Scandals spur hiring of Cooper ’67 as State Inspector General

Most observers of state politics agree that New Jersey has the most powerful governorship in the nation. The state’s top executive has the authority to appoint both an attorney general, New Jersey’s top law enforcement official, and a treasurer, the individual who shapes an annual budget of roughly $28 billion and oversees a massive procurement process that spends more than $11 billion each year.

Many also consider New Jersey politics to be rife with corruption. That view may be worthy of debate, but what is certain is that New Jersey’s governor wields uncommon influence over the state’s political, legal, and fiscal operations.

Trenton insiders have long understood New Jersey’s unique political landscape, where connections and influence produce results, and they are well versed in what it takes to make things happen in the capital city. Terms like “pay to play” (the use of campaign contributions to win lucrative public contracts), “double dipping”
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Following graduation from TCNJ and a few years as a stay-at-home mother, Cooper decided to pursue a long-held interest and enrolled in law school at Rutgers University–Camden. While working toward her degree, Cooper was introduced to criminal prosecutions through an internship at New Jersey’s Division of Criminal Justice. After completing her degree in 1979, she was hired to work there as an appellate lawyer, which Cooper characterized as “...a great introduction to the legal process.”

Cooper soon began to try her own cases and eventually rose to the rank of section supervisor. In that capacity she prosecuted murder, drug, white-collar crime, and numerous other case types, including indictments handed down by the state’s Grand Jury.

After almost 10 years at Criminal Justice, Cooper was recruited by Edwin Stier, the former head of the division, to his private legal practice. The firm, Stier Anderson, which has offices in New York City, Washington, DC, and Skillman, NJ, was unusual in that its function was to conduct independent internal investigations for private clients, such as major corporations. “We looked at allegations of fraud, harassment, and conflict of interest, among other things; and our work involved the same process that would be used to conduct a criminal investigation,” Cooper explained. “This entailed intensive document review and extensive interviewing. At the end of the investigation, however, we presented our findings to the client.”

Among Cooper’s most important accomplishments in that role was an investigation that resulted in millions of dollars in reimbursements to customers of Elizabethtown Gas. Another was a recent project that uncovered rampant overbilling by contractors working to clean the former site of the World Trade Center in New York City following the terrorist attacks of September 11, 2001. The latter case resulted in a savings of approximately $7.5 million for the state of New Jersey.

After receiving a glowing recommendation from Stier, Codey met with Cooper and, later, offered her the cabinet-level post of inspector general. Although legislation that would grant the inspector general a five-year term and the power of subpoena had been introduced, the only certainties the governor could promise were an enormous task and the remaining 10 months of his administration to do the job. Yet Cooper did not hesitate to walk away from the more lucrative private sector and accept the challenge. “The opportunity to continue what I was doing but to have my efforts provide a significant benefit to the people of this state was very appealing,” Cooper said. “Plus, it’s no secret that I am 63 and, if the legislation is adopted and I serve five years, I would consider it the crowning achievement of my legal career to be New Jersey’s first inspector general and to set this office up in a way that will enable it to be successful and have an important impact on the state.”

Cooper has been allotted a $3 million annual budget and envisages a unit with three small teams consisting of a lawyer, an accountant, and an investigator working collaboratively on cases. She explained, “I believe it is important, in this line of work, to have people of varying backgrounds with whom you can exchange ideas and discuss strategies.” Despite being just weeks into the job and still in the process of building her investigative staff, Cooper launched her initial major probe in February, an examination of massive cost overruns on New Jersey Schools Construction Corporation projects. That agency, which is responsible for more than $8.6 billion of funds that support school district capital projects throughout the state, had been criticized by legislators and the press for having possibly squandered millions of dollars. Cooper’s findings revealed improper bonuses paid to top officers in 2003 and 2004, more than $90 million dollars of unnecessary spending, and lapses in the management practices and financial controls implemented by the agency.

Although the former State Attorney General faced criticism for not thoroughly investigating any allegations of fraud, harassment, or conflict of interest during her time at the Division of Criminal Justice, Cooper has the discretion to take investigations in whatever direction she deems fit. “I report directly to the governor and believe it is perfectly appropriate for him to highlight areas of potential concern, but it is the prerogative of the inspector general to set investigative priorities,” Cooper noted. “I have the autonomy to look at anything that entails the expenditure of state funds, but it is important to note
that this is not a prosecuting agency. My
goal is to investigate cases that have the
greatest impact on and benefit for the
state. In situations where illegal activity
comes to light, the results of our work
will be shared with the attorney general's
office for purposes of potential criminal
prosecution.

The relationship between Cooper's
office and that of the attorney general is
one that, initially, raised concerns on the
part of some previous state attorneys
general, including John Farmer, W. Cary
Edwards, and Robert Del Tufo. They
believed the creation of an inspector
general could undercut the authority of
their former office. Cooper, however,
notes that the two units perform similar
but different functions and envisions a
strong collaboration that will lead to
success for both departments.

In hopes of tapping every available
resource, Cooper has reached across party
lines to begin a dialogue with United
States Attorney Christopher Christie, a
Republican who has enjoyed tremendous
success in uncovering government scandal.
Concerning Christie, Cooper said, "I don't
feel any pressure because of his
accomplishments, and I think everyone is
grateful for the work that he and the FBI
are doing. In the course of his
investigations, I would imagine that he
comes across instances of mismanagement
and inefficiency. While his resources are
going to be committed to criminal
prosecutions, information related to
waste would be very useful to me."

A Democrat who characterizes herself as "not very politically active," Cooper
understands that New Jersey's ethics and
judgment problems are not exclusive to
individuals of any particular party
affiliation. "I was told very early on, by
the governor himself, that this will not
be a political position and that I will
have the discretion to take investigations
in whatever direction I deem necessary," Cooper said. "That's what I intend to do."

Codey echoed Cooper's assessment,
saying, "Mary Jane has the experience to
uncover fraud, the experience to root out
mismanagement, and the experience to
make sure taxpayer dollars are spent
wisely. She is a professional, not a
politician. She has unquestioned
integrity and superior character, and she
is willing to ask tough questions and
take investigations wherever they go."

Senator Leonard Lance, the top-
ranking Republican in the New Jersey
Legislature, said of Cooper, "(She) has a
reputation as a methodical and tenacious
investigator. Her experience as a
prosecutor and as a corporate lawyer
specializing in internal investigations has
prepared her well for her new position.
I am hopeful that her office will
aggressively pursue and hold accountable
those who have abused the public
treasury. This vigilance will help deter
future abuses and go toward restoring the
public's trust in government."

The scandals that have plagued all
levels of New Jersey government are an
embarrassment for the people of the
state, and the fraud, mismanagement,
and waste that Mary Jane Cooper plans
to combat have caused New Jersey
residents to, literally, pay a steep price.
The path to higher ethical ground may
prove a difficult climb for the state's
political establishment, but at least the
hiring of Inspector General Cooper
seems to be a step in the right direction.

Matthew Golden is assistant director
for public information at TCNJ

Mary Jane Cooper '67

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— Acting Governor Codey