And what he said to me was that he wanted to reorganize his office in the second term and I think the term he used was he wanted to eliminate some of the, I forget the phrase he used, the way his office had run in the first term. And he said “if you’re willing to do the job, I’ll create the position of Chief of Staff and give you the authority to do it”. And my answer was “Governor I’ve served you in about three positions now, if you ask me to do this then I feel the responsibility to do it.” And he said “I want you to draw up a reorganization of the office.” And subsequently I came back and talked to him about that and indicated that I wanted hire Harold Hodes as a Deputy who I had met in Newark and he’d been, he understood the politics of the urban areas. I wanted to go after Stew Pollock on the basis that we wanted to show some bipartisanship in the second term and to have some reach to business and I felt that Stew would do that. I wanted to create an office of Policy and Planning, I believe somebody named Don Linky served in that role and we hired Tim Carden who I knew from the campaign when he ran for Assembly and I thought we had some really good people. We didn’t have a big staff, we had really good people on the staff who cared about people and cared about the State and I was excited about that.

Q: Describe how the office was organized in the first term and how it changed in the second term?

Mulcahy: Well in the first term they had the Secretary to Governor office which was I guess had been a carryover ever since they changed the Constitution. But the Secretary to Governor didn’t have the overall power to run the office. At least on paper, maybe in concept they did but it, he felt that it hadn’t worked the way he wanted the office to function. And so that’s why we changed the organization.

Q: Do you have any sort of more detailed recollection of what he felt wasn’t working in the first term?

Mulcahy: He didn’t go into a lot of that and I didn’t think it was important or appropriate and at that time I wanted to put together a staff that I thought could serve him well and organized for the second term. And one of the first things that we did after we got everybody together was we put together a administration list of priorities for the second term and instructed the cabinet that these were the priorities and we did not expect to see them lobbying the legislature for anything for themselves that wasn’t on the priority list. Probably the most important thing the Governor did for my standing was in a meeting with the legislative leaders one day he said, “Look if Bob gives you his word, it’s my word,” And that certainly enhanced my ability to deal with the legislature on bills. He of course,
told me privately, “Make sure you don’t do anything I wouldn’t want you to do or would embarrass me.” And I always checked with him, things that we would do. But that probably did more than anything and then in those days there was a lot more of camaraderie among the legislature and frequently on Monday nights they would go to Lorenzo’s and, both parties, and the Governor would give his credit card to me and Harold and we’d go to Lorenzo’s and we’d buy dinners for certain people and we’d buy drinks for other people. The point being we did it in a bipartisan way and it generated a feeling of, a good feeling. And I think those were the little things that helped a lot. Jerry English was counsel to the legislature and our office at that time and she obviously was very helpful to us in what we put together to do. There were several moments that I remember with the legislature in that second term when I was there that sort of I think are interesting. The first summer in June, the Assembly was in session and we had about nine administration bills to try and pass the last day before they were going home for the summer and one of them was the Administrative Law Judge bill to set up the Administrative Law Judge structure. I got a call from Speaker Jackman who was really very loyal to the administration. He was from Hudson County, he understood loyalty. He called me down to the Speaker’s roster and told me that he didn’t have enough votes for the Administrative Law Judge bill. So I said let’s go down and caucus. And the Democratic caucuses in those days were pretty ruckus and at one point I wound up screaming, trying to figure out how many votes we had and we finally figured out we had 33 votes and that was all. So I went to Jim Hurley who was the minority leader and I said to Jim, I said “How many votes do you have for the Administrative Law Judge bill?” He said “I don’t have any.” I said, well are there any bills you’d like to pass? He said, well give me twenty minutes. And he came back and the first bill I said no, we can’t do that, the second bill, I can’t do that. The third bill was Assemblywoman Marie Mueller’s Teacher Certification bill, so I said we’ll do that and here’s how we’re going to do it. We’re going to post the Administrative Law Judge bill, we’re going to put our votes on the board, you put your votes up, the bill passes, the Speaker will go down to his seat he will immediately move your bill and we’ll put our votes on the board. We struggled, but we finally got the 41 votes and passed the Administrative Law Judge bill. Speaker Jackman went down to his seat, moved the Mueller bill whereupon I think it was now Congressman Saxton jumped up, Saxton jumped up and said “On a point of order I want to recommit the bill.” They never got the bill, we got what we wanted and all summer long the Republicans talked to me about how they, we’d outsmarted them. And I said “We didn’t outsmart anybody, you outsmarted yourself.” But those were the little kinds of things that we had and some of the humorous things, we had a bill for the takeover of the public service bus system, which is now part of New Jersey Transit, and I got a call from Speaker Jackman about five o’clock in the afternoon “That I got troubles. The bill isn’t going to make it today.” So I went down there I asked him to call a dinner recess and Harold and I took the Speaker across the river to a little Italian restaurant, fed him three double scotch sours and said, now Christy come on back and let’s just run this thing out, and about two o’clock in the morning we’ll pass it. And that’s what happened. So there were some interesting stories and good days because you could do those things then and there was a personal relationship that we had established with many of the legislatures. The interesting thing about the second term was there were a lot of evenings where the Governor didn’t want to go and, to some official function. And at five o’clock or four o’clock I’d get a call, “Bob you got to go.” So when I went to work in the morning I never was sure where I was going to wind up at night. Now in those days, I didn’t have any drivers or any of the State Police drivers that these offices have now. So it made for some pretty long days and some tough things. Although in those days we were allowed to use the helicopter and that helped greatly to do these things.

Q: Going back before the Governor had been inaugurated for the second term, when he offered you the position, did you talk to anyone else, either in the Governor’s office or the cabinet as to whether this would be a good move for you? And also did you know then or learn subsequently of who was sort of pushing for your appointment as Chief of Staff?

Mulcahy: You know, I didn’t know who was pushing for me as Chief of Staff and the only person I really talked to was my wife, Terry and

Q: What did she say?

Mulcahy: As she always has she has supported the decisions that I’ve made. She understood my belief in public service and she was, felt that I should do it.
Q: But she realized that personally and lifestyle, in terms of hours and travel and so forth, this would be continuing a fairly difficult family situation.

Mulcahy: I’m not sure that we all realized how difficult it would be, but it happened.

Q: Why don’t we break now.

Mulcahy: Sure.

End of session 1, to be continued.