

# **CIVIL DISORDERS, U.S.A.**

## **Reports and Recommendations**

- I. GOVERNOR'S COMMISSION ON CIVIL DISORDERS  
summarized by the Newark Sunday News
- II. NATIONAL ADVISORY COMMISSION ON CIVIL DISORDERS  
summary as printed in the New York Times

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## WHO IS RESPONSIBLE?

The primary cause of rioting in American cities is a massive failure of the white majority, through prejudice and neglect, to deal justly with the Negro minority, according to the National Advisory Commission on Civil Disorders, of which Governor Kerner of Illinois is Chairman.

Racism and racist institutions, even more than poverty itself, are seen as the root problems of American society. The Commission found no evidence of organized incitement or control of the disorders, and it calls on white society to assume the burden of initiating reforms. These will be costly, but the price of inaction would be to split the nation into two hostile camps.

The findings and recommendations of the President's Commission closely parallel those of the Commission appointed by Governor Hughes of New Jersey to study the violent disorders which occurred in Newark, Plainfield, and Englewood in July, 1967. The report of the Governor's Commission on Civil Disorders is the result of five months of intensive research and many hundreds of interviews. It is a comprehensive case study whose conclusions could almost as well apply to a hundred American cities where similar outbreaks of violence are an ever present possibility.

## WILL WE ACT?

Self-styled "patriotic parties" and white "vigilante" groups are placing the blame on black militant organizers and are urging white communities to arm for a combat which they themselves are doing much to provoke. But further repression and polarization is not the answer. As the Commission's reports clearly show, the responsibility for the disorders and for the elimination of their causes lies squarely with the white majority.

The question is, will we act on its recommendations, or will we continue to investigate, filibuster and delay? When Pearl Harbor was hit, we did not stop to argue over whether we could afford to respond. Only a firm commitment, now to an all-out war on poverty and discrimination can hope to prevent new and more serious violence born of despair and fear in the months and years to come.

Church in Metropolis is grateful to the editors of the Newark Sunday News for permission to reprint their summary of the Governor's Commission's report and recommendations, and to the New York Times for permission to reprint the National Advisory Commission's own summary of its report.

M. H. Murray  
Editor

# Members of State Commission

## ROBERT D. LILLEY

Riot Commission Chairman

Robert D. Lilley of Short Hills, president of the N.J. Bell Telephone Co. since July 1, 1965, is a former group vice president of the Western Electric Co., the Bell system's manufacturing and supply arm.

A graduate of Columbia University, he began his Western Electric career as a materials engineer in 1937. He moved steadily up the ranks and was named group vice president in 1965. Lilley was a member of the Montclair Board of Education in 1956-57.

## ALFRED E. DRISCOLL

Alfred E. Driscoll, retired board chairman and chief executive officer of Warner-Lambert Pharmaceutical Co., served as governor of New Jersey from 1947 to 1953. His administrations as governor were marked by the forging of a new, modern state constitution, a highway building program, a changeover from normal schools to state teachers' colleges and a state research program for mental illness.

Driscoll joined Warner-Lambert in 1954. A resident of Haddonsfield, he is an attorney by training and was graduated from Williams College and Harvard Law School.

## RAYMOND A. BROWN

Vice-Chairman

Raymond A. Brown, a Jersey City attorney, has long been active in civil rights organizations. He is a past president of the Jersey City chapter of the NAACP, and a member of the executive board of CANDO, Jersey City's antipoverty community action agency.

A member of the board of control of the State Department of Institutions and Agencies since 1962, Brown also is a member of advisory committee of Project Upward Bound of the National Office of Economic Opportunity and on the state Commission on the Defense of Indigent Persons Accused of Crime. He was graduated from Florida A. & M. and Fordham Law School. He lives in Jersey City.

## ROBERT B. MEYNER

Robert B. Meyner is the second former New Jersey governor to serve on the riot panel. He was the state's chief executive from 1953 until 1961, and was succeeded by another Democrat, Richard J. Hughes. Meyner lives in Princeton and has a highly successful law practice in Newark.

In 1963, Meyner was appointed czar of the cigarette industry's advertising code. His began his political career as a state senator from Warren County. He is mentioned prominently as a possible candidate for governor next year.

## SANFORD M. JAFFE

Executive Director

Sanford M. Jaffe left his post as special assistant in the U.S. attorney general's office in Washington to become executive director of the riot commission. At one time he was an assistant Essex prosecutor for two years and later was chief of the U.S. attorney's Criminal Division in New Jersey for 3½ years.

Jaffe was graduated from Rutgers University where he was a member of Phi Beta Kappa, and got his law degree from Harvard Law School. He was admitted to the bar in 1953 and served as law secretary to Chief Justice Joseph Weintraub. Jaffe lives in Maplewood.

## WILLIAM A. WACHENFELD

William A. Wachenfeld of Orange is a former justice of the Supreme Court of New Jersey, having served from 1946 until 1959.

After serving as Essex County prosecutor, Wachenfeld was appointed to the Supreme Court in 1945 and later to the "new" Supreme Court in 1948 when the state's judicial system was reorganized.

He began as an assistant prosecutor in 1921 and was named prosecutor in 1933. His service in that office was marked by a militant war on gambling. He studied law at New York University and was an outstanding athlete, having been named to an all-American basketball team while in college.

## BISHOP P. A. TAYLOR JR.

Bishop Prince Albert Taylor Jr. of Newark, first bishop of the New Jersey Area of the Methodist Church, was born in Oklahoma. He attended Clark College in Atlanta, Ga., and did graduate work at Samuel Houston College in Austin, Texas. He received his divinity degree from Gammon Theological Seminary in Atlanta, Ga., and holds a doctorate from New York University and several honorary degrees.

He served pastorates in North Carolina after having been consecrated in 1936 from the Central Jurisdiction of the Methodist Church.

## OLIVER LOFTON

Oliver Lofton, a Newark attorney, is a former assistant United States attorney for the District of New Jersey and former special assistant in the U.S. attorney general's office. Since March 1966, he has been serving as administrator of the Newark Legal Services Project, an anti-poverty program.

Lofton was graduated from Neptune High School, State Teachers College in Cheyney, Pa., and received a master's degree in psychology and his law degree from Howard University in Washington. He lives in the Colonnade Apartments in Newark.

## JOHN J. GIBBONS

John J. Gibbons of Short Hills is president of the New Jersey Bar Association. He practices in Newark in the firm of Crummy, Gibbons and O'Neill. He served four years on the State Board of Bar Examiners and was elected a trustee of the state organization in 1961.

He was graduated from St. Benedict's Prep, Holy Cross College and Harvard Law School where he was editor of the Law Review. He taught at Seton Hall Law School for six years.

## BISHOP JOHN DOUGHERTY

Bishop John J. Dougherty of South Orange, is president of Seton Hall University and auxiliary bishop of the Newark Archdiocese. A prize-winning author, television producer and radio speaker, he is an internationally known Bible scholar.

He was graduated from Seton Hall, was ordained in Rome in 1944 and taught sacred scripture and Hebrew at Immaculate Conception Seminary in Darlington where he had studied. A native of Jersey City, he was named an auxiliary bishop in 1962.

## BEN Z. LEUCHTER

Ben Z. Leuchter, editor of the Vineland Times-Journal since 1949 also is a co-publisher of the weekly Hammonon News. He followed in his father's footsteps in the newspaper business, his father having founded the Vineland Times which later merged with the Vineland Journal.

Leuchter was graduated from Haverford College and is active in Jewish organizations. In 1963 he served on the citizens advisory council to the New Jersey State Tax Policy Commission. He lives in Vineland.

11 members

## State Commission: *Riots Are Laid to Neglect*

By DOUGLAS ELDRIDGE

A blue-ribbon investigation commission has blamed last summer's Newark riot on long neglected social ills and frustrations, and has called for dozens of drastic reforms to change the whole climate of city life.

In an unexpectedly bold report, the 10-member Commission on Civil Disorder, set up by Gov. Hughes, charges that city officials failed to see the dynamite on their doorstep, and ill-prepared law enforcement agencies used "excessive and unjustified force" in quelling the rioting.

The report bulges with sweeping recommendations — including a grand jury investigation of Newark "corruption," creation of a police review board, a state takeover of the city's public schools, consolidation of many municipal services at the county level and overhauling of welfare, employment and antipoverty programs.

The 478-page report, product of five months of investigation and study, rejects any notion of a conspiracy behind the July disorder, and instead cites many deep-rooted sources of unrest—including a "pervasive feeling of corruption" in Newark.

The far-reaching report, which also examines disturbances in Plainfield and Englewood, was released yesterday by the commission chairman, Robert D. Lilley, president of the N.J. Bell Telephone Co.

The commission places basic responsibility for the riots—and for remedial action—on the white majority. It warns grimly that no amount of force can protect the cities and no amount of money can solve their problems unless there are basic changes in attitudes.

### BRISTLES WITH CRITICISM

The report also bristles with criticism of the conduct of local and State Police and the National Guard during the Newark riot.

The enforcement agencies lacked plans or training to cope with the crisis, and aggravated it by wanton gunfire and by abusive treatment of Negroes, the commission said.

The commission also found that Negro-owned stores in a small area were shot up in "a pattern of police action for which there is no possible justification." Testimony indicates State Police were mainly responsible, with some involvement by Guardsmen, the report says.

The commission members — including former Govs. Robert B. Meyner and Alfred E. Driscoll, two bishops, four prominent lawyers and a newspaper editor—were unanimous on all but one small point in the report. They split only over how much consolidation of municipal services to recommend.

### CALLED 106 WITNESSES

The commission report is buttressed with 884 footnotes, and is based on sworn testimony from 106 witnesses, interviews with 700 persons and 121 exhibits. The supporting material was not released, but will probably be made public later.

The report gives blow-by-blow accounts of the disorders in the three cities last summer, with findings for each. But most of the report is devoted to "sources of tension"—politics, housing, education, police, employment, welfare, municipal court, antipoverty programs—and to 99 separate recommendations.

The panel's proposals range from increased business involvement in community problems, to the wearing of name tags at all times by policemen.

The commissioners note at the outset that some of their proposals will be costly, but add:

"... much of what needs to be done and much of what this commission is recommending does not cost money and cannot be bought."

The commission makes no predictions, but warns that rising anger and distrust between black and white poses "a clear and present danger to the very existence of our cities."

### MUST CONVINC

The commissioners—seven whites and three Negroes—also warn that unless those in power can give to the poor "far more tangible evidence of a commitment to change than has emerged so far... the summer of 1967 is likely to become a prologue to tragedy, and the time for study and planning will have run out."

The commission's first finding about Newark's riot is that the city administration failed to recognize the intense bitterness in the Negro community about plans for construction of the medical college in the Central Ward, and for appointment

of City Councilman James T. Callaghan as secretary of the Board of Education.

Militant groups capitalized on the issues while the mayor made no attempt to relieve the tension, the commission said. It observed that "a serious lack of communication between established authority and the black community" is one of the biggest problems in Newark.

The commission also found "virtually a complete breakdown" in relations between police and Negroes preceded the riot. There has been no significant improvement in the situation since then, the report added.

The view that the riot was caused by a conspiracy was advanced by several police witnesses, but they were unable or unwilling to give specific evidence to support the charge, the commission said.

#### Fourth Precinct Rally

While most of the commission's Newark findings were directed at the police, the panel did criticize the "poor judgment" of militants who called for a protest rally at the Fourth Precinct on July 13, the night after the initial disturbances.

The commission also found "there may have been some organized sniping activity" after the riot reached its peak on July 14, but the heavy gunfire by police made it impossible to tell how much sniping actually occurred.

The commission also charged that police used ammunition "out of all proportion to the mission assigned to them," and it condemned the use of personal guns by Newark policemen during the riot.

Among the commission's recommendations were state compensation for persons whose property was damaged by the police and public disclosure of the Essex County prosecutor's findings on all fatalities in which there is no indictment. A grand jury is currently reviewing the 23 fatal shootings from the riot.

In Plainfield the commission also found poor police-community relations, and no evidence of a conspiracy. It criticized the manner in which homes were searched for missing weapons, and the restraints on local police.

The commission also condemned "the mob action" that

resulted in the death of a Plainfield policeman.

#### Praise for Englewood

In contrast, the commission heaped praise on the professional conduct of Englewood police, although it said there was "no meaningful dialogue" between the Negro community and the city administration there.

Most of the commission's recommendations are aimed at Newark, and the sharpest are on local government, the police and the schools.

In calling for a grand jury probe of allegations of corruption, the commission quoted several witnesses as saying "there's a price on everything at City Hall." It also criticized the city's failure to act on past presentments criticizing gambling enforcement.

The commission also called for a five-member citizen commission to hear all complaints against the police, and cited the department's own figures to show that grievances seldom lead to disciplinary action in the present system.

The governor's panel also urged steps to remove politics from police assignments, to raise police salaries and to assign Negroes "to command positions, including precinct commands."

The commission thus lent its weight to the current drive by civil rights groups for assignment of Capt. Edward Williams, highest ranking Negro in the department, to a precinct. He is now head of the human relations squad.

Noting there are only 145 Negroes among the city's 1,379 policemen—and only nine of the Negroes are above the rank of patrolman—the commission also urged special recruitment of Negroes, as well as out-of-town residents, to fill vacancies.

The commission appraised the Newark school system as "in an advanced state of decay," and said half the students now in high school will be "functionally illiterate" when they are graduated.

The only answer, in the commission's view, is for the state to take over all responsibility for the school system, and to work for its decentralization into several neighborhood systems, as has been suggested in New York.

The commission notes Newark's limited resources and ob-

stacles that even if all the funds being spent on the war in Vietnam were re-channeled into the cities "this would not be enough."

New Jersey's tax structure must be revamped, the commission says, to lessen reliance on the property levy and to provide a greater share of state aid to cities. Meanwhile, it adds, some services could be consolidated at the county level to increase efficiency and ease the strain on shrinking city tax bases.

#### On Med Site

Elsewhere in its "Report for Action," the blue-ribbon commission says the N.J. College of Medicine and Dentistry should be built in Newark, but its site should be "consistent with . . . the needs and aspirations of the community." It also supports the college's taking control of City Hospital.

On other fronts, the commission recommends:

- Continued independence of Newark's antipoverty agency—called "the last best hope" of the black community—from any domination by City Hall.

- Replacement of municipal courts by an expansion of the state judicial system.

- Creation of a special state commission to look into the problems of Spanish-speaking communities.

- Encouragement of Negro candidates by both major political parties.

- Abandonment of the controversial proposal to set up a canine corps in the Newark Police Department.

- Private financing of small business loans in ghetto areas.

- Formation of "one umbrella organization" to overcome confusion in the job training field.

- Consolidation of all welfare programs at the state level.

#### Views Future

The commission also issued 15 recommendations for handling of future disorders, including development by all levels of government of "a master plan" emphasizing speed and coordination. There are four separate recommendations just for limitations on use of weapons and ammunition by police.

The proposals include "year-around councils or task forces" to maintain communication be-

tween Negroes and the authorities in any city with a large non-white population.

The commission also suggests several steps just for summers, including establishment of neighborhood youth centers, vest-pocket parks, portable swimming pools, day camps, community service teams and "street academies" to help get youngsters into college.

In its 56-page chronology of Newark's disorder last summer, the commission makes no attempt to say who was at fault in the incident that started it all—the arrest of taxi driver John W. Smith. The commission simply quotes the conflicting versions of the incident.

The chronology indicates much confusion among local officials and police as to how to deal with the spreading disorder and when to seek outside aid. State units should have been called in earlier than they were by the mayor, the commission said.

The commission quotes a number of eyewitness accounts of shooting up of stores by state police and guardsmen, and says the action embittered a part of the Negro community that had taken no part in the disorders.

The report also emphasizes confusion over the authority and responsibility of the local police, the state police and the guard while they were working together.

The commission said the Newark police, in spite of many warnings of rising tension, made little preparation for the riot, other than the purchase of 25 shotguns a week before the outbreak.

The commission was created by Gov. Hughes last July 19—just two days after the Newark riot ended. It held some 65 hearings and meetings, visited the riot areas in the three cities, and amassed some 5,000 pages of testimony. The study cost approximately \$105,000, and involved a staff of 28.

The commissioners gave their findings to Gov. Hughes on Friday night. The printed version will be published in a few weeks, while the commission will disband and close its office in Newark. The governor's office said yesterday Hughes is studying the report. ●

# No Evidence Seen Of Plot, Planning

By DAVID C. BERLINER

In the 13th and last of its findings on the Newark riots, the Governor's Commission on Civil Disorder states:

"The evidence presented to the commission does not support the thesis of a conspiracy or plan to initiate the Newark riot."

Yet in another section of the report, the commission admits that its "resources and powers" did not "permit the kind of investigation that could yield definitive judgments as to whether the disorders . . . were planned or organized."

Noting that it had received testimony that lacked the "specific kind of evidence from which definite conclusions can be drawn," the Commission then referred to the statements made by the numerous law enforcement, municipal and civil rights officials who appeared before the 18-man panel.

As the report pointed out, police officials provided "only scant information to substantiate their views . . . indicating that investigations were still under way or that security interests precluded disclosure."

## Called Conspiracy

Newark Police Director Dominick A. Spina was quoted as testifying at one hearing that he felt a conspiracy had led to the riots, citing "the pattern of the looting and the pattern of the sniping," as well as saying he had found that some rioters "were monitoring our radios" while others were using citizens' band radios to communicate with one another.

The report said Spina was reluctant to elaborate on his feeling that he had evidence to support the conspiracy theory, but added that he explained his opinion as "stronger than just a belief."

The Newark Police Department is currently conducting a

special investigation of its own and hopes to be able to have enough evidence by spring for a grand jury.

Despite Spina's conspiracy opinion, the commission cited another portion of his testimony in which he declared, "We have no actual evidence of any outside conspiracy."

One sore point which received repeated attention during the hearings—large-scale outside agitation—apparently was given less importance after presentation of arrest figures compiled by the Newark police. Eighteen of 91 persons arrested on weapons charges were out-of-town residents. Sixteen of the 18 were residents of New Jersey communities near Newark, and two were from out-of-state.

## 129 Out-of-Towners

Of the 1,465 persons arrested in Newark, the report stated, 129 were out-of-town residents, but 169 resided in nearby towns.

State Police Superintendent Col. David B. Kelly also was reluctant to cite complete information to support his contention that outside forces helped organize the riot. He did however, the report said, note the presence of Colonel Hassan of the Black Liberation Army

shortly before the riot and his disappearance once the rioting began.

Turning to the sniper firing, Kelly said, "When there is cross-fire, there is organization."

Other leaders discounted the conspiracy theory. Timothy Sull, president of the board of trustees of the United Community Corp. stated: "There was no organization to this."

## Curvin Disagrees

Robert Curvin, former chairman of Newark-Essex Congress of Racial Equality (CORE), disagreed with Kelly, playing down the role of the Black Revolutionary Movement and Colonel Hassan.

Thomas Hayden, a New-Left activist and a founder of the Students for a Democratic Society (SDS), also discounted the conspiracy theory, saying, "It comes like a tornado. It is not staged by organizers."

Concurring with that theory from the municipal government point of view was Donald Malafro, administrative assistant to Mayor Hugh J. Addonizio, who testified "there were persons who worked hard to produce an atmosphere" for a riot, but did not believe a conspiracy had been in effect. ●

# Panel Exonerates UCC in Disorders

Continued independence and increased efficiency are essential for the future success of Newark's War on Poverty.

That is one of many conclusions drawn by the Governor's Commission on Civil Disorder in its analyses of antipoverty, employment and welfare programs.

The commission urged the city administration not to take over the United Community Corp. but instead to accept "a strong UCC, respected by the black community, as a major asset" for race relations here.

At the same time the commission urged the UCC to streamline its operations, develop sources of funds apart from the federal government and take increased action in housing and employment.

## UCC Exonerated

While finding many weaknesses in the antipoverty effort here, the commission exonerated the UCC of allegations that it instigated or encouraged the disorder last summer.

The panel—whose members included Oliver Lofton, a vice president of UCC—said the Newark agency's leaders tried to prevent violence and relieve

suffering in the riot-racked area.

On other fronts the commission called for consolidation of all welfare programs into a single state agency, and creation of a central job development and placement service to bring some order into the "thicket" of current training projects.

It also warned that the job situation may worsen because the population of young men—the hardest to place—is growing, and unskilled employment opportunity is diminishing and moving out of the city.

## Unemployment Double

The commission noted that the unemployment rate among non-whites is double that for whites; that 77 per cent of Negroes believe there is job discrimination in Newark, and that less than 3 per cent of Newark's Negroes are employed in the city's biggest industries—banking and insurance.

Efforts to train the unskilled have been badly uncoordinated, partly as the result of federal policies, and have often been oversold in advance, the commission said. Most projects have failed to deal with basic medi-

cal, educational and family problems that keep people out of work, the commission found.

"Training almost seems to have become an end in itself," the commission said, "but it serves no purpose at all if trainees are not placed in permanent jobs."

In an extensive analysis of the UCC, the riot commission said the Newark agency has succeeded in obtaining \$12 million—"a large piece of a small national pie"—and in involving local residents in leadership.

But the UCC has suffered, the commission said, from an elaborate structure, internal strife, and lack of consistent funds, of trained staff—and of official support.

## Agency Ignored

The commission said Mayor Hugh J. Addonizio has been interested mainly in "the patronage potential" of UCC, and has otherwise ignored the agency. The City Council has been hostile and has failed to provide major financial help, the commission added.

The mayor feels the agency is a haven for his political foes, the commission reported, and suggests he look at it instead as "an outlet for frustration . . . a forum for people who had previously not been heard."

In spite of UCC's failure to develop "widely visible programs," the commission said, it is held in growing esteem by

the Negro community. A survey showed 63 per cent of the Newark Negroes approved of UCC, and only 12 per cent disapproved.

This indicates, the commission continued, that UCC may be "the last best hope" Negroes have—the one agency in which they have some confidence.

## Asks Cooperation

The commission called for increased cooperation between City Hall and the UCC—including personal involvement by the mayor in its meetings. It noted that Addonizio has not attended a UCC meeting in several years.

The commission also called on business to take the lead in forming "one umbrella organization" to supply employers with personnel from the ghetto.

It said both business and labor must also take the initiative in recruiting and training the poor, and the N.J. Division on Civil Rights "must take a more aggressive posture" in fighting employment discrimination.

## 'Token Integration'

The commission charged that most construction unions have made only token integration. There are 150 Negroes among the 1,787 apprentices in Essex County, it said, and noted that ironworkers—target of intensive pressure for several years—still have only one Negro on their apprenticeship list. ●

# Riot Commission Shows Unity on All but One Point

At only one point in their 478-page report do the members of the Governor's Commission on Civil Disorder indicate any difference of opinion among themselves.

The sole division was over how much consolidation of municipal services there should be in Essex County.

Elsewhere in the report — and on far more sensitive issues — the 10-member panel maintained its unanimity.

Although there were many expectations of dissenting minority reports, none was presented.

## Not Spelled Out

The split over municipal consolidation was not spelled out. The report does not indicate which members, or how many, took differing positions. There were reports the split was 5-5.

The commissioners did agree "administration and financing of certain basic services, such as the police, should be consolidated throughout Essex County."

The report goes on to say some commissioners felt the recommendation was inadequate, and the fragmentation of the state into 567 municipalities and 373 school districts is "the largest contributing factor to the urban problems outlined in this report."

These commissioners, the report said, favored complete consolidation of municipalities and school districts as the only way to break down segregation and economic decline in the central cities.

## Some Consolidation

Other commissioners, however, argued that complete consolidation would thwart "many municipalities which are now seeking to build new sources of strength and vitality." They settled for consolidation of some services as "a practical and realizable step at this time."

While not indicated in the report, it was believed some opposition to complete consolidation

was based partly on the fear it would dilute Negro political strength, and perhaps delay the election of Negroes to municipal offices.

On the other side, according to the report, some commissioners argued that land use patterns now exclude the poor while attracting industry to the suburbs, and thus increase financial and racial strain on the cities.

"They fear that if legislative action is not taken to break down the legally codified barriers which have largely confined the Negro to the older cities these centers of segregation will, despite well intentioned remedial action, become increasingly ungovernable," the report said.

Nowhere else in the report is there any hint of any disagreement that may have arisen among the commissioners during their 63 meetings since last August. ●

# Lilley Sees Fast Action

Robert D. Lilley, chairman of the Governor's Commission on Civil Disorder, said yesterday he expects some proposals to be carried out immediately, but foresees stiff opposition to others.

"This is certainly not a vindictive report," Lilley said, but added: "I expect there'll be some resistance . . . I don't expect a sweetness and light reception."

Lilley spoke at a press conference at the Robert Treat Hotel. The other nine members of the commission were not present.

Lilley, president of N.J. Bell Telephone Co., said some proposals—such as increased employment efforts by business—are already being carried out. Others, he said, should be "accepted wholeheartedly."

He declined to say which of the panel's 99 recommendations have the best prospects or which of them he considers most important. He said the basic thrust is that "the authorities must lean over backward to involve the community in what they do."

The commission found no justification for violence, he told the newsmen, but took the view it must be prevented and not simply suppressed. "We must remove the need for violence," he said. ●

# Asks Jury Inquiry

By BOB SHABAZIAN

The Governor's Commission on Civil Disorder yesterday called for a special grand jury investigation of alleged corruption in Newark's city government, with emphasis on organized crime and police corruption.

Citing "politics" in the Police Department, the commission also noted that no effective action had been taken to correct conditions following four grand jury presentments in the last seven years that were highly critical of the department.

In the area of city government in general, the commission said further that a former state official, a former city official and an incumbent city official all used the same phrase: "There's a price on everything at City Hall."

## Widespread Belief

There is widespread belief that Newark's government is corrupt, said the commission report, adding "knowledgeable and substantial people expressed this belief, off the record."

The commission said it was told by a realtor that business would not move into Newark for three major reasons: The racial situation, taxes and corruption.

"A source close to Newark businessmen said he understood from them that 'everything at City Hall is for sale,'" the report stated.

The commission said Newark had not shaken off the discredited heritage left by the city commissions of the 1930s and 1940s.

As an alternate to a special grand jury probe, the riot commission said investigations could be made by the state attorney general; by the Superior Court (this was done in the case of Jersey City's financial affairs in the early 1950s) or by a bipartisan law enforcement council named by the state.

Robert D. Lilley, chairman of the commission, said yesterday the call for an investigation was based on testimony of many witnesses.

"Belief in the community is often more important than the truth," Lilley said. "Belief in corruption lowers confidence in government and is certainly a source of tension."

The commission noted that the two grand jury presentments in 1965 charged political interference with the police department and a lack of enforcement of gambling laws in Newark.

Referring to the latter, the commission said the presentment had been challenged by Police Director Dominick A. Spina.

"Within 48 hours, the prosecutor's office raided two apartments in Newark and charged 15 people found in them with operating a lottery," the commission wrote.

The riot panel said when Deputy Police Chief John Redden was asked about the prevalence of bookmaking and numbers playing in Newark, he told the commission:

"Based on my own experience, based on previous grand jury investigations, based on

the statement — the public statement — of a man such as former Asst. Atty. Gen. (John J.) Bergin, I would say that it was very prevalent. It is a very large business."

## Cites Presentment

Redden also cited that presentment as evidence that assignment of police personnel was made for political reasons.

"There is a widespread belief in the Negro community that these grand jury presentments were true. Compounding it is the visible evidence in the Negro area of gambling and vice," the commission said.

The panel quoted Assemblyman George C. Richardson, a Negro and one-time member of Addonizio's City Hall team, as saying "you couldn't run" some of the white officers away from Negro precincts because of graft and payoffs.

Richardson told the commission he felt this was one reason

why Capt. Edward Williams, the only Negro police captain on the force, has not been assigned to one of the Negro precincts, according to the report.

The commission said that when he appointed Spina as police director, Addonizio said the appointment was a reward for his political campaign work (in electing Addonizio in 1962).

"Immediately after his appointment, Mr. Spina issued a directive that all personnel assignments would be by order of the director," the commission said.

The panel said that testimony, interviews with responsible people "in different strata of the city's life, as well as nationally publicized articles leave no doubt that the belief that Newark is a corrupt city is pervasive."

"This has implications for the attitudes of citizens toward law and order, which this commission cannot ignore," the commission said.

The commission said that the political and social problems that beset Newark must be viewed against the background of a long history of governmental troubles and population shifts.

#### Didn't Get Results

"Several structural reforms in the city's administration did not yield the results that reformers had hoped," the riot report stated.

After taking office, some of the mayor's key appointees disappeared from City Hall early in his administration, namely his business administrator, Paul Busse and administrative assistant, Samuel M. Convisser.

They became "disillusioned and resigned," the report said. It quoted Convisser:

"The man (Addonizio) was a legislator, not an administrator. He didn't know how to take leadership, make decisions."

The panel said Richardson was fired from his insurance fund commission post because he favored a civilian police review board. The mayor was opposed to such a board.

Richardson testified, said the report, that after the election the Negroes found out that the supposed partnership did not really exist. Richardson's explanation was that the mayor considered Negroes politically unreliable.

The panel said this was Addonizio's answer:

"The Negro politicians won't settle for a piece of the action. They want the whole ball game. Anything we do is opposed."

#### Changing Mood

The riot commission's report traced a history of a changing mood among the Negro community. Civil rights groups began to refer to urban renewal as "Negro removal."

It told of activities of new left-wing groups such as Students for a Democratic Society and Newark Community Union Project which concentrated on housing and demonstrations and litigations with landlords.

The report told of the shooting and killing of a Negro by a police officer that nearly touched off a riot, an incident that led to demands for the police review board.

The commission said that since Newark's municipal elections are nonpartisan, Negroes who aspire to political leadership run into difficulty because there "are no clubhouses through which they can find their way into the political organization and earn its support."

The mobility of the Negro population also inhibits its political effectiveness, the report said. One of the recommendations made by the commission to help relieve the feeling of Negro powerlessness was:

#### Negro Candidates

"Both political parties should support the emergence of more Negro candidates and should encourage active participation of Negroes of all economic levels in the political process."

The report added: "In any reorganization of the governmental structure, care should be taken to achieve districting with a makeup that will provide opportunity for adequate Negro representation."

"Efforts to reapportion or redistrict should avoid gerrymandering that favors whites, and districts should be arranged as to give areas with a heavy nonwhite population an opportunity to be responsively represented."

In a section dealing with post-election issues, the report criticized the actions of the City Council early in 1967 when the tax rate was soaring from \$5.97 per \$100 of assessed valuation to \$7.78.

"Rubbing salt in the financial wound was the fact that the city councilmen had voted pay raises to all employees, including themselves and the mayor." The mayor's increase was \$10,000 (to \$35,000 — the same as the governors).

The report went into great detail on the two major controversies of last year; one, the proposal to build a medical school in the Central Ward and the dispute over the amount of land for the school, and two, the unsuccessful attempts of the Addonizio administration to name Councilman James T. Callaghan, a white man, as secretary to the school board over a wide protest from civic and civil rights groups who favored City Budget Officer Wilbur Parker, a Negro.

"The medical school and the Parker-Callaghan controversies helped set the stage for the July riot," the report said.

#### Long Way to Go

Negroes testified that the issue was not simply how many black people were appointed to, or hold, high positions, but whether the administration as a whole is responsive to the black community, and whether Negroes in office are permitted to exercise independent judgment, the panel said.

The commission concluded that Newark's political leadership has a long way to go merely to provide essential services to the disadvantaged communities. Even whites in the community agreed, said the report.

It quoted Msgr. Thomas J. Carey, pastor of Queen of Angels Church in the Central Ward, who said he found "City Hall difficult to deal with."

The report said taxes are a frustration that all Newark property owners share, with the owner of an \$18,000 home paying nearly \$1,400 a year in taxes. The panel also said:

Negro neighborhoods are dirty because of inadequate street cleaning.

A house is gutted by fire and is not torn down.

A governmental unit takes over buildings in preparation for urban renewal or highway construction and does not even secure them against trespassers.

Cars stand abandoned on the streets for months, but the city does not tow them away.

The first troublemaker in the Addonizio administration, said the panel, summed from the council's insistence that it be involved in the day-to-day government and on receiving a share of the patronage.

#### Tax is Blamed

The report also said that the nearly confiscatory property tax (projected at \$7.95 this year)

"undoubtedly contributes to the decline of Newark."

Finance Director Harry G. McDowell told the commission that Newark is in deep financial trouble, and that there was a direct relationship between the city's financial problem and the riot, and that the lack of resources contributed to the crisis.

One of the economic recommendations in the report was that additional revenues be raised by the state so as to reduce dependence on the local property tax.

The commission also called upon the private sector to make a total effort in the fields of job training, education, business development and housing programs in the city, regardless of what federal or state aid may be forthcoming.

"Since federal government efforts have fallen short of meeting the need for small business loans in depressed areas, private enterprise must assume the major share of this task, through small-business loans and assignments of technical and management talent," the report said.

#### Other Revenue Needed

The panel said "a vast portion of Newark" can be called a "racial and economic ghetto."

The fact that the city needs revenue from beyond its borders becomes "steadily more urgent," the report said.

It added that present aid levels from both the state and federal governments, however, are wholly inadequate.

"This becomes all the more relevant in light of the fact that the problems of the poor are national. Many of the poor who crowd the cities are recent arrivals from elsewhere in the nation and many of them will move on," the panel said.

The report criticized state government for leaving local governments "to fend for themselves."

It said Newark "is especially badly off in terms of state aid."

The report also said New Jersey does not take full advantage of another potential revenue source—the federal government. The state receives 22.5 per cent of its total revenues from the federal government. The 50 states receive an average of 25.1 per cent.

The report also said Newark itself could take fuller advantage of existing federal programs, such as commodity distribution, school lunches and food stamp programs. ●

# Study Cites Dissatisfaction

Findings of the Governor's Commission on Civil Disorder follow:

## NEWARK

1. The Newark City administration did not adequately realize the bitterness in important sectors of the Negro community over the administration's policies and conduct in the medical school and Parker-Callaghan (Board of Education) controversies. The administration did not seem to understand that political support by large numbers of Negroes in past municipal elections was not a guarantee against disaffection and disappointment over specific issues of direct and deep interest to Negroes. This reflects a serious lack of communication between established authority and the black community, which is one of the prime ills of Newark.

2. There was virtually a complete breakdown in the relations between the police and the Negro community prior to the disorders, and there is no evidence that there has been any improvement since July. Distrust, resentment and bitterness were at a high level on both sides, and there was no evidence of any significant improvement in this vital area when the commission ended its hearings late in 1967.

3. Pre-riot planning by the Newark Police Department was inadequate. The department did not have sufficient resources for riot control, and it had not prepared a plan of operations for coping with the possibility of large-scale disorders.

4. Those who passed out leaflets and called for a rally on the evening of Thursday, July 13, in front of the Fourth Precinct, following the night of the John Smith (taxi driver) arrest, showed poor judgment. In the light of the high state of tension in the community, a rally was far more likely to lead to disorder than to nonviolent protest.

5. The administration of the city was too hesitant to request State Police assistance, despite the views of high officers in the police department that such aid was needed. Had aid been requested earlier, the rioting might have been contained more quickly and effectively.

6. Once assistance was requested, the state responded promptly and with adequate forces. However, due to the absence of an adequate plan for the control

of disorders setting forth the command structure among the various law enforcement elements, delays and other problems arose that inhibited the effectiveness of the over-all effort.

7. The inability of the various police forces to broadcast over one another's radio frequencies created major communications problems. The absence of a single radio communications channel for all police forces hampered the performance of all riot-control elements.

8. The amount of ammunition expended by police forces was out of all proportion to the mission assigned to them. All police forces lacked an adequate system of ammunition control. No proper procedures had been established for dispensing and accounting for the expenditure of ammunition. The use of personal weapons by members of the Newark Police Department created special problems and should be condemned.

9. The technique of employing heavy return fire at suspected sniper locations proved tragic and costly.

10. The heavy firing by police elements against suspected snipers makes it difficult to determine the extensiveness of sniping. There may have been some organized sniping activity once the riot had reached its Friday peak.

11. There is evidence of prejudice against Negroes during the riot on the part of various police and National Guard elements. This resulted in the use of excessive and unjustified force and other abuses against Negro citizens.

12. The damage caused within a few hours early Sunday morning, July 16, to a large number of stores marked with "Soul" signs to depict non-white ownership and located in a limited area reflects a pattern of police action for which there is no possible justification. Testimony strongly suggests that State Police elements were mainly responsible with some participation by National Guardsmen. These raids resulted in personal suffering and economic damage to innocent small businessmen and property owners who have a stake in law and order and who had not participated in any unlawful act. It embittered the Negro community as a whole at a time when the disorders had begun to ebb.

13. The evidence presented to the commission does not support the thesis of a conspiracy or plan to initiate the Newark riot. ●

## 'Advanced Decay' In City's Schools

By WILLIAM DOOLITTLE

The State should take over administration of the Newark public schools which are "in an advanced state of decay," according to the Governor's Commission on Civil Disorder.

The commission suggested the following:

- New state resources be injected into the public schools.
- Suitable facilities such as buildings and educational equipment be acquired.
- Special training be established for existing personnel and intense recruitment for

teachers outside the city.

- Immediate technical assistance be given to city schools.

- The city schools be decentralized, leaving to a central authority overall school standards, contracts and city-wide goals.

- Local subdistricts be of less than 8,000 governed by local citizens. Each district should have the power to hire its own superintendent, determine its own educational policies and curricula.

### Crisis in Newark

So far as Newark is concerned, the report said: "Most children in poverty in Newark have no hope in the present situation. A few may succeed in spite of the barriers. The majority will not. Society cannot afford to have such human potential go to waste. Society can and does act in a crisis. The education breakdown in Newark's schools is a crisis."

On a statewide level the commission recommends that "impacted" or center city systems, be given additional resources.

Also, additional state funds should be made available for school construction, many of which, the commission states, should be made part of private and commercial building projects.

### "Adequate Supply"

In addition, the commission

asks that the governor request the State Board of Education to liberalize state teacher certification to "develop an adequate supply of teaching personnel for urban schools."

The Commission pointed out that testimony of Harold Ashby, president of the Newark Board of Education, declared "I think that somewhere along the line someone has to say 'stop.' This is it. We are not doing a good job, professional educator or layman, and say these are the facts."

He added, "There isn't anyone who can say in the city of Newark, professional or other wise, we are doing a good job because these children just can't read and do arithmetic."

The report pointed out that the Newark school plants are old, unsatisfactory and in a condition costly to maintain. It also

noted that the schools were 10,000 pupil stations short, leading to more than 150 part-time classes.

#### Hope for Escape

"Thousands of children in the Newark schools either cannot read, or are such poor readers that there is little hope for escape from the ghetto." At the 7th grade, the report states, the average Newark school child is 3.1 years behind in reading.

More significantly, the riot commission states "Well over one-half of the secondary school pupils are or will be functionally illiterate by the end of high school, if the present trend continues."

According to the Ashby's testimony, "only six out of every 100 Newark pupils read above the national norm."

In relation to the riots, the commission found that students who could not read "constitute social dynamite, not to mention the loss of human potential and the rest of that loss to society."

#### "Falls Dramatically"

In total, the report indicates the Newark school system falls dramatically to meet the needs of its pupils. It shows that some pupils become "lethargic," others "disruptive."

And it concludes, "the educational breakdown of the school system can be expected to lead to broader kinds of social emergencies."

The report contends that the trend is especially critical because "Negro men are resisting their white peers and school officials." This, it says, is what led to "the rash of incidents at Barringer High School."

"Thus far, Newark municipal and school authorities and community leaders have been able to hold violence to a minimum, but stop-gap measures do not constitute long or even short-term solutions," the report stated.

#### Dissatisfaction

The report said that in view of their findings "it is not surprising" that data from a survey sponsored by the commission "produced evidence of substantial dissatisfaction among Newark's Negroes and whites with the school system." The majority sampling found the schools "only fair" and lower in rating among Negroes. ●

## In Riot Analysis

# Housing Top Complaint

Negroes cited "bad housing conditions" most often when asked to choose among 15 possible underlying causes of last summer's riots in Newark.

This was a consensus of the Governor's Commission on Civil Disorder which reported that a commission-sponsored survey showed that 51 per cent of Negroes asked said housing problems had "a great deal to do" with the riot.

This topped unemployment (53 per cent), lack of equal job opportunities (52 per cent), broken promises by city officials (52 per cent), police brutality (49 per cent) and the unresponsiveness of the city administration to Negro wishes (46 per cent).

Overcrowding in Negro areas was a related issue, the commission reported.

#### Proud of Record

The panel said, "Yet if there is anything of which Newark officials are proud, it is their record in federal housing and urban renewal programs."

It cited the city's first in receiving public housing assistance in 1937; the city's largest per capita public housing program in the country, the first to apply for urban renewal funds in 1949, fifth in the nation in federal funds for urban renewal and \$325 million in public housing and urban renewal aid.

Yet, said the riot panel: "It seems paradoxical that so many housing successes could be tallied on paper and in bank ledgers, with so little impact on those the programs were meant to serve."

"The paradox stems from a widespread emphasis on dollars sought, money appropriated and allocated units built. Quantitative assessments have been the measure of success."

#### Poor Overlooked

"In the scramble for money, the poor, who were to be the chief beneficiaries of the program, tended to be overlooked. For many years, the major share of the benefits of housing programs has gone to middle and moderate income people."

The commission said this is still the pattern in Congress, where at the end of the last session, the housing interests of the poor people—in the form of rent supplements and leased

housing — again got "short shrift."

The commission was critical of the Newark Housing Authority's practice of allowing families to remain in the lowest public housing project—a sizable proportion in some of the more desirable projects—even if the family earned incomes over the limits set by public housing regulations.

In Bradley Court, for example, the commission said, 22.6 per cent of the families earn more than federal standards allow. Turnover in Bradley Court, a low-rise project in the Vailsburg section, is 7.6 per cent.

#### Stark Contrast

In stark contrast in appearance as well as tenant composition, is the newest project, Edward W. Scudder Homes, located in the predominantly Negro Central Ward.

This is a high-rise project. It has a turnover rate of 12.9 per cent. Only 4.6 per cent of the families there are over-income, the report said.

"The presence of many over-income families in the projects is hard to justify in view of the lengthy waiting list of low-income people," the riot panel said. About 4,400 families are now in the waiting list.

"These people will have to take a back seat while other families get priority—those dislocated by urban renewal or highway construction, victims of fire, people dislodged by code enforcement, disabled veterans and veterans," the report said.

Another practice that gives rise to resentment, the panel said, is one that bars foster mothers and unwed mothers from the projects.

#### Needy Are Deprived

"Furthermore," said the panel, "if a child is born out of wedlock while a woman lives in a project, she is subject to summary eviction."

Consequently, some of the children most in need are deprived, through no fault of their own, of homes in publicly financed housing.

"This practice cannot be condoned and should be discontinued," the report said.

One of the recommendations made by the panel was that a program be developed to encourage home ownership by low-

income families to give them an investment and a stake in their community. This could be done, the report said, by:

- Reducing land costs.
- Reducing construction costs.
- Reducing the cost of financing.

Allowing for the contribution of labor as part of the down payment.

The report also said the Newark Housing Authority should offer long term leases to landlords in Newark's central core for the filling of chronic vacancies in return for agreements to improve maintenance, upkeep and services.

(The authority has plans to lease 500 units of existing private housing for low-income families).

#### "Stepchildren"

The report calls dwellings that are in extremely poor condition the "stepchildren of housing programs." Newark has thousands of them, the report said.

These are units with which neither government agencies nor private owners want to bother. Because of their decay, code enforcement is ineffective and unrealistic. The cost of improving them would wipe out any profits.

Landlords are more likely to abandon these buildings than to invest in improvements, the riot panel said.

The report said that a system that raises assessments whenever a capital improvement is made but fails to recognize the steady depreciation of older buildings is discriminatory against these older buildings.

#### Doesn't Make Sense

"In a city like Newark, where over 89 per cent of the housing was built before 1929, this does not make sense" the commission said.

Urban renewal, because of the long time involved in initial plans of redevelopment and actual redevelopment, accelerates the decay of a city's residential neighborhoods.

"A full and candid statement at the outset of precisely what the city or the renewal authority is planning and full information in subsequent stages would seem more realistic than attempts to plan without the knowledge of the people who

will be vitally affected," the report said.

The report also was critical of the Newark Central Planning Board which, it said, does not function as an independent body.

#### Not Enough Data

"Newark planning officials did not provide information on any specific case in which the board has rejected a proposal

presented to them by the Newark Housing Authority," the panel said.

It added that inadequate communication among city, housing authority and the people directly concerned also was the major factor in the controversy over the projected move of the New Jersey College of Medicine and Dentistry to Newark.

The riot panel made these recommendations in the field of housing:

The State Housing Division in the Department of Community Affairs use its power to plan, supervise and implement relocation of low-income people from the inner cities to outlying areas.

The State Division of Civil Rights exert more effective leadership in the enforcement

of laws against discrimination in housing.

Requirement for citizen participation in planning processes be rigorously enforced by all levels of government.

The Legislature grant reasonable budget requests of the Community Affairs Department for rent supplements, demonstration grants and code enforcement training programs. ●

# Police-Negro Relations Still Bad

By RUDY JOHNSON

The Governor's Commission on Civil Disorders stated in its report that, judging from the evidence and testimony, the "single most decisive factor" in peace or strife in the cities may be the relationship between police and the nonwhite community.

The commission found that there was almost a complete breakdown in relations between Newark police and the Negro community before the riots, and there is no evidence that there has been any improvement since the July violence.

This apparent cleavage between police and community was dealt with at large in the report. Both sides were criticized—members of the Negro community, for instance, for insistence on rallies in the face of imminent violence.

But police and military operations received some of the heaviest criticism, although at the same time there was a lengthy examination of the Newark Police Department's problems.

#### "Indiscriminate" Shooting

The commission charged that the manner in which the 26 fatalities occurred raises serious questions about riot-control procedures and that testimony of law enforcement officials conducting operations during the riot yields "ample evidence that there was a good deal of indiscriminate shooting."

Commenting on former Essex County Prosecutor Brendan Byrne's testimony that his office is inquiring into each of the deaths, the commission said it "views with concern the fact that such active, HETAO 7E that such action has not yet exhaustively investigated and resolved by the appropriate grand juries."

Of the 26 fatalities, 23 persons died of gunshot wounds. One

person suffered a heart attack; another was killed in an automobile accident, while still another died of an overdose of narcotics. Five policemen were shot and Detective Frederick Toto died from his wounds. Fire Captain Michael Moran also was shot to death. All civilian victims were Negroes.

The present prosecutor, Joseph P. Lordi said that 20 of the death cases already have been presented to the grand jury, and that the jury's term has been extended in order to permit the panel to hear the remainder.

#### Inadequate Planning

The commission faulted the Newark Police Department for "inadequate" pre-riot planning, "costly and tragic" return of fire at suspected snipers and the use of ammunition supplies "out of all proportion" to the mission.

Evidence was found of prejudice by police and National Guard during the riot, resulting in the use of "excessive and unjustified force and other abuses against Negro citizens."

The Negro community's attitude is reportedly still "so bitter that people will not sit down and talk."

James Threatt, executive director of the Newark Human Rights Commission, said people "did get their heads beaten and beaten pretty badly, while handcuffed on the ground . . ."

Timothy Still, president of the United Community Corp., city antipoverty agency, testified that the police "know" they have "some bad guys" and don't do anything about it.

Citizens reportedly have twofold sentiments, accusing police of brutality while complaining of inadequate police protection. Residents of housing projects complained particularly of lack of protection in hallways, on elevators and on streets.

#### No Foot Patrols

There are no night foot patrols, it was pointed out, in any section of the city. During the day there are 19 in each precinct. White businessmen in the Central Ward are said to desire more police patrols also.

The commission reported that grievance procedures against police tend to reinforce complaints of police misconduct. Although several avenues are open, it was pointed out, the effectiveness of each is limited.

Negroes in the community most frequently recommend that more Negro policemen be hired and that police be better trained to handle ghetto problems. The commission noted that community relations programs, such as the present police community relations squad, have not been supported with adequate funds. Negroes also demand the sole Negro captain, Edward Williams, be given a precinct command.

Among the places for bringing complaints against police is the Municipal Court. But Chief Magistrate James Del Muro has refused to hear such cases against the police in Newark.

As for the Municipal Court system, many persons believe it is an arm of the police department. Few expect the magistrate to listen to their side of the story. Defendants, a large majority of them Negroes, are often confused about their rights, the proceedings and are bewildered by the physical courtroom appearance.

There is also widespread feeling in the Negro community, the commission reported, that some of the magistrates discriminate against blacks, both in conviction and sentencing. Lawyers reportedly were often frustrated in trying to do a good job in Municipal Courts.

#### Unprepared

Critics of police include lack of preparation for riot control. Although there had been discussions as far back as 1965 among State Police, National Guard and local police departments, the report revealed Newark police were caught badly unprepared and it was found the National Guard is ill-trained for this type of duty. Only State Police appeared to be ready for last summer's riots.

Newark Police Director Dominick A. Spina testified:

"I wasn't prepared in a number of ways. Psychologically our men weren't prepared. Physically we weren't prepared because we didn't have equipment. At times we had only maybe 25 shotguns in the whole police department. We had no decent helmets. We had no shields to ward off the stone throwing."

State Police had been preparing since 1965 for riot control duty but National Guard units received only eight hours of "routine mob control" just before outbreaks in July.

Other criticisms of police and Guard operations included excessive use of gunfire Spina testified that he felt much of the firing was done by "trigger-happy Guardsmen," who were firing at noises and firing indiscriminately sometimes . . ."

#### Communications

The commission expressed, however, "no doubt that some shooting reported as sniping was police gunfire. The commission report noted that a critical factor was the large number of armed men on the street and inadequate communication among units. State Police and Newark police units were operating with radios on different channels. ●

# Recommendations of Governor's Commission

*Following are the recommendations of the Governor's Commission on Civil Disorder.*

## Urban Problems

### Political

I. The resources of Newark and urban centers of the state are no longer adequate to cope with the recurrent crises that afflict them. Therefore, the administration and financing of certain basic services, such as the police, should be considered throughout Essex County.

II. To help relieve the feeling of Negro powerlessness, both political parties should support the emergence of more Negro candidates and should encourage active participation of Negroes of all economic levels in the political process.

III. The commission recommends that a special grand jury be called to investigate allegations of corruption in Newark.

### The Police

#### Newark

##### PERSONNEL POLICIES:

I. All assignments in police departments, including those to the detective division, should be made without political interference and solely on the basis of merit, which should be determined through recommendation of superior officers, evaluations based on a formal rating system and, if necessary, a written examination.

II. Police on all levels should be compensated at higher rates. The salaries of Newark patrolmen should be raised to a \$7,800-\$10,000 range.

III. Greater efforts should be made to recruit policemen from black and Spanish-speaking communities.

IV. Qualified Negro lieutenants and captains should be placed in operational command positions, including precinct commands.

V. To free as many policemen as possible for patrol and other professional duties, civilians or paraprofessionals should be assigned to routine tasks not requiring the services of fully qualified policemen.

VI. Newark City Council should pass an ordinance, as currently authorized by state law, to permit the recruitment of men living outside the boundaries of Newark, so long as they move into Newark within one year.

##### POLICE-COMMUNITY RELATIONS:

I. A five-man board of police commissioners, made up of outstanding citizens representing the total Newark community, should be named by the mayor to receive and review all citizens complaints of police misconduct.

II. The proposal to provide the police department with a canine corps should be abandoned on the ground that the technical benefits such a corps might yield are far outweighed by the hostile response this proposal has evoked in a large sector of the community.

III. The police department's Community Relations Bureau should become more active and be given higher prestige.

IV. Community relations training for policemen should be improved.

V. Racially integrated radio car teams should operate throughout the city.

VI. Increased use should be made of foot and motorcycle patrols in the high-crime areas of the city.

VII. Every uniformed policeman should be required to wear a name tag as an integral part of his uniform, to be displayed at all times and under all circumstances.

### Statewide

I. To upgrade the professional level of police forces throughout the state, the New Jersey Civil Service system should be revised.

II. Salary structures for policemen and officers should reflect educational attainment.

### The Municipal Court

I. The municipal courts should be abolished and their functions absorbed by the state judicial system.

II. The present volunteer program of release on recognizance should be expanded through the use of interviewers on court staffs.

III. The procedure of issuing summonses in lieu of arrest, which already has been worked out and accepted in principle by the police and courts, should be implemented forthwith.

IV. County jails should be organized so as to recognize that those prisoners who are not convicted criminals are treated accordingly.

V. The act establishing the Office of the Public Defender should be amended to broaden the range of cases that the office handles.

VI. While it continues in existence, the municipal court should keep a record of its proceedings.

### Economic

#### I. NEW TAX REVENUES

Additional revenues should be raised by the state so as to reduce dependence on the local property tax.

#### II. THE PRIVATE SECTOR

(a) The New Jersey business community should take an initiative in the problems of the cities.

#### III. SMALL BUSINESS LOANS

Since federal government efforts have fallen short of meeting the need for small business loans in depressed areas, private enterprise must assume the major share of this task, through small-business loans and assignment of technical and management talent.

### Housing

I. A program should be developed to encourage home ownership by low-income families to give them an investment and a stake in their community.

II. The State Housing Division in the Department of Community Affairs should use its power under Sec. 20, Chap. 448, Laws of 1948 to plan, supervise and im-

plement relocation of low-income people from the inner cities to outlying areas.

III. The Newark Housing Authority should offer long-term leases to landlords in Newark's central core for the filling of chronic vacancies in return for agreements to improve maintenance, upkeep and services.

IV. The State Division of Civil Rights should exert more effective leadership in the enforcement of laws against discrimination in housing. (See also recommendation on employment).

V. The requirement for citizen participation in planning processes should be rigorously enforced by all levels of government.

VI. The State Legislature should grant reasonable budget requests of the Department of Community Affairs for rent supplements, demonstration grants and code enforcement training programs.

VII. The New Jersey College of Medicine and Dentistry should occupy no more acreage than is consistent with a location in the center of the state's largest city, and with the needs and aspirations of a community.

VIII. The Newark Housing Authority should survey the tenant composition of each public housing project and attempt to identify, on an objective basis, tenants who can afford and are able to find housing in the private market.

IX. Englewood, which has the human and physical resources not only to solve its own problems but also to show the way to other communities should consider reversing past decisions on its critical housing issue.

X. The construction of high-rise projects for public housing should be discouraged.

XI. Tenants in public housing projects should commit themselves to do what they can for the maintenance of the premises they occupy and use.

## **Employment**

I. As the prime source of jobs, the business communities of the state should take the lead in hiring, upgrading and training people from the depressed areas of our cities.

II. Business should take the lead in forming one umbrella organization in Newark to which all employers can turn for personnel-trained or untrained from the ghetto communities.

III. This commission calls on labor unions to drop all discriminatory practices, regardless of the cloak under which they may be hidden.

IV. Civil Service should have the power to waive residence and citizenship requirements; revise application and testing procedures so that they truly reflect job requirements; eliminate unnecessary handicaps to employment by making it clear to job applicants that a police record is not an automatic bar to employment; and use the most effective method available in advertising employment opportunities, including foreign-language material.

V. The Division of Civil Rights must take a more aggressive posture, and act on its own initiative to seek out and correct racial discrimination in industry and labor.

VI. The federal, state, county and municipal governments should require and enforce the effective integration of labor on publicly financed construction projects.

## **Public Schools**

### **Newark**

I. The Newark public system is in a state of educational crisis. This crisis demands that the state take over administration of the Newark public schools during the crisis.

II. A comprehensive plan for the decentralization of the Newark public schools should be developed and implemented.

III. As an interim step towards decentralization, the Newark Board of Education should encourage the development of a model subsystem plan, based on the experience of the Camden Street School project.

### **Statewide**

IV. The state school aid formula should be revised so that impacted school districts will have additional resources to deal with their educational problems.

V. Additional sources of revenue should be developed, such as state guarantee of school bonds, additional state aid for school construction, or a state school building authority with the power to float revenue bonds, to assist school districts with an inadequate tax base to meet construction needs.

VI. The construction of school buildings as integral parts of private buildings and commercial developments should be encouraged to prevent the loss of ratable land-areas and to lower the per foot cost of school construction.

VII. The governor should request the state board of education to undertake an immediate review of teacher certification regulations. A more flexible procedure is needed to develop an adequate supply of teaching personnel for urban schools.

### **Welfare**

I. The funding and administration of all public assistance programs in New Jersey should be centralized in one state agency.

II. The presence of the father at home should not preclude assistance under Aid to Dependent Children (ADC).

III. The procedure for determining eligibility for public assistance should be simplified.

IV. Clients should be permitted to retain a larger share of earnings before reductions are made in the welfare allowance.

V. Welfare checks should be paid weekly instead of monthly.

VI. Wage assignments and the garnishing of wages should be abolished.

VII. The State Office of Consumer Protection, and especially its consumer education activities, should be strengthened.

VIII. Funds should be appropriated for a major expansion of child-care facilities, particularly in urban centers.

IX. The State Board of Public Welfare should have a small staff of qualified experts to assist the board in its efforts to develop constructive proposals.

## **Antipoverty Programs**

### **Newark**

I. The United Community Corp. should remain independent of the city government and should continue to be Newark's principal antipoverty agency.

II. Proceeding from this premise, City Hall and the UCC should cooperate on a basis of mutual respect.

III. The UCC should make increased efforts to involve the Spanish-speaking community in all its programs and activities.

IV. The UCC should take action to make the area boards more effective.

V. The UCC should improve its administration and service delivery system.

VI. Steps should be taken to streamline the UCC board of trustees and its numerous committees and task forces.

VII. The UCC should take the lead in creating and seeking ways to find paraprofessional jobs in Newark institutions, such as social caseworker aides, assistant housing inspectors and medical outreach aides, so as to provide new job opportunities and offer career potential to ghetto residents.

VIII. The UCC as Newark's central community action agency, should be utilized to obtain the Negro community's participation in community improvement programs.

### Plainfield

I. The mayor should not avail himself of the opportunity, under the Economic Opportunity Act, to administer Community Action Plainfield Inc. (CAP) directly or designate another agency of his choosing for the same reasons that motivated the commission to make such a recommendation in Newark.

II. CAP should not be merged with the Union County antipoverty program.

III. CAP should make a more concentrated effort to engage the Negro community in its programs.

### Englewood

The Office of Economic Opportunity, jointly with the New Jersey Department of Community Affairs, should evaluate the structure and operation of the Bergen County Community Action Program.

### Health

I. The New Jersey College of Medicine and Dentistry should be located in Newark.

II. The New Jersey College of Medicine and Dentistry should take over the Newark City (Martland Memorial) Hospital.

III. Pending its takeover of City Hospital the college should undertake a survey of City Hospital and propose immediate improvements in its operation.

IV. The commission supports the establishment of neighborhood health centers such as proposed in Newark's Model Cities application as an important element in improving health services in poor communities.

V. All hospitals should examine their present staffing patterns and include in such a re-examination the promotion of qualified Negro and Spanish-speaking doctors to senior staff positions.

VI. An in-service training program for doctors for treatment of the poor and in dealing with their problems should be initiated by the State Medical Society and by county medical societies in areas where there are large concentrations of poor people.

## The Disorders

I. The state, in cooperation with counties and municipalities, should immediately draw up a master plan for the control of civil disorders.

II. The state should require municipalities to develop plans for the control of possible disorders in their communities.

III. When disorders threaten to exceed the control capabilities of the local police forces, the municipalities should, without regard to local or political considerations, request help immediately under the terms of the master plan.

IV. In the beginning phase of a disorder, top administration and police officials of a municipality should be immediately on the scene and, with due regard for the judgment of local police commanders, make the decisions with regard to the deployment of forces.

V. The state should obtain, in riot situations, common communications facilities for joint police operations.

VI. All police elements should receive far more extensive and specialized training than in the past to handle the kind of civil disorder that New Jersey experienced in 1967.

VII. Firearms should be used in riot control only when circumstances clearly demand their use.

VIII. The use of personal weapons by policemen should be prohibited.

IX. There should be no mass firing at buildings that police may suspect are harboring snipers.

X. It is essential that the expenditure of ammunition be strictly controlled.

XI. Emergency planning should be initiated as soon as possible in individual communities, counties and on a statewide basis to assure that food and other essential commodities and services are available when civil disorders disrupt or jeopardize regular lines of supply.

XII. When the Essex County prosecutor has completed his presentation to the grand jury relating to the deaths that resulted from the Newark disorders, a detailed report should be made by him setting forth the results of his investigation in cases where no indictments have been returned.

XIII. State authorities should immediately conduct an exhaustive investigation into the violence committed against persons, and against Newark stores that displayed "Soul" signs.

XIV. Provisions should be made by the state to compensate those individuals or families whose property was damaged by the actions of law enforcement agencies under circumstances that leave no doubt that such acts were unjustified.

XV. Cities with large Negro populations should establish year-around councils or task forces whose sole purpose would be to maintain effective communications between the people in disadvantaged areas and the authorities, and to deal with problems that give rise to tension and friction.

## Special Programs for Summer

I. Newark and other cities in the state, as appropriate, should immediately seek funding of a major expansion of the Neighborhood Youth Corps program for the summer. In addition, the business communities in major cities should organize themselves to offer special summer job opportunities to ghetto youths and young adults.

II. Eight to 10 youth area centers should be established throughout the ghetto neighborhoods of Newark and each area center be administered by a youth council.

III. Newark, the Essex County Park Commission, and other cities as appropriate, should begin immediately to arrange for financing for vest-pocket parks, portable swimming pools and baseball diamonds to be placed in areas closest to both the major public housing projects and other concentrations of poor people in the city.

IV. The state should, along with counties and municipalities, provide a program for day camps for children from disadvantaged areas. Existing facilities should be used wherever possible or expanded where necessary.

V. "Street academies" should be set up in the summer to help get youngsters into college and to assist them in accomplishing their next educational step.

VI. Youngsters aged 16-21 drawn from all economic and racial sectors of the population should be formed into community service teams of about 20 each. ●

The publishers of *Church in Metropolis* are grateful to the editors of the *Newark Sunday News* for permission to distribute their excellent summary of the Commission's report through our respective churches.