

1 D O M I N I C K A. S P I N A, Sworn.

2 EXAMINATION

3 BY MR. ROBINSON:

4 Q Director, my notes indicate that at your last  
5 appearance we left off just about the time the National  
6 Guard and State Police arrived.

7 Could you give us your recollection of the chain  
8 of command that was set up and the events immediately  
9 following the arrival of these two outside groups?

10 A Well, this is July 14 and we had already had  
11 a conference, as I recall, and I think I testified last  
12 session at the Roosevelt Armory with General Cantwell,  
13 Governor Hughes, Colonel Kelly and Mayor Addonizzio and  
14 we had decided on a plan of action.

15 I think I told you that a proclamation was made at  
16 that time.

17 The call-up was made for 1,000 National Guardsmen  
18 and we located the command post for the National Guardsmen  
19 at the City Stadium and the Essex Troop Armory.

20 Then I think I told you that I asked the General  
21 and the Governor and the Mayor to make a tour of the  
22 target areas that were hit during the night to see with  
23 their own eyes what was going on and the scene was fan-  
24 tastic.

25 There were lines of people waiting to go into stores

1 for loot, people running around with all kinds of  
2 clothing. Any kind of article you can think of was  
3 being walked around with.

4 We had insufficient police to make arrests and at  
5 the same time stay at the location in order to protect  
6 the consumer's goods.

7 If we had had the National Guard in there at that  
8 time we would have prevented a great deal of loss, in my  
9 opinion, today.

10 I also feel that if this happened again and I found  
11 myself in the same circumstances with lack of manpower  
12 to make arrests because it takes time to process prisoners,  
13 I would use different techniques.

14 For example, I would load these stores up after  
15 they had been partially looted with tear gas to prevent  
16 people from going in and further looting these stores.

17 We were making arrests by the hundreds but were  
18 incapable of keeping manpower at the scene of these places  
19 that were being looted and at the same time process the  
20 prisoners.

21 Q Could you tell us the plan of action that you  
22 say was set up among the 3 law enforcement groups?

23 A Well, we decided to set up a perimeter and  
24 checkpoints in this target area that was bounded roughly  
25 by Springfield Avenue and Central Avenue running down to

1 Broad Street and in this perimeter running up to the  
2 Irvington line and within this perimeter we were going  
3 to run strong patrols in order to try to deter as many  
4 looters as we possibly could and try to keep down as much  
5 as we could the violence and the crime, any possible  
6 crimes that were going to be committed.

7 The National Guard and the State Police were to  
8 work as one unit. As a matter of fact, it was decided  
9 that the National Guard would operate under the State  
10 Police and that we in the Newark Police would retain  
11 over-all jurisdiction but would work in cooperation  
12 and would coordinate any plans that we might make with  
13 the State Police.

14 The State Police set up their own C.P. at the  
15 Essex Armory, the Roseville Avenue Armory, and we moved  
16 one of our radio communications nets over to the Roseville  
17 Avenue Armory so that we could work together in con-  
18 junction. As it developed did this turn out to be an  
19 effective and successful method of operation?  
20 Well, it took a little time to coordinate  
21 the activities. As a matter of fact, it took time for  
22 the National Guard to come on the scene. It was a matter of 8 to 10 hours before they appeared.  
23 Meanwhile the State Police were functioning and they

1 were operating with us. and what location they were  
2 to use. Inasmuch as this was a new endeavor and as far as  
3 I know had not been done before at least in the East Coast,  
4 it took a little time to coordinate the activity.

5 happen. That was one of the reasons we found it necessary  
6 to send over one of our receiving and sending sets to  
7 the Roseville Avenue Armory and we had to, we found out,  
8 put a man of high rank in order to get the kind of  
9 cooperation that was required at the scene.

10 plans. The realization that this was necessary took 8,  
11 10 hours. After this was set up there were very few  
12 flaws in the plan and the method of operation that we  
13 had. their communications set up in the Roseville Armory.

14 Tele. I think that in the future, based on the experience  
15 that we have had during the riot, that the coordination  
16 and cooperation would be more simple.

17 We lacked certain things, for example. There had  
18 not been proper planning done beforehand because we did  
19 not anticipate this kind of a disturbance. the men

20 workin. For example, we had insufficient maps to give to  
21 the National Guard and the State Police. The State Police  
22 and the National Guard knew very little about the city.

23 necess. It was necessary for us preliminarily, if there is  
24 such a word, to have Newark Policemen escort the patrols  
25 that were established so that they would know exactly what

1 streets to operate from and what locations they were  
2 to operate in, and I am talking about geographic areas.

3 Q Now you say that there had been improper  
4 planning because you couldn't anticipate what would  
5 happen.

6 Do you feel that there is now effort being made  
7 for proper planning in the event of a future civil dis-  
8 order?

9 A We are in the process of setting up these  
10 plans now.

11 Q Could you tell us about that?

12 A Well, for example, the State Police already  
13 have their communications set up in the Roseville Armory.  
14 Telephone communications are already there.

15 In case there is any problem all they do is just  
16 move the manpower in.

17 Prior to this it was necessary to physically get  
18 the apparatus and set it up. This will no longer be  
19 necessary, plus based on the experience of the men  
20 working together and knowing one another on a first name  
21 basis I think it is going to be a tremendous factor  
22 in getting the kind of cooperation that we feel will be  
23 necessary if it ever happens.

24 Q Both with the National Guard and the State  
25 Police?

1 have to say Well, not so much the National Guard.

2 origin. Why the difference?

3 A We have problems with the National Guard.

4 to you I think they found themselves in a kind of a role  
5 that was foreign to them.

6 I think the National Guard, first of all, had no  
7 riot training whatsoever.

8 Secondly, they found themselves in the kind of a  
9 role where they envisioned a foreign enemy.

10 They had no concept of restraint. They had no  
11 experience, battlefield experience except for a few  
12 older NCO's and some commissioned officers, and I don't  
13 think that they had the proper perspective or that they  
14 could even envision it.

15 I think that a lot of unnecessary firing was done  
16 by the National Guard.

17 I think that a lot of the reports of snipers was  
18 due to the-- I hate to use the word trigger-happy guards-  
19 men who were firing at noises and firing indiscriminately  
20 sometimes, it appeared to me, and I was out in the field  
21 at all times.

22 I spent very little time in the office or the

23 C.P. There were maybe 200 National Guardsmen all the way

24 I think the National Guard today or I know they are,  
25 is now undergoing riot training and perhaps we won't

1 have the kind of problem that we did have with them  
2 originally.

3 Q Was there any attempt during the disorders,  
4 to your knowledge, either by National Guard officials,  
5 State Police or your group, to control the trigger-happy  
6 National Guardsmen?

7 A I think I am the only one that knows of  
8 any instance and that was one that I participated in  
9 myself.

10 Q What was that?

11 A Well, for example, we were having repeated  
12 reports of snipers from the Columbus homes located on  
13 7th Avenue in the vicinity of Wood Street.

14 As a matter of fact, one of our housing policemen  
15 was shot in the leg on that corner.

16 This was persistent for many days.

17 I think it was the third day when I felt that there  
18 was something wrong because of the kind of reports that  
19 I was getting about the so-called sniping and I went into  
20 the area.

21 It was right after a conference that we had in  
22 the Roseville Avenue Armory.

23 There were maybe 200 National Guardsmen all the way  
24 down 7th Avenue hiding behind trucks, hiding behind  
25 trees and poles and automobiles and looking up at this

1 project.

2 There were also a number of State Troopers hiding  
3 behind their own vehicles and looking up at the project.  
4 As I approached the area I asked the lieutenant in  
5 charge of the State Troopers, "Have you seen any firing  
6 or have you heard any?"

7 He said "I heard a couple of shots. I don't know  
8 where they are from. I don't know who did the shooting."  
9 So I walked straight down the middle of 7th Avenue,  
10 much to the amazement of the Guardsmen and the State  
11 Police, including my own men, because I felt that if  
12 there were any snipers in that building they would  
13 shoot at me and they didn't.

14 As I approached the last quadrangle, I did hear  
15 a shot and frankly, it frightened me.

16 Then I saw running from this quadrangle 3 Guardsmen  
17 and as I approached them I noticed that one acted sus-  
18 picious and I said to him "Did you fire a shot?"

19 He said "Yes, I did."

20 I said "Why did you fire?"

1 He said "Well, a man was close to the window and I  
2 shouted for him to duck back and he didn't so I fired  
3 a shot across the window to frighten him back inside."

4 I said "Do you know what you did? You just  
5 frightened another 150, 200 Guardsmen on this street."



1 out, b "You have created hysteria on this street.

2 "I want to show you what is happening."

3 I brought him in the middle of the street and there  
4 were Guardsmen in gutters, squatting way down behind  
5 trucks. said. "Are you serious?"

6 I said "This is what you caused."

7 I called the lieutenant of the National Guard over  
8 and I said "You better send word up to your men that  
9 nobody has fired anything except your own Guardsmen  
10 and he only did it as a warning to some person there."

11 Meanwhile the Newark Police went through the  
12 building and they did bring out two persons who were  
13 reported by intelligence who had guns in the houses but  
14 there were no guns found.

15 We had no problem at all and I thought everything  
16 was fine until I got to the corner of Sheffield Street  
17 and then I heard two more loud shots that sounded like  
18 M-1's and I told my driver to shoot up to the last building  
19 on Sheffield Street and we got there and I told him to  
20 go in the back and I went in the front.

1 Meanwhile, 4 truckloads of Guardsmen came up and  
2 two automobiles with State Police.

3 As I went inside the building I could hear no noise.  
4 So I decided there was no sense of my going in alone.

5 fired. While I am standing in the doorway my driver came

1 out, his name is Jack Bucci, and he was laughing.

2 I said "What are you laughing about?"

3 He said "Well, somebody just threw down one or two  
4 of those torpedoes. This is the noise that we heard."

5 I said "Are you serious?"

6 He said "It's true."

7 So I went behind there and there were 2 or 3  
8 Puerto Ricans sitting on the circular flower wall and I  
9 asked one of them, I sat alongside of him and I said  
10 "Who is throwing the fireworks?"

11 In his broken English he said to me "You look  
12 behind you on the 7th floor, there is a man looking out  
13 the window with a white shirt. He is the one that has been  
14 throwing them!"

15 So I said "Thank you" and when the Newark Police  
16 came over I sent them upstairs and they made the arrest.

17 We had no more incidents of shooting in that whole  
18 project the rest of the time.

19 Actually we could only verify 79 reports of  
20 snipers during the entire disturbance.

21 Q By reports you mean shots or people?

22 A Shots that we verified.

23 Q In other words, you verified 79 shots?

24 A No. We verified 79 areas where shots were  
25 fired. We have them in my statistical report here.

1 A No. MR. MEYNER: Could they have been the  
2 There was a shots of Guardsmen?

3 on made no sense THE WITNESS: Not these 79.

4 I tried to MR. MEYNER: You said 79 reports.

5 from it or what THE WITNESS: That's right. We had  
6 find no sense many, many more than that, maybe hundreds,

7 but they could not be verified.

8 with the State. MR. MEYNER: You believe that 79 of  
9 what problem these might have been by snipers?

10 including the one THE WITNESS: Yes. We did arrest

11 snipers, you know, Governor, much to the  
12 as we course disbelief of a lot of people.

13 people myself the I know of at least 7 snipers that we  
14 us and I arrested and there may be more.

15 Q These MR. MEYNER: How many have been indicted?

16 A Look THE WITNESS: I don't know. I haven't  
17 followed it through.

18 Q Of these verified sniping reports, the 79,  
19 can you give us any significant pattern from them or  
20 any conclusion that you or your people were able to  
21 reach?

22 A We know some of the arrests that we made  
23 are people from outside the city.

24 Q Do you recall where they were from or whether  
25 that too had a pattern?

1 A No. I believe this report will indicate it.  
2 There was no pattern, really. The sniping that went  
3 on made no sense at all.

4 I tried to study it to see what I could discover  
5 from it or what could be revealed from it and I could  
6 find no sensible pattern.

7 Q Now could you tell us as the day continued  
8 with the State Police and National Guard on the scene  
9 what problems, if any, arose and the progress of events,  
10 including the successes you had in containing the riots?

11 A Well, the main problem we had at the beginning  
12 as we toured the area-- incidentally, I arrested almost 50  
13 people myself that morning with the Governor following  
14 us and I arrested only the flagrant ones.

15 Q These were looters or snipers?

16 A Looters. That morning there were no snipers.  
17 MR. MEYNER: You are talking about

18 Q Friday morning?

19 A No. THE WITNESS: Yes. It was unbelievable.

20 Q the sights that we saw of people just taking

21 A ashcans and throwing them through the windows  
22 think only and people just nonchalantly walking down the  
23 entire insurance street, and some whites were arrested, some  
24 for carrying guns. As the Governor explained it, there was

25 Q a carnival air.

1           A       For I Again I am making the point all over  
2 they went again that if we had manpower, like National  
3 were not po Guardsmen available that day, I think we  
4           For e would have prevented a great deal of looting  
5 his own house and a great deal of disorder.

6           Q       Does this indicate that perhaps the National  
7 Guard should have been called sooner?

8           A       Perhaps. You know, these are decisions that  
9 are difficult to make. It is the old story about the  
10 Monday morning quarterback.

11           Of course, I wouldn't do it again. If I had  
12 another situation like this confronting me again I would  
13 not hesitate whatsoever to call the National Guard and  
14 State Police.

15           Q       Much sooner?

16           A       Yes. Well, we were making a great many  
17 arrests during that whole day.

18           Q       Did this follow any age pattern?

19           A       No.

20           Q       Or any social structure pattern?

21           A       No. They were predominantly Negroes. I  
22 think only 32 Puerto Ricans were arrested during the  
23 entire insurrection and some whites were arrested, some  
24 for carrying guns.

25           Q       Both male and female?

1 A For looting there were male and female, but  
2 they went from all age brackets and some, precularly,  
3 were not poor people.

4 For example, one of the men we arrested owned  
5 his own house on-- I forget what street.

6 They were moving a safe out of a building and he  
7 was making between \$200 and \$250 a week.

8 Now this man certainly wasn't poor.

9 Q Your department under your direction has  
10 compiled arrest statistics which you have given to us,  
11 is that correct?

12 A Well, if I haven't given them to you I have  
13 them here to give to you.

14 Q Could we have those?

15 A Yes.

16 Q Just describe what they are generally.

17 A Well, this one is the--

18 Q MR. DRISCOLL: Referring to a blue-

19 bound book?

20 THE WITNESS: Yes, Governor.

21 I think this refers to all the dead and the  
22 fiscated. injured during the riot and it gives the

23 Now the number of them, how many were born in Newark.

24 reports and this There were 408 born in Newark and

25 The ne: 1,018 born in other areas than Newark.

1 personnel which It gives the statistics of the part  
2 to you. I crimes that occurred during the riot.

3 Q are Part 1 meaning what?

4 in the A line Those crimes that are annotated or are used  
5 as criteria by the FBI and I.A.C.P., International  
6 Association of Chiefs of Police, of the serious crimes,  
7 for measuring the quantum of crime in any city and  
8 there are crimes like murder, rape, robbery, burglary,  
9 atrocious assault and battery, larceny under \$50, larceny  
10 over \$50 and auto thefts and aggravated assault, in  
11 case I didn't say that.

12 Q What are the other statistical documents you  
13 are allowing us to have?

14 A One is a copy of the weapons that were con-  
15 fiscated. next is a detailed report of those arrested on  
16 weapon It contains a description, the model, the caliber  
17 and serial numbers.

18 Q Any pattern established from that, Director?

19 A No, sir. Most of them are small arms.  
20 We did have some automatic and some semi-automatic guns,  
21 which I think there was one machine gun that was con-  
22 fiscated. least one or two were burned by Molotov cock-  
23 tails. Now this next one is an analysis of the arrest  
24 reports and this covers again July 12 to 17.

25 The next is a report on the injuries to police

1 personnel which has been compiled and we will give them  
2 to you.

3 next. There were a total of 75 policemen who were injured  
4 in the line of duty, one of whom was killed.

5 this One officer got 25 sutures, another 8, another 6  
6 sutures, another officer of 6 sutures and then one officer  
7 with 5 sutures, 24 got glass in the eyes, cuts and  
8 human bites.

9 the Five received gunshot wounds and, of course, one  
10 was fatal.

11 There were 40 bruises and sprains, 3 heart attacks,  
12 one of which was fatal, one exhaustion and two broken  
13 bones.

14 and I submit this report.

15 The next is a detailed report of those arrested on  
16 weapons charges from July 14 to 17.

17 and Q Any pattern from that, Director?

18 A I could not deduce any pattern.

19 sniper The next is a report on the damage to police  
20 vehicles which was extensive. There were many vehicles  
21 which had their windows smashed.

22 no damage At least one or two were burned by Molotov cock-  
23 tails.

24 of this The total damage was \$5,365.92.

25 Some cars had tires shot out. At least 75 tires were



1 shot out.

2 in it. Now here is a summary of the sniper fire which is  
3 next. It has the lowest value here in the

4 Our Bureau of Planning and Research, which compiled  
5 this report, states that they have 79 verifications by  
6 the National Guard, Newark Police and State Police.

7 Of that total the Newark Police were fired upon  
8 25 times, 5 reported in the First Precinct, 6 reported in  
9 the Second Precinct, 5 reported in the Fourth Precinct  
10 and 9 reported in the Fifth Precinct.

11 The New Jersey State Police were fired upon 20  
12 times, two reported in the First Precinct, 7 reported in  
13 the Second Precinct, 9 reported in the Fourth Precinct  
14 and two reported in the Fifth Precinct.

15 The National Guard was fired on a total of 5 times,  
16 one in the First Precinct, 3 in the Second Precinct  
17 and one in the Fourth Precinct.

18 At no time during this entire disturbance were any  
19 sniper shots reported in the Third Precinct.

20 Q Any significance to that, Director?

21 A The significance is that we had no looting,  
22 no damage to any property whatsoever in the Third Precinct  
23 and we had no appreciable number of Negroes in any area  
24 of this precinct.

25 This is a precinct that is composed of many, many

1 ethnic groups and nationalities but it has grassroots  
2 in it.

3 It has the lowest crime rate in the City of Newark.

4 These people are proud of their area, the Down  
5 Neck Section, they call it, and this is one of the  
6 better sections for the lack of crime.

7 MR. MEYNER: And it is very modest  
8 economically, isn't it?

9 THE WITNESS: Yes.

10 CHAIRMAN LILLEY: Director, could you  
11 quickly identify the part of the city that  
12 each precinct is in, 1, 2, 3 and 4?

13 You said Down Neck is the Third.

14 How would you describe the area covered  
15 by the Fourth, Second and so on?

16 THE WITNESS: Well, the Fourth Precinct  
17 covers an extensive area with varying types  
18 of population running from the ghetto area  
19 all the way up to the almost middle-class  
20 Vailsburg Section.

1 It has an extensive blighted area in  
2 the Central Ward area. This is an area which  
3 has one of the highest incidences of crime  
4 in the state.

5 The Fifth Precinct is an area which was

1 once predominantly Jewish.

2 Today more than half of it is Negro  
3 and becoming more and more inhabited by  
4 Negroes everyday.

5 The Jewish people are moving out rather  
6 rapidly.

7 MR. MEYNER: Does that include Wee-  
8 quahic?

9 THE WITNESS: This is the Weequahic  
10 Section in lower Clinton Hill and Upper Clinton  
11 Hill Section.

12 This is the area that we are having a  
13 great many problems with robberies, muggings,  
14 especially burglaries.

15 I have had to put a lot of extra details  
16 in this section the past month.

17 We have been successful in cutting down  
18 crime quite a great deal in the Fifth Precinct  
19 because of these extra precautions I have been  
20 taking because I don't want too many middle-  
21 class Negroes and whites to keep moving out  
22 of the city.

23 Now the Second Precinct is another area  
24 of heterogeneous population.

25 It has large segments of Negroes but

1 these are not as troublesome as the Negroes,  
2 for example, in the Central Ward area and those  
3 in the Lower Clinton Hill area.

4 So we have less crime in the Second  
5 Precinct than we have in the Fourth or the  
6 Fifth.

7 We have an extensive Puerto Rican  
8 culture in the Second Precinct but we don't  
9 have the problems with the Puerto Ricans that  
10 we do have with the Negroes.

11 I think it is primarily because the  
12 Puerto Rican has his life centered around a  
13 family, where the father is the boss in the  
14 family organization where on the other hand,  
15 unfortunately, in my opinion, in a great many,  
16 perhaps as many as 40 percent of the Negroes  
17 in the city, they are matriarchies where the  
18 woman rules the house either because she is  
19 not married or because the husband has  
20 divorced her or just simply deserted her,  
1 which happens very many times.

2 There is an extensive Italian-American  
3 population in the Forest Hills Section.  
4 This is probably the best section of the  
5 City of Newark today when it comes to the

1 type of homes and the residential character  
2 of the area.

3 CHAIRMAN LILLEY: Barringer would be in  
4 this precinct?

5 THE WITNESS: Barringer is in this  
6 precinct.

7 Now Barringer's problem is that they  
8 are bussing hundreds of kids into Barringer  
9 High School and it only has room for I think  
10 2,100 and there's about six or seven hundred  
11 more kids than should be there and a great  
12 many of the Negro kids who are being bussed  
13 into Barringer don't even want to come to  
14 Barringer.

15 They would like to stay in their own  
16 areas.

17 I think too that the other factors  
18 I mentioned about Barringer is that they are  
19 reflecting right now the attitude, the con-  
20 versations and the atmosphere that pervades  
21 in their own homes and in their own neighbor-  
22 hoods when they talk about hatred for the white  
23 man.

24 CHAIRMAN LILLEY: Is there a First  
25 Precinct? WITNESS: Ten years ago I encountered

1 THE WITNESS: Yes. I probably will  
2 have to do away with the First Precinct  
3 shortly because of urban renewal.

4 This is primarily the business section  
5 of the City of Newark.

6 It does have some housing projects in  
7 the western part of it. There aren't too  
8 many people living in the First Precinct at  
9 the present time.

10 MR. MEYNER: Isn't it true that there  
11 was a basic long-time Puerto Rican element  
12 in Newark down in the Down Neck Section?

13 THE WITNESS: No, sir. There were very  
14 few Puerto Ricans in the Down Neck Section  
15 in Newark.

16 MR. MEYNER: Were they Portugese?

17 THE WITNESS: Yes. These are probably  
18 the finest group that we have in the city  
19 outside of the Chinese.

20 We have absolutely no problem with the  
21 Portugese. They are hard-working people.

22 They insist on owning their own properties.

23 I guess they bring this from the other  
24 continent with them.

25 MR. MEYNER: Ten years ago I encountered

1 some of the Puerto Ricans who had been here  
2 as long as 20 and 25 years.

3 THE WITNESS: Well, if there were there  
4 were very few of them.

5 We have now approximately-- and this is  
6 just my opinion-- around 40,000 Puerto Ricans  
7 in the City of Newark.

8 MR. DRISCOLL: The Vailsburg Section  
9 that you referred to, that is in the Fourth  
10 Precinct?

11 THE WITNESS: Yes.

12 MR. DRISCOLL: But that is a relatively  
13 trouble-free area, is it not?

14 THE WITNESS: You are right, Governor.  
15 It is practically trouble-free.

16 and A great many people who live there are  
17 city employees.

18 MR. DRISCOLL: They own their own homes?

19 THE WITNESS: Most of them own their  
20 own homes. They have grassroots there, which  
21 is another important factor I think when it  
22 comes to talking about a lack of disorder and  
23 a lack of crime in any community.

24 MR. DRISCOLL: Would it be fair to say  
25 that it is your opinion that where you have a

1 complete family, husband and wife and children,  
2 and where you have home ownership, you are  
3 less likely to have crime than where you have  
4 broken homes and tenants?

5 THE WITNESS: You are absolutely right.  
6 75 percent of the juvenile crimes, for example,  
7 is composed of people from broken homes.

8 You are absolutely right.

9 BISHOP DOUGHERTY: Have they made  
10 studies, psychological studies in analyzing  
11 this sort of thing?

12 For example, is it compensation some-  
13 times on the part of the young man who will  
14 turn to thievery and so forth to compensate  
15 for the lack of affection and love at home  
16 and this sort of thing?

17 Have they done any studies of that  
18 sort?

19 THE WITNESS: They haven't done many  
20 studies on it.

21 You know, after the riot was over then  
22 you find out there was a study made by two  
23 Rutgers professors.  
24 I never saw the report because if I had  
25 seen it maybe I might have done something



1 about it but they indicated in this report  
2 that there were a substantial number of  
3 people, especially in the Negro and poverty-  
4 stricken areas, who could not be reached,  
5 they were violently aggressive, they were  
6 probably criminally inclined and that they  
7 predicted that they would perpetually be  
8 involved in crime and disorder.

9 This is the only survey or investigation  
10 by sociologists or psychologists that I have  
11 heard of in the City of Newark.

12 The people, in my opinion, who  
13 actually were involved in the stone-throwing  
14 and even some of the original Molotov cock-  
15 tails were kids between the ages of 13 to  
16 19 and these were kids, I think I explained  
17 before, that nobody has ever reached.

18 The church has not reached them. The  
19 school system certainly has not reached them.

20 There is no social agencies in these  
21 areas which has ever reached them and these  
22 kids just grow wild on street corners and  
23 in the basements of these projects and a lot  
24 of these abandoned homes that we have.

25 Nobody supervises them. Those that are

1 the most brutal, the most violently aggres-  
2 sive are the ones that generally wind up  
3 as leaders.

4 This is S.O.P., we know.

5 As I indicated once before, I think the  
6 worst thing that happened to the city were  
7 these multi-storied animal boroughs, I call  
8 them, where everybody loses his identity.

9 People on the next floor don't even  
10 know one another. They look like strangers  
11 to one another.

12 It makes everybody lose caste and it  
13 puts everybody in the same low common denomina-  
14 tor.

15 The more violent and the more aggressive  
16 the leaders are in this project or any floor  
17 or part of the project, this is the low  
18 common denominator that the rest will reach.

19 If there are people in the project who  
20 are on a higher educational or cultural plane,  
21 they become so frightened that they would  
22 do anything to move out.

23 So it leaves these kind of people  
24 who need help and we have too many of these  
25 people in one building and these groups of

1 buildings, I should call them, a cluster,  
2 have as high as 10,000 people in them and  
3 you have a lot of problems, a great many  
4 problems and I don't know how you are going  
5 to solve them.

6 One of the best things that could be  
7 done-- and I have said this before-- is to  
8 tear down these buildings.

9 If you want to keep them you should  
10 give them to couples, not people who have  
11 children.

12 Now may I finish this?

13 CHAIRMAN LILLEY: Yes, go ahead.

14 THE WITNESS: This is the result of the  
15 sniper fire.

16 Now this is the names of the persons  
17 arrested, where they live and the charge.

18 This is an extensive file.

19 This is a log of events as they happened.

20 I think whoever your staffmen are who are going  
1 to compile your report or assist in it, this  
2 gives by date the type of crime that occurred,  
3 the hour that it occurred and by the minute  
4 too, it is very good, and the arrests that  
5 were made.

1           some   This is the number of fires that were  
2           set. There were 250 incidents of fires.

3           is bel This is a report from Director Caulfield  
4           of the Fire Department.

5           It tells where the fires occurred, the  
6           time of day and the date and the cause.

7           of pr For example, you will find many of  
8           these buildings that burned, burned because of  
9           Molotov cocktails or incendiaries; it is  
10          a very helpful report, I think.

11          Now this is the type of damage that  
12          was done to departmental vehicles during the  
13          riot.

14          I thought you might be interested in  
15          the violence, the extreme violence that  
16          happened.

17          cinc This is part of the other one and it  
18          is the people who were arrested during the  
19          civil disturbance and the state and towns  
20          that they came from.

1           I think you will find this helpful.

2           we us MR. ROBINSON: Could we have those all  
3           marked as one exhibit?

4           (Folder marked Exhibit C-66 in evidence.)

5           becam THE WITNESS: I would like to tell you

1 some of the problems that we had so that  
2 in the event a kind of a manual or guideline  
3 is being set by this Commission, these can  
4 be taken into consideration.

5 One of the most important problems  
6 that we had, for example, was the processing  
7 of prisoners. We have read in the newspapers,  
8 especially in the last few days, of the  
9 so-called brutal treatment and imprisonment  
10 of prisoners.

11 Well, I want to tell you that we did  
12 the best we possibly could considering the  
13 circumstances that beset us.

14 We tried to process the prisoners the  
15 best we possibly could.

16 It got so that every cell, every pre-  
17 cinct cellblock was loaded with prisoners.

18 It wasn't right to have as many as we  
19 did in each cell but we knew no other way to  
20 house these people.

21 In certain precincts, for example,  
22 we used some of the rooms that we use for  
23 questioning to house these prisoners.

24 The headquarters cellblock finally  
25 became loaded. There were instances too where

1 some of the prisoners were improperly fed  
2 because of the fact that they might have been  
3 fed in police headquarters, for example, but  
4 by the time they were moved from a cell in a  
5 precinct to a police headquarters, somebody  
6 didn't know that they had not been fed when  
7 they got to the police headquarters and  
8 there were instances where people didn't eat,  
9 say, for 14, 20 hours.

10 I don't really know but we know this  
11 happened.

12 We then in desperation fanned out, even  
13 though we had our own problems with the  
14 disturbance and the physical violence, we  
15 tried to fan out to see what we could do  
16 in order to get space for these prisoners.  
17 We finally got Mr. Mault, the U. S.  
18 Marshall, who agreed to take a number of  
19 prisoners and he very graciously came all the  
20 way down from his house to assist and stayed  
21 at the Federal Building in assisting us.  
22 We got the Sheriff of Essex County to  
23 assist us both by transporting prisoners  
24 and also by making it possible with the  
25 Warden of the Newark Street Jail to accommodate

1 more prisoners.

2 for Of course, the prisoners kept coming in.

3 The next thing we did was to finally  
4 reach out and get the old Sussex Avenue Armory.

5 This Armory was impregnable. It was  
6 necessary again for us to use extra manpower  
7 for security both outside and inside.

8 We had to reach out for the Civil  
9 Defense to furnish us with cots and blankets  
10 for these individuals and, of course, we  
11 lost hundreds of these.

12 We never got them back. This has cost  
13 the City of Newark I think \$15,000 or  
14 \$18,000 just to house the prisoners without  
15 the food.

16 We did something novel that I think  
17 should be incorporated in any future plans  
18 concerning a disturbance like this if it ever  
19 happens again.

20 I have been cognizant of the fact that  
21 when you make mass arrests, the arresting  
22 officer very often forgets the identity of the  
23 prisoner.

24 Sometimes he forgets the crime that the  
25 man was charged with and sometimes he loses

1 the identity of the subject matter, the loot,  
2 for example.

3 So after the first night I evolved a  
4 system-- and this is my own idea-- where  
5 whenever a prisoner was brought in, that a  
6 picture was taken of the prisoner with the  
7 arresting officer and if he had any loot or  
8 any evidence with him, that that too was  
9 photographed at the same time.

10 We had a photographer in each precinct.

11 I think this is one of the reasons why  
12 the prosecution is doing so well in these  
13 cases.

14 Now I would like to also tell you about  
15 some of the things that the Governor did as  
16 a result of the conference that we had with  
17 him.

18 He laid down some rules which emanated  
19 from the Laws of 1942, Chapter 251, with its  
20 amendments and supplements.

21 Number 1, that there shall be no movement  
22 of vehicular traffic in the City of Newark  
23 between the hours of 10 p.m. and 6 a.m. of  
24 the following day except for the movement of  
25 police, fire, National Guard and such other



1 vehicles as may be permitted by the Governor.

2 This regulation shall not be effective  
3 as to the Garden State Parkway, New Jersey  
4 Turnpike and State Highways Number 1 and 22.

5 2. There shall be no vehicular traffic  
6 within such areas of the City of Newark as  
7 the Governor may from time to time designate  
8 and at such hours as he shall designate during  
9 periods other than the hours expressed in  
10 Regulation Number 1 as aforesaid.

11 3. No person shall remain in or upon  
12 the public streets, ways and places of the  
13 City of Newark between the hours of 11 p.m.  
14 and 6 a.m. of the following day, except as  
15 shall be authorized by the Governor.

16 4. All persons licensed under the ABC  
17 to dispense alcoholic beverages at retail or  
18 for on-premise consumption shall close operation  
19 tions prom of their business during the pendency of this  
20 city A emergency except that hotels may remain open  
1 for the service of food and supply other  
2 with A accommodations to guests. criminal laws and

3 city ordinances 15. No person other than State Police,  
4 Q National Guard, local police authorities  
5 A or any other person as may be authorized by

1 example, the Governor shall carry, hold or possess  
2 had to be in any motor vehicle, carriage, motorcycle,

3 We ask or otherwise, or carry on or about his  
4 it. clothes or person or otherwise have in his

5 These possession or under his control alcoholic  
6 appears beverages, narcotics, firearms or explosives  
7 we have of any kind during this emergency.

8 package 6. The State Police, the National  
9 reach Guard and local police authorities are

10 We hereby directed and ordered to take any and  
11 but all measures requisite to quell the dis-

12 a magnificent turbances and outbreaks of violence, to

13 In secure areas within the City of Newark,

14 some of these to prevent and deter actual or threatened

15 Incidents harm to persons or properties and generally

16 in Newark, to take all actions necessary to implement

17 about, and effectuate these regulations."

18 Q Now in your view, Director, were these regula-  
19 tions promulgated by the Governor effective?

20 A Well, not immediately.

21 Q Or should there have been others?

22 A These plus our ordinary criminal laws and  
23 city ordinances I feel were sufficient.

24 Q Were any problems raised by these regulations?

25 A Well, the first day we had problems, for

1 example, relaying to the taverns in the city that they  
2 had to be closed.

3 We asked Mr. Lordi to get on the radio and broadcast  
4 it.

5 There were announcements in the newspaper but it  
6 appears some of these people don't read newspapers and  
7 we have over 916 taverns in the City of Newark and 260  
8 package stores and 60 club licenses and it was difficult to  
9 reach them.

10 We tried to do as best we could with our own police  
11 but then Mr. Lordi sent his own people out and they did  
12 a magnificent job.

13 In some instances it took almost all day to have  
14 some of these taverns closed.

15 Incidentally, that is one of the serious problems  
16 in Newark, that somebody sometime should do something  
17 about, the number of taverns that we have in the city.

18 It is shocking. As I said before, you have about  
19 916 or 920 taverns and if you take the population of the  
20 city and divide it by the number of taverns and forgetting  
21 the package stores, forget the club licenses, the 60  
22 club licenses, they average about 440 men, women and  
23 children for each tavern and I think this is abnormal.

24 I think something should be done to cut these  
25 taverns down to about half.

1 A lot of the disorder that we have in the city  
2 emanates from taverns. They create the kind of climate and  
3 the kind of conditions which ruin neighborhoods.

4 This is one of the reasons I have been fighting  
5 in this city the transfer of licenses, especially those  
6 that have been made impossible to operate because of  
7 urban renewal to residential areas and I think somebody  
8 should do something.

9 Q Now getting back for just a moment to the  
10 arrests, was a uniform bail system set up?

11 A If so, tell us about it and how that worked.

12 A Chief Magistrate DelMauro and Magistrate  
13 Aaron Naro1 and Harry Hazelwood, Jr. set uniform bail  
14 at \$2,500 for breaking, entering and receiving and in  
15 parentheses I have (looting) and \$5,000 for possession  
16 of a gun and \$10,000 for possession of a Molotov cocktail  
17 or fire bomb.

18 Q Now from a law enforcement viewpoint, was  
19 that effective or would you have any comment on that?

20 A Well, I think in the main I disagree with  
21 Judge Whipple when he said that you should not have a  
22 uniform bail.

23 I think you should have a uniform bail, especially  
24 in these instances, so that everybody knows what the  
25 situation is. Of course, you know what happened after that.

1           There was a liberalization of these rules and a  
2 lot of them went out on their own custody. This was  
3 several days later.  
4           I feel that in order to deter crime and disorder  
5 in any city that you have got to have a strict policy  
6 and I think that these people should be made to under-  
7 stand that they cannot break the law of this city or  
8 state and nation and just walk out just because people  
9 feel sorry for them.

10           Q       Is there any history in your investigation  
11 tending to show that people who were arrested at the  
12 beginning of riots were released on bail and later  
13 re-arrested for continuing their illegal conduct?

14           A       I think there were several instances of this.

15           Q       So your suggestion would be, I take it, that  
16 in any long disturbance that those arrested in the  
17 beginning, if possible, be kept in jail?

18           A       I do, yes, especially those people who are  
19 the kind of militant, strident voices which create the  
20 climate that we do have.

21           I think it is a mistake to set these people  
22 back out in the street where they make these speeches to  
23 incite and to agitate people and to stir them up to  
24 create more crime and more disorder.  
25           I think it is absolutely wrong.

1       suffereQ in Now was there a meeting on the morning of  
2       aJuly 14 in which you participated or your representative,  
3       with the Mayor and Council regarding the purchase of  
4       equipment?

5       includA th No. I didn't get to the meeting.

6       Q ey w Did you have a representative there?

7       into thA Det No, we didn't. I think Chief Kelly has  
8       some kind of liaison with the City Council.

9       you wiQ fin What came of that meeting?

10       most A the Well, the City Council practically gave us  
11       a blanket check to get any equipment that we needed to  
12       put down the insurrection.

13       these It was peculiar because prior to that--

14       Q r fi That was a little late, wasn't it?

15       the ciA . Yes. Prior to that we couldn't even get  
16       money to buy 50 shotguns. We didn't have any modern  
17       helmets, for example. So many hundreds of things we  
18       could have used and didn't have.

19       by theQ ity Now could you take us through the rest of  
20       the time up to the morning of July 16 when the National  
1       Guardsmen and State Police were withdrawn?

2       anyow A thin Well, I think the 15th saw the institution  
3       of strong patrols through the barricaded area.

4       I think this was one of the best things that we  
5       did because we didn't suffer the losses that had been

1 suffered in other riot-stricken areas, for example, Watts  
2 and Detroit.

3 Avenue In those cities the authorities created barricades  
4 and prevented anybody from going in or going out,  
5 including themselves.

6 They wouldn't even send fire vehicles, for example,  
7 into the Detroit target areas, and the same thing in Watts,  
8 and that's why if you ride through the Detroit riot area  
9 you will find block after block of burnt-out homes and  
10 most of them were residential homes.

11 They were burnt-out because they had no aggres-  
12 sive patrols, nor were fire trucks permitted to go in  
13 these areas.

14 Our Fire Department did a magnificent job here in  
15 the city.

16 Even though they were fired upon and one fireman  
17 was killed they went into the areas.

18 Of course, they were always accompanied principally  
19 by the City Police.

20 Later on, I think it was on the 15th, they began  
21 to be accompanied by National Guardsmen.

22 I think we should pay them a good compliment for  
23 the work that they did.

24 I am talking about the firemen. one terrific job

25 The curfews were very good after the first day.

1 Of course, we barred at my order all traffic on  
2 Springfield Avenue and cars were removed from Springfield  
3 Avenue because this was the center of the looting and  
4 the center of the disorder that was pervading this  
5 target area.

6 Negro Q. Did you investigate reports of sniping at the  
7 City Hospital?

8 A. Yes.

9 Q. What did that reveal?

10 A. It revealed that generally small arms were  
11 being used against hospital personnel and against the  
12 hospital.

13 It was necessary for us to send 6 policemen to  
14 guard the City Hospital and from time to time we had to  
15 send contingents of National Guardsmen and State Troopers  
16 and City Police to clear the areas of snipers.

17 It was a persistent firing and sniping of the  
18 City Hospital.

19 There was also firing on city hospital ambulances,  
20 for example.

21 Dr. Weinberg refused to let the ambulances go out  
22 anymore until we put two policemen in each ambulance that  
23 went out.

24 Incidentally, that hospital did one terrific job  
25 and I am talking about all the doctors, the nurses,



1 including these ambulance operators.

2 They deserve a lot of credit for their courage  
3 and for the amount of hours that they spent during this  
4 insurrection.

5 On the 16th, of course, then we began to get the  
6 Negro leaders calling for the early withdrawal of the  
7 State Police and the National Guard, as they call it, to  
8 deescalate the city's crisis.

9 It was the feeling of the Negro leaders that  
10 the augmentation of the City Police by the State Police  
11 and the National Guard created and intensified the unrest.

12 Q Did you agree with that?

13 A Not entirely. I only agreed with one part  
14 of it and that was the indiscriminate firing of weapons  
15 by the National Guardsmen.

16 This is due to the fact that they lacked experience  
17 and they lacked training in these areas and in effect  
18 they would fire on practically any noise that they heard  
19 and sometimes-- you know, they carried weapons that  
20 fire over a mile and this is one of the reasons why we  
21 had reports of sniper fire.  
22 For example, they would fire, say, from the area of  
23 Springfield Avenue and maybe a mile down from Springfield  
24 Avenue, in the North Ward here someplace, the shots  
25 would land someplace and neighbors would call up and say

1 there is sniping going on in this area.

2 I think this is one of the things that they were  
3 guilty of.

4 As a matter of fact, I think on the morning of  
5 the 16th I went to the Governor myself at 5:30 in the  
6 morning and I asked him to withdraw the National Guard  
7 because of this one situation.

8 I did think they were absolutely necessary and  
9 important for patrolling and I think they were absolutely  
10 essential and important for security purposes.

11 For example, we needed them around the Sussex  
12 Avenue Armory where prisoners were housed.

13 We needed them in areas where communications were  
14 vital to the city.

15 We needed them in areas where there might be danger  
16 or peril to the city, for example, a water system.

17 We placed them around these locations. We put them  
18 around certain bridges where we felt that somebody might  
19 blow them up.

20 We didn't know to what extent the organization  
21 and plans of the guerillas were in the city and we didn't  
22 take any chances.

23 We also had, for example, and we found this out  
24 during the first day of the rioting, that one certain  
25 furrier, which I will not mention by name, had over

1 \$38½ million of furs in one building and we needed the  
2 National Guard, we needed the physical presence of them  
3 for this purpose, for example.

4 MR. DRISCOLL: If you had had a  
5 sufficient number of State Police available  
6 in comparable numbers, would you have pre-  
7 ferred to have the State Police come in or  
8 the National Guard?

9 THE WITNESS: State Police.

10 MR. DRISCOLL: We have had some evidence  
11 that the Newark Police had had no training with  
12 respect to the use of tear gas.

13 You referred in your testimony to the  
14 fact that in retrospect you would have used  
15 tear gas.

16 THE WITNESS: Yes.

17 MR. DRISCOLL: Is it a fact that the  
18 Newark Police had had no training in tear  
19 gas usage?

20 THE WITNESS: We had had hardly any  
21 training in riot control in the City of Newark.  
22 Of course, for tear gas you don't need much  
23 training.

24 All you have to know is how to pull the  
25 this time and throw it.

1 of the rioting. That's no problem.

2 paper They general MR. MEYNER: And which way the wind is  
3 to and the blowing.

4 provoke demand THE WITNESS: When you throw it you have  
5 to the Governor to be away from it.

6 indiscriminate Yes, we needed the National Guard.

7 men would be There were things about them I didn't like.

8 He did say, I agree with the Governor that I would  
9 people that much rather if we could have the requisite

10 going anything number or a sufficient number of State Police

11 rather than the National Guardsmen.

12 would have been CHAIRMAN LILLEY: Let's take a break

13 for 10 minutes.

14 police are only human. (RECESS)

15 Then he assigned Major Victor Johnson, of the  
16 State Q Director, could you continue with your narra-  
17 tive of the chain of events, please?

18 A Well, again we are talking about the 16th.

19 There was a series of charges that State Troopers and

20 Guardsmen fired into Negro-owned stores and that the

21 Governor announced that the State Police and National

22 Guard has been charged with this and that they would be

23 investigated.

24 There were many comments by the Negro leaders during

25 this time and they differed widely in their interpretations

1 of the rioting.  
2 They generally did warn of the over-zealous efforts  
3 to end the disorder by force and that it would only  
4 provoke diehard retaliation by a few Negroes.

5 Governor Hughes did announce that all charges of  
6 indiscriminate firing by State Police and National Guards-  
7 men would be investigated.

8 He did say, and I quote, "I want to assure the  
9 people that the State Police are not in the business of  
10 doing anything but protecting citizens.

11 "Without them on the scene, many hundreds of people  
12 would have been killed.

13 "However, if the charges are true and after all,  
14 police are only human, then justice will be done."

15 Then he assigned Major Victor Galassi, of the  
16 State Police, together with the Criminal Investigation  
17 Section, to make an investigation of the problems.

18 CORE and the NCUP and SNIC blamed the riot on  
19 official indifference to past demands, and presented a  
20 list of 7 immediate and 23-long range demands.

21 These included withdrawal of all policemen and  
22 Guardsmen, adequate food supply for those in the affected  
23 area, release without bail of all those arrested, prosecu-  
24 tion of "White Night Riders", independent review of police  
25 brutality charges and immediate payment of welfare checks.

1 Donald Tucker, an organizer for the U.C.C., dis-  
2 puted charges by Governor Hughes that the riot was  
3 a criminal insurrection.

4 He claimed the cause of the trouble was the admin-  
5 istration and the criminal element is basically in  
6 City Hall and the Governor's office.

7 of so Now they also made demands of 50,000 new jobs  
8 within one month at \$2.50 per hour, recruitment of only  
9 Negroes for the police force until they are at least  
10 50 percent of the Newark Police Department, new parks,  
11 swimming pools and community centers and restriction  
12 of the medical school site to 50 acres with 50,000 new  
13 housing units.

14 to be Governor Hughes offered **executive** clemency to any  
15 of the 1,650 prisoners who would give evidence leading  
16 to the conviction of a sniper.

17 Attorney General Arthur Sills would urge Essex  
18 County Prosecutor Brendan Byrne to propose maximum  
19 sentences for charges growing out of sniping incidents  
20 and the Governor stated that he would ask the State  
1 Supreme Court to expedite the court calendars to allow  
2 the earliest possible prosecuting of these cases.

3 The police estimated that 25 snipers were operating  
4 in the ghetto and that some of the snipers arrested were  
5 from outside the city. Douglas, I believe is the case.

1 At this time the police believe that some dead  
2 snipers were still in or around the buildings in the  
3 Central Ward.

4 Q Stopping there a minute, Director, have the  
5 police under your direction made efforts preceding the  
6 riots and subsequent to the riots to recruit members  
7 of so-called minority groups into the police force?

8 A We were very earnest and still are to recruit  
9 members of the minority race.

10 Q What successes have you had?

11 A Very meager success.

12 Q Can you tell us why?

13 A Negroes and Puerto Ricans don't seem to want  
14 to become policemen. We have done as much recruiting  
15 as possible in both of these areas.

16 I even stopped myself and talked to some of them.

17 I think the feeling is that they can get better  
18 jobs with the intelligence that would afford them to be  
19 in the Police Department in outside private employment  
20 than worry about the hostility and harassment and lack of  
21 safety in the Police Department.

22 MR. LOFTON: Director, have you received  
23 a proposal from I believe it is a subcommittee  
24 of the Committee of Concern with respect to  
25 a Frederick Douglas, I believe is the name,

1 police recruitment kind of projection?

2 THE WITNESS: I have had a conversation  
3 with Mr. Malcolm Talbot concerning this,  
4 yes.

5 MR. LOFTON: Were the kinds of things  
6 outlined in the proposal by Mr. Talbot insofar  
7 as police recruitment or recruitment of  
8 potential Negro policemen for the Police  
9 Department?

10 Did Mr. Talbot outline in terms of  
11 a written proposal--

12 THE WITNESS: No, not yet. I have  
13 not seen a written proposal.

14 I welcome any kind of assistance in  
15 that area.

16 BISHOP DOUGHERTY: In the recruitment  
17 could we get some energy in the Negro community,  
18 do you feel?

19 MR. LOFTON: I think so, Bishop, and I  
20 think that this proposal that I have referred  
21 to, I have seen the written proposal and I  
22 don't know whether or not this was after the  
23 discussion that the Director refers to between  
24 himself and Malcolm Talbot, who is the  
25 Co-Chairman of the Committee of Concern, which



1 involves a broad cross-section of the  
2 community, including segments of the Negro  
3 population, and I think that if the proper  
4 kind of thrust is given behind that kind of  
5 proposal that it does have positive potential  
6 from what I see on paper because it takes a  
7 degree of implementation but from what I  
8 see in terms of the proposal I think it has  
9 good potential.

10 THE WITNESS: The big problem in the  
11 Negro area is the constant vexatious and  
12 frustrating protests by so-called Negro  
13 leaders about police brutality.  
14 You know, you keep shouting police  
15 brutality and especially the Negro leaders,  
16 you are not going to get Negro young people  
17 to become policemen and I don't see how these  
18 same leaders who now come along can say to  
19 me "Well, now we want to help you recruit."  
20 They have been continually harassing  
21 us.  
22 They have been against us all this time.  
23 I don't know how they can help us at  
24 the present time. Well, I don't subscribe to  
25 that. If they tell me that they want to help

1 me I still say I welcome their assistance.

2 MR. LOFTON: The understanding that I  
3 had anyway at the last meeting of the Com-  
4 mittee of Concern concerning this proposal in  
5 terms of my being Co-Chairman of the Committee  
6 is concerned, is that the Negro leaders that  
7 you referred to, Director, are of the opinion  
8 that there is a kind of transitional develop-  
9 ment in terms of the fact that people who in  
10 terms of other segments of the population  
11 that were complaining about police brutality,  
12 the only way that is stopped is by that  
13 segment of the population to become a part  
14 of that organization that they were com-  
15 plaining about, in terms of the Italian seg-  
16 ment of the community, the Irish segment of  
17 the community, in terms of police brutality,  
18 when they become more fully implemented into  
19 that organization that the complaints stopped  
20 and they feel as though that is one way to  
1 attempt to stop the complaints that are being  
2 brought to them by the citizenry of the  
3 community. been doing.

4 THE WITNESS: Well, I don't subscribe to  
5 that theory. and thank God for that, but

1 I feel that they have compounded our  
2 problems here in the city.

3 Even the last statement, after all  
4 the conversations I have had with Mr. Talbot,  
5 two weeks ago at your Committee of Concern  
6 they passed a resolution coming out for a  
7 black Captain for the Fourth Precinct.

8 Now they absolutely don't understand  
9 the problem. This is discrimination in  
10 reverse.

11 You can't say to an established Police  
12 Department now that you want the Police Depart-  
13 ment to take dictation from a group.  
14 This demoralizes the entire Police  
15 Department, including some of the Negroes.

16 It is embarrassing to Captain Williams  
17 and it more intensifies the distrust and

18 Q anger of the whites to see these kind of state-  
19 on what events, these kind of resolutions passed by  
20 end of the the so-called Committee of Concern.

21 Why did they You know, frankly, it is a play on  
22 words and it concerns me, some of the things  
23 people right they have been doing.  
24 wrong that was They have been a little more mild,

25 You no the past month, and thank God for that, but

1 among the people all of a sudden he shattered the peace that  
2 of me I think I was exercising with this resolution that  
3 a great deal was passed.  
4 I don't think it is right for them to  
5 National Guard become involved in these situations.  
6 amongst the people. It also angers the Negroes because they  
7 be all right think that we are deliberately keeping the  
8 Negro from being in command of the Fourth  
9 Precinct.  
10 long discussions. Now this is not true. You just can't  
11 liquor arbitrarily remove a man who is the out-  
12 great deal standing captain in the City of Newark today  
13 from the Fourth Precinct and put a Negro in  
14 there because he is a Negro.  
15 evidence at all. I don't think it is right. I think men  
16 of reason and men of understanding will  
17 conspiracy. agree with me.

8 Q Now could you give us your views, Director,  
9 on what events or what steps were directly related to the  
0 end of the riots?  
1 where Why did they stop?  
2 have A Well, I think there came a realization to the  
3 people right in these areas that there was something  
4 wrong that was being done.  
5 You no longer saw the carnival spirit and the laughter

1 among the people who were walking around these areas.  
2 of the I think too the aggressive patrols that we had did  
3 a great deal to deter disorder and criminal activity.  
4 except I have a feeling too that when we removed the  
5 National Guard from the scene that there came a feeling  
6 amongst the populace in the city that things were going to  
7 be all right again.

8 When we removed, for example-- and these were all  
9 done with tenderhooks and with great trepidation and  
10 long discussions-- the lifting, for example, of the ABC  
11 liquor restrictions and the curfew, that this did a  
12 great deal too to alleviate the tension in the city.  
13 These I think all these had something to do with it.

14 official Q Now has your investigation revealed any  
15 evidence at all of so-called outside conspiracy?

16 A We have no actual evidence of any outside  
17 conspiracy.  
18 your p I would hesitate to say to this Commission at the  
19 present time those vestiges of evidence that we do have.  
20 was no We are now working on some very confidential matters  
21 where we hope that within the next month or two we will  
22 have enough evidence to bring to the prosecutor and  
23 before the Grand Jury in the hopes and expectations of  
24 getting indictments for conspiracy to commit riots.

25 Q Now could you tell us to what extent, if at all,

1 the Police Department participated in feeding the citizens  
2 of the riot areas?

3 we decided. We didn't do too much work in that area  
4 except more to escort the food trucks back and forth.

5 We did have some members of the police auxiliary,  
6 believe it or not, the civilian members, who actually  
7 participated in the dispensing of the food in some areas.

8 We ourselves did no actual distribution except  
9 again to escort the trucks and to make sure that there  
10 was order in the distribution.

11 would Q Now a number of specific questions, if I may.

12 We had some testimony that at about 9 p.m. on  
13 Thursday night that information was given to top police  
14 officials that outside help was needed and needed imme-  
15 diately.

16 Can you give us your comments on that, whether it  
17 occurred, whether the information reached you and what  
18 your position was at that time?

19 I understand from your testimony that outside help  
20 was not called for until about 2 a.m.  
21 have had with This was discussed.

22 Q At about 9 p.m.?

23 A No. I think it was later than that. I think  
24 it was closer to 11. I'm not sure about the time. people  
25 were I personally discussed it with Deputy Chief Reddin

1 at the time and I also had a conversation with the Mayor.  
2 throw I called him on the phone. After the conversation  
3 we decided not to call for outside help.

4 Q What was that decision based on at that time?

5 proxia A The feeling that conditions had improved and  
6 we did not have a spread of looting and there was no  
7 pattern of the spreading of the looting.

8 did We felt that we had contained it.

9 stores Q and So that it was the feeling on your part and  
10 the Mayor's at least up until about midnight that you  
11 would not need outside help?

12 strong A and Right.

13 that Q In your conversations with the Mayor was that  
14 decision to defer calling outside help based on anything  
15 other than the immediate police enforcement problem?

16 A That's right.

17 Q Were there any political considerations  
18 discussed by the Mayor?

19 A Not with me.

20 Q Do you know of any discussions that he might  
1 have had with others?

2 A No.

3 Q Now can you tell us or would it be in the  
4 statistics that you have submitted about how many people  
5 were involved over the entire period of the riots in

1 actual rioting in the sense of either sniping, looting,  
2 throwing things or whatever?

3 How many rioters are we talking about?

4 A I don't think we could actually say with  
5 proximity any number.

6 I would just say thousands.

7 I think there was an accepted fact, that many people  
8 did not think it was wrong to walk in and out of these  
9 stores and to get something for nothing.

10 There were some people who, of course, thought it  
11 was a dreadful situation but they certainly were not  
12 strong enough to offset the disorder and the criminality  
13 that was pervading this area.

14 A Well, BISHOP DOUGHERTY: Following up that  
15 question, could you roughly approximate what  
16 you might call the hard core?

17 How many might comprise the hard core?

18 I think it THE WITNESS: In numbers?

19 BISHOP DOUGHERTY: Yes.

20 Q THE WITNESS: Bishop, I could only say

21 A thousands.

22 As I said before, it was one of those  
23 phenomena that I didn't believe was possible

24 Q for a gigantic number of people like this to

25 A walk in and loot a store.



1 armor piercing, I saw it with my own eyes. Even the

2 You Governor saw it.

3 Q On the This is the first morning. It is  
4 you did tell indescribable.

5 figures on that I didn't have a camera with me but

6 and I correct almost every store, for example, on Spring-

7 field Avenue had people walking in and out of

8 them and people just jauntily walking down the

9 street with all kinds of dry goods and what-

10 have-you and without batting an eye and

11 without seemingly thinking it was wrong.

12 Q Now could you just tell us the types of  
13 weapons that were used by the 3 law enforcement agencies?

14 A Well, the Newark Police Department had some  
15 shotguns. At the beginning we only had about 25 shotguns.

16 Then we had some sent by special delivery from New  
17 Haven. quantities.

18 I think it was 200 of them. We used 30-caliber  
19 revolvers and this was about it. We had no other weapons.

20 Q How about the State Police?

21 A The State Police had shotguns, I think they  
22 had some rifles and they had their 38 specials that they  
23 use, the long muzzle.

24 Q How about the National Guard?

25 A The National Guard had everything, they had

1 armor piercing, automatic fire.

2 You name it and they had it.

3 Q On the amount of ammunition expended I believe  
4 you did tell us that it is impossible to give us any  
5 figures on that as to the 3 law enforcement agencies,  
6 and I correct, or can you give us an approximation?

7 A No, we can't.

8 Q No figures on that?

9 A We can't even give our own.

10 MR. GIBBONS: What method of control of  
11 ammunition do you have in the Newark Police  
12 Department?

13 THE WITNESS: Ordinarily it is very  
14 strict control, but during this disturbance it  
15 was absolutely physically impossible to keep  
16 tabulations of who you gave it to and in what  
17 quantities.

18 I know We don't know till this day whether it  
19 was expended or whether it is in somebody's  
20 house, like shotgun shells, for example.  
21 We don't know where it is. Some of the  
22 ammunition was returned but not too much of it.

23 MR. GIBBONS: In view of what you just  
24 said can you suggest any steps that might be  
25 taken to maintain tighter control over ammunition

1 in any future disturbance?

2 THE WITNESS: What could be done?

3 MR. GIBBONS: Yes, especially in view  
4 of the danger of it getting out into the com-  
5 munity.

6 THE WITNESS: Oh, I don't think there  
7 is any danger of it getting out into the com-  
8 munity, but it is most difficult, I think, to  
9 keep records.

10 You need manpower to keep records and  
11 when you have a shortage of personnel like  
12 we were having, there is no keeping of records.

13 If we got a phone call, for example,  
14 in the Fourth Precinct that they needed  
15 ammunition we would ask how many they needed  
16 and just send it up there.

17 We never even got a receipt as far as  
18 I know from the person who received it at the  
19 precinct.

20 If a superior officer at some location  
21 out in the field of operations needed ammu-  
22 nition and he radioed in for it or made a  
23 phone call, this was arbitrarily sent to him.

24 Incidentally, while I am talking about  
25 communications, we found that they were

1 monitoring our radios.

2 MR. GIBBONS: Who was?

3 THE WITNESS: The opposition, whoever  
4 they were.

5 We could tell from the pattern of the  
6 looting and the pattern of the sniping.

7 They would make a phone call telling  
8 us that there was sniper fire in a certain  
9 area and at the beginning we were sending  
10 out, not only talking about the City Police  
11 but I am talking about the State Police and  
12 the National Guard were doing the same thing  
13 and sometimes it would be 100 or 200 men at  
14 that location.

15 Meanwhile there would be looting in  
16 another area which had just been vacated and  
17 generally it would be called in "We are leaving  
18 14th Street and so and so and we are going  
19 up to the sniping area" and they would come in  
20 and loot.  
21 We found that by other means they were  
22 monitoring our radios.  
23 We in turn, by accident, discovered  
24 that they were using C.B.R. radios to communi-  
25 cate with one another.

1 We do have some messages that we are  
2 keeping confidential and so are the State  
3 Police and in order to make identification of  
4 certain people, but I thought that would be  
5 an aside that this Commission would be  
6 interested in.

7 MR. LOFTON: Director, if I might, that  
8 surely suggests-- and I think this is very  
9 important-- a conspiracy kind of situation  
10 if people are intercepting the messages of  
11 the Police Department and causing the Police  
12 Department and the law enforcement contingent  
13 to vacate one area and go to another area  
14 and they knew that they are going to that  
15 other area and then by design bring in people,  
16 if that is occurring, and I am interested to  
17 know whether or not it would be an influx  
18 of people who may be in the area, once they  
19 see the police contingent that may be containing  
20 an area move out and these other people come  
21 in, but if I understand what you are saying,  
22 what you are saying is that the people who  
23 intercepted the message or who caused the  
24 message to be given to cause the police to  
25 move out then caused the crowd or their people

1           was who were working with them in terms of the  
2           radio to come in and then loot, that surely  
3           suggests a conspiracy to me.

4           THE WITNESS: Well, we believe this or  
5           I believe it and some of my heirarchy believe  
6           it.

7           We definitely believe this and it is  
8           stronger than just a belief.

9           MR. GIBBONS: Without prejudicing the  
10          investigation could you tell us the basis  
11          of your belief?

12          THE WITNESS: I would rather not say  
13          at this time, if you don't mind, Mr. Gibbons.

14          BISHOP DOUGHERTY: There were two parts  
15          to the question originally.

16          One was outside influence in conspiracy.  
17          I think that Mr. Lofton's question could  
18          have been a sort of improvised local con-  
19          spiracy without outside involvement.

20          THE WITNESS: I understand what he said,  
21          Bishop.

22          BISHOP DOUGHERTY: Is my interpretation  
23          a valid one? used by the Police Department,

24          THE WITNESS: Well, we are not too sure  
25          at this moment as to what participation there

1 was from the outside.

2 police We do know there was some and we had  
3 not known to what extent. These are some  
4 of the things that we are trying to ferret  
5 out at the present time.

6 MR. GIBBONS: Certainly nothing in the  
7 pattern of persons arrested on weapons  
8 charges from outside Newark would indicate  
9 any evidence of a conspiracy?

10 THE WITNESS: No.

11 MR. GIBBONS: I am referring to the  
12 list which is part of C-66.

13 THE WITNESS: That's right, Mr. Gibbons.  
14 It does not indicate it.

15 MR. LOFTON: Director, there has been  
16 some testimony, as I recollect it, either by  
17 yourself and also one or two other witnesses  
18 who have testified, that there was use of  
19 private weapons when Mr. Robinson went  
20 through in terms of the types of weapons used,  
1 there was an indication that there were  
2 official kinds of weapons that would normally  
3 be the weapons used by the Police Department,  
4 by the National Guard or by the State Police.  
5 Included in that category would also be,

1 you do have because of a shortage of weapons that the  
2 were a small police officers had, as I understood it, in

3 A terms of their official issue, that it was

4 Q necessary for the police officers to bring in

5 A their private weapons, their own shotguns,  
6 has been or their own pistols or whatever have you to

7 manufacturer use to augment the artillery that they had,

8 A correct is that correct?

9 been delivered. THE WITNESS: That's absolutely true.

10 tention are Many police officers went home and got their

11 riot sticks shotguns that they use for hunting and

12 the stone-t used them.

13 the new helmets. MR. LOFTON: With respect to the

14 have all be additional appropriations that you mentioned

15 Q that the City Council has authorized the

16 satisfied w police to secure additional weapons, do you

17 A feel as though that is sufficient to negate

18 Q the necessity for police officers bringing

19 A in their own private weapons for use during

20 Now o the course of any possible future disorder

21 Q of this kind?

22 faction?

THE WITNESS: Absolutely. We have

23 A enough weapons, enough equipment, that we

24 I think, we don't need anything from the outside anymore.

25 going Q to be On that point, Director, you feel that today



1 you do have adequate riot, crowd control equipment if there  
2 were a similar disorder of the same magnitude?

3 A Well, it is being brought in.

4 Q It is in the works?

5 A That's right. Let me explain. Most of it  
6 has been ordered but it takes time for some of the  
7 manufacturing plants to deliver them.

8 A considerable number of this equipment has already  
9 been delivered. The shotguns, for example, the body pro-  
10 tection armor, most of that has been delivered, the new  
11 riot sticks that we have, the plastic shields to ward off  
12 the stone-throwing, which a lot of our men got hurt from,  
13 the new helmets, safety helmets that are now in vogue  
14 have all been delivered.

5 Q As the top police official in Newark you are  
6 satisfied with the equipment phase of riot control today?

7 A With what we have ordered, absolutely.

8 Q What about training the men?

9 A I shouldn't say it but I am delighted.

0 Now on the training of the men--

1 Q Are things in the works there to your satis-  
2 faction?

3 A That's right. Beginning the week after next,  
4 I think, we are making all weapons uniform. They are all  
5 going to be Remington shotguns so that everyone has the

1 same training.

2 We have found that the Remington is a much better  
3 gun in that it has a better safety factor.

4 The Winchester, for example, you can only put a  
5 safety on it when you have a shell in the chamber, but  
6 not with the Remington. You could put the safety on  
7 anytime.

8 We are going to start firing the shotgun either  
9 next week or the week after for practice and for familiari-  
10 zation.

11 MR. LOFTON: Now Director, you indicated  
12 that there was a directive put out by the  
13 Governor with respect to the recommendation of  
14 maximum sentences for snipers that might be  
15 caught or apprehended and what-have-you.

16 There has been some testimony before  
17 the Commission that to the knowledge of those  
18 particular witnesses that there was no sniper  
19 apprehended, which sort of leaves at least  
20 the innuendo created by the testimony that  
21 the community is not altogether accepting  
22 the fact of the multiplicity or the number of  
23 snipers and the like.  
24 Can you tell us whether or not in terms  
25 of the arrests made, were there any snipers

1 apprehended?

2 THE WITNESS: Yes. We have at least 7  
3 arrests that we know were snipers.

4 We can give you the names, if you would  
5 like.

6 The difficulty, of course, in these  
7 kind of arrests, you know firing is coming  
8 from a certain building.

9 By the time you get in there they have  
10 discarded the gun.

11 You will find the gun in the room and  
12 there have been shells expended but you  
13 didn't actually see him with the gun in his  
14 hand because you know very well the firing  
15 came from that building.

16 This has been the difficulty with--

17 MR. LOFTON: With identifying that  
18 this was the fellow who shot the gun?

19 THE WITNESS: Yes, with legal proof or  
20 testimony that he is the man who fired the  
21 gun.

22 Now we do have at least 7 arrests that  
23 I know of, and we are still checking them out,  
24 and I have asked for a special follow-up on  
25 these, where men were apprehended with guns

1 in their hands.

2 Police Department For example, one had a rifle in his

3 hand and a pistol in his back pocket in one

4 house and shells had been fired from that

5 flat, that tenement.

6 MR. LOFTON: And the spent shells were  
7 anticipated there?

8 THE WITNESS: Yes, but you don't know  
9 what the courts are going to say though.

10 Q Now I take it from the testimony that I have  
11 heard-- and correct me if I am wrong-- that there was  
12 no significant pre-riot planning or training?

13 A Hardly any. The only riot training that we  
14 had prior to the riot was that riot training that each  
15 recruit goes through and certain specialized training  
16 that the Emergency Bureau undergoes, because they were  
17 primarily held responsible for handling riots, but, of  
18 course, you know they couldn't handle this one anyway.  
19 There are only 39 men in this unit.  
20 Q Now since the riots I take it that there has  
21 been extensive planning and coordination with outside help  
22 in the event of new riots, am I correct?  
23 A I know There has been some. I wouldn't say extensive.  
24 Q Are you satisfied with it?  
25 A Yes. We are going to go on and complete it.

1 me to Q With what groups, at least so far as the  
2 Police Department is concerned, are you working?

3 A The State Police.

4 Q Any others?

5 A No.

6 Q There is no coordination going on or none  
7 anticipated with the National Guard?

8 A No.

9 Q Any special reason for that?

10 A There hasn't been any contact.

11 Q Do you think it would be a good idea to do it?

12 A Well, I think the State Police should do  
13 that.

14 Q Do you know whether the State Police are doing  
15 it?

16 A I think so.

17 Q Now to clarify what at least to me is not clear  
18 in the record, could you tell us what orders, if any,  
19 were issued either before the riots or during the riots  
20 for the use of firearms by your men and under what circum-  
21 stances?

22 A No orders were ever issued before the riot  
23 that I know of. I issued none. I think it was 8 or 9  
24 hours after the riot started, I had some superior officers  
25 but I don't remember who they were, come up to me and ask

1 me to give orders to fire the weapons.

2 Q That would be Friday morning, Director?

3 A I believe so.

4 Q Go ahead.

5 A It is on tape anyway in the communications.

6 I looked at them in disbelief because I assumed that  
7 if you are being fired upon or you are being threatened  
8 in any way you have a legal right to use your weapon  
9 and I could not understand why these superior officers  
10 came to me and asked me to tell the men to fire their  
11 weapons.

12 Then I finally deduced that somehow or other,  
13 through the Police Department a rumor had spread that  
14 they were not permitted to use their weapons.

15 It was at that time-- and I don't remember the  
16 time-- that I gave the order that if you are being fired  
17 upon you have guns and use them.  
18 If you have a handgun, use it. If you have a  
19 shoulder weapon, use it.

20 This is one of the things that is talked about a  
21 great deal by the press and some of the people in the  
22 city.

23 Q From your end you were just clarifying what  
24 you thought had been the complete understanding of your  
25 men? Would you agree or disagree with that, looking back?

1 A What they were doing, right.

2 issue Q Now can you give us an approximation-- and  
3 I suppose the answer is all of them-- of how many of  
4 your men were committed to the riot area at any time  
5 during the riots, or is it fair to say the whole Police  
6 Department was committed?

7 A Well, certain individuals had administrative  
8 duties.

9 They did not go out into the target areas, for  
10 example. Those who had charge of distribution of ammu-  
11 nition, the new equipment as it came in, for example,  
12 helmets, and that type of thing, didn't go out, and then  
13 you had certain men who because of the enormity of the  
14 prisoner processing, we had to detail men to this specific  
15 job who never did go out in the street either.

16 Q Then about how many men did you have out in  
17 the street if you could give us a figure over the period  
18 of the riots?

19 A Oh, I would say 1,000 easily.

20 Q Now could you tell me whether you agree with  
21 a statement that the Committee of Concern made during the  
22 riots: "It was the very presence of the show of armed  
23 strength which was causing much of the remaining violence."?

24 I believe they issued that statement during the riots.

25 Would you agree or disagree with that, looking back?

1 A I think it was right after the riots that they  
2 issued that statement. No, I think it is a stupid state-  
3 ment.

4 Q Can you tell us why?

5 A Well, because you needed a show of force  
6 in order to compel disorder to subside.

7 If you didn't have a show of force they would have  
8 continued ad infinitum.

9 MR. LOFTON: Director, let me see if I  
10 can get a clarification about that.

11 With respect to the activities that  
12 you give us were occurring, is it your view that without  
13 based on the show of force in terms of the presence  
14 cinct while of the enforcement contingents there with  
15 an immediate the kind of numbers that were there, that the

16 A people prior to the force coming in that were  
17 law, engaging in the looting and the unlawful

18 Q entry into premises and so forth were also  
19 A engaging in violence upon citizens in terms  
20 fare. Even of the people in the target population being  
21 windows, it the Negro people principally attacking other  
22 men in charge Negroes or attacking other white people and  
23 which did occur therefore the show of force prevented this

24 You always kind of activity from occurring?  
25 THE WITNESS: Yes. There were many white  
26 that you would like



1 Today people who just incidentally happened to  
2 and 13. be traveling through the target area who  
3 I would were severely beaten, including some women.  
4 permitted in an I saw them with my own eyes coming into  
5 volume of the precinct for treatment, hysterical.  
6 that Area Board It it wasn't for the show of force and  
7 that day. for the actual presence of people with arms  
8 to repel this kind of activity I don't  
9 not have to think the disorder would have subsided.

10 Q Now referring to the Thursday late afternoon-  
11 evening picketing in front of the Fourth Precinct, could  
12 you give us your views on what the police judgment was  
13 based on to have the men remain inside the Fourth Pre-  
14 cinct while the picketing was building up instead of  
15 an immediate show of force at that time?

16 A Well, actually they were not breaking the  
17 law.

18 Q The picketers?

19 A That's right. We had no legal right to inter-  
20 fere. Even when the stones started to fly through the  
21 windows, it was still the hope and the prayers of the  
22 men in charge like myself that this kind of situation  
23 which did occur would not occur.

24 You always hope, I guess, and pray for the things  
25 that you would like to see. Perhaps we were not realistic.

1       prosec Today I would not do what I did in July, July 12  
2       and 13.

3               I would take immediate action. I would not have  
4       permitted in an area of tension as it was so great a  
5       volume of people to gather as a result of that leaflet  
6       that Area Board 2 printed, which I blamed for the riot  
7       that day.

8       certain It might have happened another day but it would  
9       not have happened that day.

0       that I think that if this leaflet had not been printed  
1       and the people from the U.C.C. and Area Board 2 and  
2       all the other area boards had not been present, we  
3       wouldn't have had any problem that day.

4               You know, it is difficult to order men out into  
5       actual physical strife when you haven't had a history  
6       of this kind of situation and this is what happened that  
7       day in the Fourth Precinct.

8       unclear Q       Now you said that you didn't have the legal  
9       right to interfere with the pickets.  
0       Court. Do you feel that under existing law your men could  
1       have gone out and controlled them in some way or perhaps  
2       dispersed them to the other side of the street or kept  
3       the crowd down?  
4       community A       Well, perhaps under the old common law doctrine  
5       I could have dispersed them, the common law doctrine of

1 protection for the citizens.

2 You can invoke almost any powers, I think.

3 visual: But it didn't seem that imminent at the time and  
4 perhaps there is today a need for a law enforcement  
5 administrator or for a political body to have the power  
6 to say that a certain situation is developing in the  
7 community and that they have the power to disregard  
8 certain safeguards even of the Bill of Rights.

9 have a Q: Do you feel that given the same situation  
10 that we had out in front of the Fourth Precinct on  
11 Thursday night, that under existing law you have sufficient,  
12 that is, the Police Department has sufficient power to  
13 act the way you would want to act today?

14 A I don't think so.

15 Q What do you feel you need?

16 A I feel we need a state statute which probably  
17 the Supreme Court of the United States would say is  
18 unconstitutional, and I am not fooling because it is true.

19 They ought to change the thinking of that Supreme  
20 Court.

MR. ROBINSON: Yes.

21 Q What sort of statute? Is there a point where

22 A To make it possible for an administrator in  
23 law enforcement or the political administrator of that  
24 community to dispense with certain safeguards that are  
25 now availed of by the citizens because, for example, of

1 the Bill of Rights.

2 Q Can you give me an example? I can't quite  
3 visualize what you have in mind.

4 A For example, I think the police director or  
5 the police chief of a city, when you have an area of  
6 tension, can say there is a group that is picketing  
7 and in his opinion and based on his experience this will  
8 probably lead into violence and I feel that he should  
9 have a right to say that you no longer have a right to  
10 picket, I invoke statute so and so or Bill Number so and  
11 so which says that I can disperse this crowd.

12 MR. GIBBONS: Director, you are aware  
13 that there is a riot statute on the books  
14 at present?

15 THE WITNESS: Yes, sir, but there is  
16 no riot going on when there is a group just  
17 meeting there.

18 BISHOP DOUGHERTY: Is this under the  
19 heading of the Right of Lawful Assembly?

20 MR. ROBINSON: Yes.

21 BISHOP DOUGHERTY: Is there a point where  
22 he could interpret a certain situation as  
23 going out of the range of lawful assembly  
24 into the possible range of unlawful assembly?

25 MR. GIBBONS: There is a statute dealing

1 with when an assembly becomes a riot, but  
2 it is not very effective because it requires  
3 that someone read a proclamation asking  
4 them to disperse and in those cases where it  
5 has been invoked, usually in labor disputes,  
6 the courts very generally said that the degree  
7 of imminence of the danger was not apparent  
8 with the benefit of hindsight, so I think  
9 there has been some reluctance to resort to  
10 it.

11 Of course, even if it had been resorted  
12 to and later the courts disagreed, maybe  
13 the riot might not have occurred either.

14 MR. LOFTON: Director, as you indicate,  
15 that while you didn't consider the assembly  
16 of the people outside of the Fourth Precinct  
17 and I believe there is a Police Department  
18 film or not a Police Department film but  
19 a film of the Star-Ledger or the Newark News,  
20 one or the other, that indicates a very  
21 substantial presence of people from the  
22 staff of the U.C.C. there, and while that  
23 conduct, as you indicate, was not unlawful,  
24 and I share your judgment in this regard,  
25 it was not the wisest thing to do and my

1 question is whether or not you or anybody  
2 in your office or anybody that you know of  
3 upon identifying-- because I think that  
4 most of the people that were on the U.C.C.  
5 staff, from the pictures that I saw, were  
6 somewhat known to the members of the Police  
7 Department as being associated with the Anti-  
8 Poverty Agency, whether or not anybody com-  
9 municated to Mr. Still, the President of the  
10 U.C.C., "Listen, Tim, there are people out  
11 there from the U.C.C. or the staff organizing

12 people to picket around the Fourth Precinct  
13 and while I don't want to go out and arrest  
14 indicated people because they are not doing anything  
15 event of a actually wrong it is something that may lead  
16 other power to other things" and in your judgment it did  
17 Director need lead to other things, as you indicate, did

18 anybody do that and Mr. Still said "No, I  
19 there is a don't think I can do that" or was that done?  
20 which prohibits THE WITNESS: I don't know whether that  
21 of hatred was done or not.

22 Now I know By the time I got there the stones had  
23 First Assend broken every window in the place. Think that  
24 we want to have a BISHOP DOUGHERTY: Don't we have testi-  
25 I think mony that Mr. Still did try to quiet the crowd

1 that we have down?  
2 continual presence. MR. LOFTON: I think we are talking  
3 both groups about two different nights.

4 to civil war in THE WITNESS: The Bishop is talking  
5 Take, about the 12th.

6 Princeton, and he MR. LOFTON: Right, when I was there  
7 said "He was with Mr. Still and the Director is talking  
8 This about the subsequent Thursday during the  
9 these kind of day.

10 I don't see THE WITNESS: Mr. Still wasn't there  
11 or whatever that day. He went to New York City and he  
12 do these things stayed there.

13 Q Now other than this legislation that you  
14 indicated you would like to be able to act under in the  
15 event of a future incipient disturbance, is there any  
16 other power that you feel the Police Department or the  
17 Director needs either pre-riot or during-riot?

18 A Well, I think in the matter of legislation  
19 there is a desperate need for a national or state law  
20 which prohibits denunciation of race and the promotion  
1 of hatred between races.

2 Now I know that this may be a violation of the  
3 First Amendment of the Bill of Rights but I think that  
4 we want to have a nation dedicated to law and order.

5 I think this is one of the most important things

1 that we have to do now because if we don't do it, the  
2 continual preaching of hatred-- and I am talking about  
3 both groups, both white and black-- is going to lead  
4 to civil war in this nation.

5 Take, for example, Leroi Jones just last night at  
6 Princeton, and he is talking to black collegiates, he  
7 said "We must hate the white race. They are our enemies."

8 This is not good for this nation and I think  
9 these kind of things should be outlawed.

10 I don't care if you have to change the Constitution  
11 or whatever you are going to do but you have got to  
12 do these things and do them as fast as you possibly can.

13 MR. GIBBONS: Director, just a personal  
14 comment.

15 Whether it is Leroi Jones or the  
16 late Mr. Rockwell, I think there ought to  
17 be a better way of solving the problem  
18 than taking away the right of free speech  
19 because the dangers in that are greater  
20 than the dangers inherent in the other  
21 situation.

22 THE WITNESS: I agree with you in part,  
23 that I disagree with you very  
24 strongly, Mr. Gibbons.

25 I don't think anybody has the right to  
26 malign another race. I don't think a man has



1 a right to condemn a person because of his  
2 nationality, his religion or his race.

3 the MR. GIBBONS: I agree with you that  
4 it shouldn't be done.

5 change THE WITNESS: And when you preach  
6 hatred the way these people are doing, you  
7 are agitating and inciting people to the  
8 degree that finally violence must emanate.

9 change MR. GIBBONS: In the history of this  
10 country violence has emanated only rarely and  
11 I think that we must look for the causes of  
12 that violence someplace other than in the  
13 Bill of Rights because we have had the Bill  
14 of Rights for a long time without the vio-  
15 lence and you have had people who have lack  
16 preached all sorts of weird doctrines and  
17 they haven't led to violence.

18 period Sometimes inciters are the immediate  
19 cause but I think we have to go deeper than  
20 that. THE WITNESS: No, I disagree with you.

21 THE WITNESS: I agree with you in part,  
22 that these disorders are not due just mainly  
23 to the agitation and the incitement.  
24 But we have changing times today. We  
25 have a nation and in truth we have a world

1           today of violence where the changing patterns  
2           are based on violent action and I think with  
3           the changing times you must do the same thing  
4           the Supreme Court of the United States does,  
5           change their thinking and change the kind of  
6           decisions that they think that the people  
7           of the United States want.

8                         For this reason I think we should  
9           change our thinking about permitting this  
10          license, and this is what it is when you  
11          permit people to use this kind of language.

12          MR. LOFTON: Director, hasn't this  
13          kind of language been used for a considerable  
14          period of time, only it has been language  
15          used by white people as it relates to black  
16          people? prior to 1937.

17                         This has been going on for a considerable  
18          period of time, has it not, this hate situa-  
19          tion? or in the United States.

20                         THE WITNESS: No, I disagree with you.

21          MR. LOFTON: I have read an awful lot  
22          of things prior to the recent advent of the  
23          racial disorders, if you can characterize  
24          them this way in terms of the urban centers,  
25          that are engaged in principally, say, by of

1 black people reacting to certain conditions  
2 that they consider to be grievous and what-  
3 have-you, but I am talking about now hate  
4 literature and hate pronouncements emanating  
5 from the white segment of the community  
6 as it relates to the black segment of the  
7 community.

8 THE WITNESS: You mean now?

9 MR. LOFTON: No. I am talking about  
10 in terms of the history of this country.

11 THE WITNESS: I disagree with you.

12 There are certain segments or individuals  
13 in the United States which always preached  
14 hatred toward the Negro and this is one of  
15 the causes of the lynchings that we used to  
16 have prior to 1937.

17 MR. LOFTON: And we still have.

18 THE WITNESS: You don't have any lynchings  
19 anymore in the United States.

20 MR. LOFTON: Well, I don't know. Maybe  
21 the newspaper gives a different account.

22 Q I have I haven't been there but from some of  
23 maybe the things that I read I would have to

24 We have characterize them as lynchings.

25 THE WITNESS: Do you mean you know of

1 preceding lynchings today in the United States?

2 continuing to stir MR. ROBINSON: I think the two of you  
3 stirred up, don't agree on the word "lynching".

4 Could we have The Director would agree there are  
5 race killings today.

6 As well, THE WITNESS: That is not a lynching.

7 On the 12th A lynching is a hanging.

8 scene after the I am not going to go into semantics.

9 On the There was never any wide-spread preaching  
10 4:30 in the of hatred for all the Negroes. It is dif-  
11 Belmont Ave ferent today.

12 Within an When you have racist Negro militants,  
13 stations like Ron Karenga, like Ken Yotter from  
14 this Brooklyn, from Nathan Hare from Washington  
15 there were and other people who I just can't remember  
16 around this right now who say that they should be

17 I don't exterminated, that the white people should be  
18 reporters exterminated, I don't remember any white  
19 make the people making these kind of statements.

20 provocative kind MR. LOFTON: Well, I have a different  
21 day. reading of this.

22 Q I have a few more specific questions and  
23 maybe the panel would want to ask something.

24 We haven't had any comments from any officials  
25 on the effect, if any, of the news media in the hours

1 preceding the riots and during the riots insofar as  
2 continuing to stir up the people or causing them to be  
3 stirred up.

4 Could we have your advice on that?

5 That includes television.

6 Well, this is the worst offender, television.

7 On the 12th they were at the scene but they came to the  
8 scene after the violence started.

9 On the 13th, unfortunately, WNEW at approximately  
0 4:30 in the afternoon sent a TV crew to 17th Avenue and  
1 Belmont Avenue and immediately this attracted a crowd.

2 Within an hour there were 5 more major radio-TV  
3 stations which sent TV crews.

4 This again accumulated more people. I would judge  
5 there were between 3 and 4 hundred people now congregated  
6 around these TV cameras.

7 I don't know how it is or why it is but these TV  
8 reporters have a knack of picking out the people who  
9 make the most racy statements, the most inciting, most  
0 provocative kind of statements, and they did it that  
1 day.

2 I blame them a great deal for some of the things  
3 that happened.

4 I want you to know too that back in May I called  
5 for a meeting of all the communications media, including

1 newspapers, including TV and radio stations.

2 many. Now Newark News sent a representative, the Newark

3 Star-Ledger sent its managing editor, Mr. Stasiak.

4 night. WNEW sent a letter subscribing to the code of

5 conduct that we sent them a copy of and we never did hear

6 from the remaining radio and TV stations, so they never

7 knew or did not subscribe to the code of conduct as

8 we requested.

9 I think they did a great deal to harm the situation.

10 During the riot itself, you never saw so many

11 camera crews running around the city, grabbing people

12 and getting them to make statements on TV.

13 Q In your view this contributed to the agita-  
14 tion that was in the community?

15 A I definitely believe this.

16 BISHOP DOUGHERTY: Is it proper to ask

17 for identification of those media?

18 Q Who were the offenders in your view?

19 A TV cameras, mainly, TV stations.

20 BISHOP DOUGHERTY: Specifically?

21 THE WITNESS: CBS was the worst one,

22 I would say.

23 Q Now the arrest of Mr. Smith was at about 9:30,  
24 as I understand the records?

25 A Right.

1 Q I further understand that within an hour,  
2 many Civil Rights leaders and a crowd including the cab  
3 drivers had arrived at the Fourth Precinct on Wednesday  
4 night.

5 Does your investigation reveal how they got there  
6 so fast?

7 A Well, I know how they got there.

8 Q Could you tell us?

9 A U.C.C. was having a meeting, and I don't  
10 remember what kind of a meeting and this comes from a  
11 confidential informant and I cannot reveal the identity  
12 of the person.

13 A phone call came and one of the people picked up  
14 the phone-- I think it was Jesse Allen-- and he said  
15 "The trouble is here. Let's go up to the Fourth Precinct.  
16 "They got trouble up there."

17 Immediately people got on the phone and began to  
18 call the other Area Boards.

19 In no time all the other Area Boards were blanketed  
20 with people who they felt were necessary to be present  
21 and these people all converged on the scene.

22 Q Now in your view, Director, do you have  
23 all of the weapons, using the word "weapons" not to mean  
24 arms, do you have all the weapons that you believe you  
25 need in order to continue working to improve police-com-

1 community relations or do you feel that you are being  
2 hampered in some way or that you need more help?

3 time the A the I need a great deal more help.

4 areas Q the Could you tell us what you feel you need?

5 police A so Well, the only program we had going for us  
6 after the riots was a program that I initiated that I  
7 thought would be meaningful in terms of understanding  
8 what the problems were after the riots in these target  
9 areas and that was the police ambassador team that  
10 we evolved.

11 about This was a scheme by which we had one of the  
12 police-community relations police officers in plain  
13 clothes, police cadet trainee, a neighborhood youth  
14 corps girl, and a civilian who had been employed prior  
15 in the Newark Human Rights group, the police-community  
16 relations program and sometimes they would add an extra  
17 civilian and 3 teams would go down to the target areas  
18 and talk to these people and the results were terrific.  
19 come fr But unfortunately, instead of \$10,000 which was  
20 supposed to have been left in the fund, only \$4,000 was  
21 left.  
22 ment. We have been trying to raise the remainder from  
23 private sources but have been unsuccessful.  
24 picion The Federal Government does not have any money at  
25 the present time because Congress has still yet to allot



1 those moneys to the Anti-Poverty Agencies.

2 I think it is extremely important right at this  
3 time that the Police Department go into the very worst  
4 areas in the city and put up storefronts manned by  
5 policemen so that they could talk to the people in the  
6 area, invite them in and talk to them about their com-  
7 plaints, about their problems, and see whether they can  
8 help them or not.

9 We have found out, for example, that most of the  
10 time when we go into these areas, they do not complain  
11 about police brutality, and believe me, this is the  
12 absolute gospel truth.

13 What they talk about is lack of services, lack of  
14 jobs, lack of equal opportunity and lack of security in  
15 the streets and in their homes, even lack of inspectional  
16 services, for example, garbage not being removed properly  
17 and these type of things.

18 It seems to me that most of these people who  
19 come from rural areas-- and they are both black and white--  
20 have an alien feeling against going into an official  
21 police building or talking to an official of the govern-  
22 ment.

23 They have always looked at these people with sus-  
24 picion and if you do put up a storefront, they are used  
25 to going into stores and it is possible that we can get

1 these people to come in these areas.

2 Q Are you getting help on such a project?

3 A No.

4 Q Why?

5 A No money.

6 Q Have you asked for it?

7 A The Federal Government. The city has nothing.

8 Q The city can't give you anything?

9 A No. Forget the city. We also know and we  
10 have been trying to get this program for 3 years, what I  
11 call the police Frontier Club concept and this is a  
12 scheme by which we have satellite clubs in those target  
13 areas of the city which are devoid today of social  
14 agencies.

15 As all of us know there are over 10,000 school  
16 dropouts in the City of Newark or in Essex County but the  
17 bulk of these people are in the Central Ward. It is  
18 necessary to get some kind of a building with professional  
19 supervision so that these young boys can go in and partake  
20 of recreation, cultural activities, handicrafts and things  
21 of this type.

22 In so doing they become activated by these profes-  
23 sional workers that we have to become better citizens.

24 Three years ago I proposed this to the U.C.C., and I  
25 am not going to begin to tell you how ridiculous the whole

1 thing was and it was never accepted.

2 I would like to propose this in evidence.

3 Q Just describe it, please.

4 A I just described it.

5 Q I mean the document.

6 A It is a blue soft cover book or pamphlet and  
7 it is entitled "Police Athletic League, Summer Neighborhood  
8 Block Recreational and Improvement and Frontier Club  
9 Program submitted by Detective Charles A. Meeks, P.A.L.  
10 Recreation and Program Supervisor."

11 MR. GIBBONS: Would the reporter mark  
12 that as C-67 in evidence.

13 (Pamphlet marked Exhibit C-67 in evidence.)

14 THE WITNESS: Now I have been thinking  
15 more and more of the street worker idea.

16 I never thought it would work until I  
17 found out how well it is working in Harlem.  
18 There the YMCA and some religious people  
19 have gotten this concept of getting young  
20 people right from the target areas involved  
21 in dialogue with the very people who need this  
22 kind of help.

23 Q Would Here in the City of Newark we have  
24 in that work a Reverend Iverson, William Iverson.

25 A I cert He was formerly the pastor of the

1 for \$50. North Reformed Church and he resigned I think  
2 it is 3 years ago because he said that he  
3 realized that the church was not doing the  
4 job that it could do in that it was not  
5 reaching young people and today he travels  
6 the city.

7 At the present time he has a luncheonette  
8 opposite the West Side High School, which he  
9 calls Cross Counter.

10 He has I think weekly leaflets that he  
11 puts out called Cross Counter.

12 I have seen and talked to some of the  
13 people that he has worked with and I am  
14 sincerely impressed with the kind of work  
15 that he has done.

16 I am sure that if we can get some kind  
17 of a program with minimum funds in this  
18 city with people like Reverend Iverson, and  
19 he wants to do this kind of work, I think that  
20 we can take a lot of these young people who  
21 nobody else can reach and bring them into  
22 the main stream of life.

23 Q Would you include the Newark Youth Council  
24 in that worthwhile project?

25 A I certainly would. They just solicited me

1 for \$50.

2 MR. ROBINSON: Mr. Jaffe has a few  
3 questions and I know you have a luncheon  
4 engagement.

5 THE WITNESS: Well, I might just as  
6 well finish because I only have a few more  
7 things to say and then we are through unless  
8 somebody else has any questions to ask.

9 MR. GIBBONS: Why don't you proceed  
10 with what you want to tell us and then if the  
11 Commission members have anything to ask we  
12 will.

13 THE WITNESS: I want to say something  
14 about what happened to the Police Department  
15 as a result of the riots.  
16 As a result of the riots we have had  
17 a number of mass resignations.  
18 One lieutenant, 7 sergeants and approxi-  
19 mately 14 other police officers have resigned  
20 or have left the department on leave of  
21 absences in attempting to take other jobs.  
22 At least 4 policemen have retired before  
23 their maximum date of retirement was effective.  
24 I think that this riot and the continual  
25 protests since the riot have done great harm

1 to the morale of the police in our city.

2 I think it is important too to cite  
3 the fact-- and I disagree here with Governor  
4 Hughes.

5 Governor Hughes some time ago in a  
6 newspaper article said something about that  
7 he felt that the feeling in the community  
8 had been improved since the riot and this  
9 was an article in the Newark News of November  
10 26, 1967.

11 MR. GIBBONS: Is that the Novak article?

12 THE WITNESS: Yes, sir. Well, this is  
13 not the one I want.

14 There is another one. Here it is in the  
15 Star-Ledger of August 22, 1967 in which the  
16 Governor is quoted as having said thanks to  
17 his riot control training program for law  
18 enforcement and improved intelligence as to  
19 what is going on in the Negro community, the  
20 state is better prepared to move into any  
21 situation and he also went on to say that  
22 there is little chance of serious trouble in  
23 the future and he attributes this to the  
24 intelligence of his personal counsel, Stanley  
25 Van Ness, a Negro, and another gentleman named

1 Lawrence Bilder.

2 Q. Well, I agree with some of the things  
3 or most of the things that the Governor has  
4 done and which are recited in this article,  
5 but I disagree with him on the climate in  
6 the city right now.

7 I still feel that there is tremendous  
8 tension in the city and that it is liable to  
9 explode any day and I think that there has  
10 to be a lot of fence building, there has to  
11 be a lot of dialogue and communications  
12 before this subsides.

13 Q. I would like to offer this into evidence.

14 MR. GIBBONS: Mark that C-68 in evidence.

15 (Document marked Exhibit C-68 in evidence.)

16 BISHOP DOUGHERTY: Did the Governor say  
17 he believes the climate is improved?

18 THE WITNESS: He said he doesn't believe  
19 there can be a repetition of the Newark  
20 rioting at least not on the scale of last  
21 summer and then he went on to say there is  
22 little chance of serious trouble in the  
23 future.

24 I think something should be said about  
25 the relationship right within the Police Depart-

1           ment of black policemen versus white police-  
2           men.

3           I think that as a result of the riot  
4           there has been a certain amount of tension  
5           and strain between the Negro and the white  
6           policemen.

7           I think at the present time, due to the  
8           fact that I have been having some dialogue,  
9           especially with Negro police officers, that  
10          this has subsided.

11          I am making an attempt to speak to some  
12          of these white police officers who have been  
13          leading this canine corps resurrection, shall  
14          I call it, and I think that this has been  
15          kind of meaningful.

16          I would like at this time to read a  
17          letter that a Negro patrolman wrote to the  
18          Newark Star-Ledger and the Newark Evening  
19          News and I think it is one of the most beauti-  
20          ful things I have ever read.

21          It is "To The Editor, July 25, 1967.

22          "I am a child of God. I am black. I am  
23          a cop and I am sick, sick of these so-called  
24          Negro black power leaders.

25          "These so-called leaders who use innocent



1 Negro people and their lives to obtain their  
2 goals.

3 "So they want a black state? Then  
4 give it to them. The hypocrites, the hoods,  
5 the stone-throwers and the looters, they  
6 make all the decent God-loving people, both  
7 Negro and white, turn in disgust.

8 "All our forefathers who fought  
9 against the Ku Klux Klan turn in their graves.

10 "These so-called black power leaders  
11 say Negro police officers are Uncle Toms,  
12 traitors, et cetera.

13 "Nothing can be further from the truth.  
14 But if they mean traitors to a cause that is  
15 so parallel to Nazi Germany and another so-  
16 called leader named Hitler, then I am a traitor.

17 "I blame them for the death of a 3-year  
18 old child, for a Negro policeman lying in the  
19 hospital, for a white cop dead, and for 20  
20 or more Negroes without life in their body.

21 "We were the voters. These leaders and  
22 others lost.  
23 "Do we now let these people and others  
24 lead us into oblivion?  
25 "Some white men lost their businesses

1 during the riot, but how many Negroes lost  
2 their jobs, their homes and their lives?

3 "Riots in a black state is not the  
4 answer. The city's anti-poverty leaders,  
5 whose main function is to help us find jobs,  
6 shelter, et cetera, instead talk us into  
7 throwing rocks and to see in our brothers,  
8 sons and 3-year old children killed on the  
9 streets.

10 "I think it is time we turned from  
11 green power and black power and took up  
12 God power.

13 "We must find respect for ourselves,  
14 our families, friends and church and I will  
15 not find that respect in Leroi Jones, Robert  
16 Williams and Malcolm X.

17 "Tell me, where does Civil Rights say  
18 or mean loot stores, burn homes and kill?

19 "Is all our race hypocrites?

20 "That food that was given in line on  
21 Springfield Avenue came from a white man. The  
22 food given to the hungry by Mount Calvary  
23 Church was from a white man.

24 "The food given out at the Hayes and  
25 Scudder Homes too was from a white man.

1 "Living together is the answer to all  
2 this rioting, looting, killing and unnecessary  
3 violence.

4 "Respect for God, authority, policemen  
5 and ourselves are the most important steps  
6 of all.

7 "That same little hoodlum who is in  
8 the forefront of the mob, who stoned the  
9 police precinct last week, will rape a Negro  
10 girl, rob a Negro home and kill a Negro  
11 person next week.

12 "I will not let people like these,  
13 people like some of our appointed Negro  
14 leaders, lead me from my God and my belief  
15 that all men can and will live together in  
16 peace and in harmony.

17 "Patrolman William Hicks."

18 I think this is a magnificent letter.

19 May I offer this into evidence?

20 MR. GIBBONS: Mark that C-69 in evidence.

21 (Letter marked Exhibit C-69 in evidence.)

22 THE WITNESS: I think something should  
23 be said about the white groups that have now  
24 emerged as militant and of whom one of which  
25 is racist.

1           MR. GIBBONS: Which is that?

2           THE WITNESS: The North Ward Citizens  
3 League.

4           This is operated by a man named Anthony  
5 Imperiale, who is a karate expert and I think  
6 he is a black belt wearer and who is training  
7 all of his people in his organization into  
8 wearing the black belt.

9           Now at least two of these organizations,  
10 The North Ward Citizens League and the Loyal  
11 Americans For Law & Order, have polarized  
12 their concept of supremacy of the whites  
13 and the symbol of the canine corps and they  
14 keep stressing the fact that Newark needs the  
15 canine corps.

16           There are two other organizations, one  
17 called the White Indignation Group and the  
18 leader of that is a Don Gottsworth, who lives  
19 up in the Vailsburg section and is a bus driver,  
20 and the other group is the Newark Association  
21 For Community Reform.

22           This is a group that is primarily based  
23 in the North Newark section, a man named James  
24 Farrell is the President of this organization  
25 and he is moderate. He is not the type that

1 will cause any problems.

2 MR. GIBBONS: Do the police have  
3 intelligence sources in these organizations?

4 THE WITNESS: Yes, sir. I get a copy  
5 of every piece of literature they put out  
6 and a report every time a meeting is held.  
7 These are all the documents relating to  
8 the Newark Association For Community Reform  
9 including an application and a membership  
10 card, a blank, the White Indignation Group  
11 and the Loyal Association For Law & Order,  
12 all the literature that they have been putting  
13 out which is extensive.

14 MR. GIBBONS: Mark those folders C-70,  
15 71 and 72.

16 (Documents marked Exhibits C-70, C-71  
17 and C-72 in evidence.)

18 MR. JAFFE: What would you say is the  
19 total strength of those organizations?

20 THE WITNESS: They have a lot of paper  
21 members, especially the Loyal Association  
22 For Law & Order.

23 They have been getting good turnouts at  
24 their meetings, this L.A.L.O.

25 Last week they had Mayor Whelan here, who

1 told them how Newark should put down riots.

2 4 cont It was quite novel. They get at least  
3 200 out at their meetings.

4 Ind: Now the North Ward Citizens League,  
5 he claims he has 600 people but we have never  
6 seen more than 100-and-some-odd in their  
7 meetings.

8 When the Barringer problem was at its  
9 height last week he did have a meeting at  
10 his club headquarters and there were approxi-  
11 mately 150 parents, most of whom were white  
12 but there were some Negroes there discussing  
13 the Barringer problem.

14 He is a very militant and very self-  
15 confident individual.

16 As a matter of fact, he challenged  
17 Willie Wright last week at the House of Prayer  
18 to come outside and Willie Wright did not come  
19 outside.

20 He challenged him 4 or 5 times and  
21 Willie Wright has not been back to the House  
22 of Prayer since.

23 cont MR. JAFFE: Would you estimate it would  
24 be in the thousands then?

25 THE WITNESS: I wouldn't.

1 ship. MR. JAFFE: Less than that, the whole  
2 4 combined?

3 THE WITNESS: I think the White  
4 Indignation Group has maybe 500 on paper but  
5 I don't think it has that kind of a turnout.

6 BISHOP DOUGHERTY: Can you identify  
7 which you consider to be the most dangerous?

8 THE WITNESS: The North Ward Citizens  
9 League.

10 MR. JAFFE: If you had to estimate the  
11 numbers in those areas that were sympathetic  
12 with these groups, how would you estimate  
13 that?

14 THE WITNESS: You mean white people?

15 MR. JAFFE: Yes.

16 THE WITNESS: I wouldn't know. I think  
17 the majority of them would be.

18 BISHOP DOUGHERTY: There is mention  
19 of Tom's Continental Restaurant.

20 Does that have any significance, the  
21 location?

22 THE WITNESS: No. They just hold their  
23 meetings there. Speeches that are made by  
24 people are made there.

25 I think Mayor Whelan was up at the Clipper

1 Ship.

2 I don't remember which one.

3 BISHOP DOUGHERTY: It is not a center  
4 or anything of that sort?

5 THE WITNESS: No. Now among the other  
6 recommendations that I would like to make,  
7 I think there is a necessity for moneys, either  
8 from the state or federal government sources,  
9 to increase salaries, to improve training  
10 and to obtain better equipment.

11 In cities like Newark, and there are  
12 many like Newark in the United States, it is  
13 absolutely impossible to obtain money from  
14 real estate taxes anymore.

15 There is a need to obtain moneys in  
16 order to pay higher salaries to maintain the  
17 personnel in the Police Departments.

18 We would like to try to recruit more  
19 people with the higher salary dangling in  
20 their eyes and also to maintain what personnel  
21 we do have.

22 I think this is the only source or these  
23 are the only two courses that are going to  
24 be able to help us.

25 I think there is a need for legislation



1 on a national scale to prevent the use of  
2 equipment and personnel of Anti-Poverty  
3 Agencies and federal organizations, to  
4 incite and agitate the populace to create  
5 acts of civil disobedience and for the pro-  
6 motion of racial hatred.

7 I would like to see that written into  
8 the law.

9 I think too there is an extensive  
10 and intense need for research on a federal  
11 level to discover and to invent non-lethal  
12 weapons which would immobilize or render  
13 helpless those persons who engage in or are  
14 about to engage in civil disturbances and  
15 of course, I think it is important that all  
16 police officers be trained extensively for  
17 riot duty and one of the most important  
18 things is that there should be continued and  
19 intensive training of all policemen in police-  
20 community relations.

1 Now I would like to close with this  
2 statement.

3 It is the function of the Newark Police  
4 Department to prevent crime, to arrest per-  
5 petrators of crime and generally be of service

1 to people who live and work in this city.

2 Early in 1962 there was a new awakening  
3 in the department.

4 The Administrator of the department,  
5 cognizant of the growing and coming social  
6 revolution did everything that could possibly  
7 be done to keep pace with social changes in  
8 the nation.

9 However, in spite of this fact that  
10 there was some resistance to these new policies  
11 by some individuals in the police heirarchy  
12 and some of the old-line members of the  
13 department, we tried to do a job.

14 At the same time in spite of the per-  
15 sistent and chronic shortage of police officers,  
16 it was a constant battle to stem the tide  
17 of crime.

18 Up until the time of the violent upheaval,  
19 it was the belief of many people, both inside  
20 the department and outside, that police-  
21 community relations in the City of Newark were  
22 at a high standard.

23 Concerned and knowledgeable citizens of  
24 the community viewed with approval and favor  
25 the imaginative and far-reaching police-community

1 programs initiated by this department.

2 Members of the Newark Police Department  
3 do not function as sociologists, psychiatrists  
4 and psychologists. But we do have a great  
5 deal of insight as to the problems which  
6 confront the people of this city today.

7 The Newark Police Department will  
8 continue to pledge a high degree of service  
9 to the citizens which it serves and we will  
10 try to the best of our ability to achieve  
11 the idealistic relationship between the  
12 public and the department.

13 That is my concluding statement, except  
14 that I would like to introduce 2 or 3 more  
15 things that I think are important.

16 One is a training pamphlet compiled  
17 by Tom Hayden for the New York University  
18 Graduate School of Social Work Center for the  
19 study of unemployed youth and this is part of  
20 a grant provided by the Office of Juvenile  
21 Delinquency and Youth Development, U. S.  
22 Department of Education & Welfare.

23 It is entitled "A View of the Poverty  
24 Program, When It's Dry You Can't Crack It  
25 With a Pick."

1           Now this was written back in July of  
2           1966 and I would like for it to be read to  
3           get an idea of the thinking of Tom Hayden  
4           always to the end of social revolution in  
5           the United States.

6           In this so-called training book that he  
7           wrote there is constant reference to the  
8           U.C.C. and individuals here in the City of  
9           Newark.

10          I think it is not only interesting but  
11          I think it has a bearing on some of the  
12          climate that was adduced in this city prior  
13          to the riot.

14          May I offer this in evidence, please?

15          MR. GIBBONS: C-73.

16          (Document marked Exhibit C-73 in  
17          evidence.)

18          THE WITNESS: I think too as part of the  
19          record I would like to introduce newspaper  
20          clippings and some reports of all the  
21          incidents that happened in Barringer High  
22          School because I think that this is part  
23          of the total picture of the atmosphere at  
24          the present time in the City of Newark.

25          May I offer this in evidence?

1 there MR. GIBBONS: C-74.

2 there (Document marked Exhibit C-74 in evidence.)

3 THE WITNESS: Now I have to make a  
4 comment about this Novak article that you  
5 talk about.

6 I am extremely upset and angry at the  
7 contents of this report.

8 If in truth they had investigators here  
9 from the President's Commission to Study  
0 Civil Disorders, they must have been hiding  
1 someplace or they probably talked to 2 or 3  
2 individuals who were not only antagonistic  
3 but have an undying hatred for the Newark  
4 Police Department.

5 In this article it goes on to recite  
6 the fact that-- well, it criticizes Governor  
7 Hughes.

8 about MR. GIBBONS: To some extent they make  
9 the same criticism of him that you made.

0 THE WITNESS: Not to the degree that  
1 these people make.

2 The only thing I disagree with Governor  
3 Hughes on-- I agree with him in everything  
4 he said in his article but the only thing I  
5 disagree with him in is the fact that he thinks

1 there is a better climate in the city than  
2 there actually is.

3 If he thinks that his two intelligence  
4 men are in close touch with the people, then  
5 I am hiding myself.

6 MR. GIBBONS: Isn't that essentially  
7 what Novak says?

8 THE WITNESS: No. Novak talks about  
9 something different than the article that  
0 Governor Hughes was quoted in before.

1 This article says, "One Commission member  
2 told us that in no other 1967 riot city is  
3 hatred of local police so over-riding as in  
4 Newark.

5 For that reason the riot commission  
6 would much prefer that the Governor would  
7 stop pouring kerosene on the fire by bragging  
8 about police protection."

9 The paragraph before this says, "Quite  
0 a different story is found in confidential  
1 oral reports by riot commission investigators.

2 They describe Newark as probably the  
3 most dangerous city in the country, partly  
4 because of the shortcomings of Mayor Hugh  
5 Addonizio's administration and partly because

1 of tension between some Negroes and the  
2 police."

3 that This is absolutely untrue because I  
4 think that in spite of the fact that we  
5 had a riot in this city and that we have had  
6 problems with certain segments of the popu-  
7 lation, basically and primarily the people of  
8 this city, whether they are black or white,  
9 want the police and need the police and they  
10 need them worse today than they ever did.

1 We render, the Newark Police, most of  
2 the services that are necessary for the  
3 people of this city, including the Negro.

4 Over 75 percent of the calls that are  
5 made by citizens to the Newark Police are  
6 service calls, not calls for crime occurring  
7 or crime that has occurred.

8 and There is a better rapport between the  
9 police and the Negroes than a lot of people  
0 really think because I have said repeatedly  
1 that when I go into these areas to speak  
2 and when I talk to these people they don't  
3 talk about police brutality.

4 group They talk about the problems that I  
5 spoke about before.

1 and Now I have to mention what happened  
2 yesterday and I will have to conclude with  
3 that and that is that the Planning Board  
4 had a meeting.

5 First you can mark this Novak article.  
6 for MR. GIBBONS: C-75.

7 (Document marked Exhibit C-75 in  
8 evidence.)

9 THE WITNESS: Now the Planning Board  
0 had a meeting and they declared a 46-acre  
1 tract in Newark blighted and all of a sudden  
2 you have two new organizations in the City  
3 of Newark.

4 Every time one of these things happens,  
5 these people out of the blue come out with  
6 these organizations.

7 One is an organization of Puerto Ricans  
8 and Negroes that is called the Committee  
9 Against Negro and Puerto Rican Removal.

0 The second is the Newark Area Planning  
1 Association.

2 Now they held a press conference yesterday  
3 and they sent a telegram to Weaver and the  
4 group charges that the Newark Housing Authority  
5 estimates of relocation resources is fraudulent



1 and the city's application for urban renewal  
2 funds is illegal and again we have Harry  
3 Wheeler with his mouth open again and he says,  
4 "Not one brick will be laid temporarily or  
5 otherwise until adequate housing is provided  
6 for those displaced by urban renewal."

7 Perhaps here again there is an incipient  
8 tendency for further problems for our city.  
9 May I offer these two articles in  
10 evidence?

11 MR. GIBBONS: Yes. C-76 and C-77.

12 (Documents marked Exhibits C-76 and  
13 C-77 in evidence.)

14 MR. GIBBONS: In Exhibit C-66, a blue  
15 covered special report on the July 1967 riot,  
16 amongst other things there are the riot-  
17 Director, connected deaths.

18 Of those listed, 23, 11 are described  
19 as shot by unidentified person on street for  
20 unknown reason or shot by unidentified person  
21 at unknown location for unknown reason.

22 Well, is there any continuing investigation  
23 going forward into the causes of those 11  
24 deaths?

25 There were so many rumors and such  
26 deep-seated fear THE WITNESS: Definitely. I think there

1 present. is a later report there of October, sometime

2 We met in October of 1967, and there is some change  
3 city, both in the investigation results.

4 Halloween, and I gave all those reports to you.

5 day after Halloween MR. GIBBONS: I was referring to the

6 I gave October 24 report.

7 because from state THE WITNESS: At the present time the  
8 cations were ballistics man is checking bullets in an  
9 rumors, effort to ascertain the type of gun and

10 We had perhaps the identity of the gun that was  
11 he made available used for the homicide.

12 promised that he MR. GIBBONS: Will the results of his  
13 to have a investigation be available to the Commission  
14 newspapers, eventually?

15 night and Halloween THE WITNESS: Absolutely.

16 that I have one concluding question from me,  
17 Director, and I think it is important.

18 during We all believe from rumors that there might be  
19 serious trouble on Halloween night and it was prevented.

20 Could you tell us what steps the Police Department  
21 took to prevent it which evidently were successful?

22 A Well, unfortunately, some of the rumors were  
23 deliberately suppressed.

24 We know this. There were so many rumors and such  
25 deep-seated fear in the city that there was an hysteria

1 present.

2 We mobilized most of the police officers of the  
3 city, both trick or treat night, the night before  
4 Halloween, and Halloween itself, and some people the  
5 day after Halloween in case some situation did develop.

6 I personally went over to talk to Willie Wright  
7 because from statements made by various people the indi-  
8 cations were that he was the one that was issuing these  
9 rumors.

10 We had a good discussion and as a result of which  
11 he made available to me a press release in which he  
12 promised that he would do everything he possibly could  
13 to have a peaceful city and you read about it in the  
14 newspapers, and as a matter of fact, trick or treat  
15 night and Halloween night were the most peaceful nights  
16 that I ever remember in the last 20 years.

17 The statistics indicate there were less crimes  
18 during these two days than there generally are, for  
19 example, on a Monday.

20 MR. GIBBONS: Director, did the Newark  
21 Police Department send any intelligence to  
22 suburban Police Departments respecting this  
23 Halloween expected disturbance?  
24 Did you send any information to the  
25 suburban Police Departments?

1 THE WITNESS: Well, I had some communi-  
2 cations with Mayor Kelly and Director Brugger  
3 from Elizabeth by telephone but that's about  
4 all.

5 MR. GIBBONS: Was there any communication  
6 with the Millburn Police Department?

7 THE WITNESS: I think he called our  
8 office and gave us some information about a  
9 rumor that they heard in Millburn.

10 MR. JAFFE: Director, on those ballistic  
11 tests do you have a report now of what your  
12 ballistic analysis is?

13 We have a copy of the autopsy reports  
14 and in each one of the autopsy reports is  
15 a statement that Lt. Kenny of your Homicide  
16 Squad obtained what bullets there were for  
17 purposes of making a ballistics test and I  
18 wondered if we could have those or if you  
19 don't have them now if you could send them  
20 to our office.

1 THE WITNESS: I don't know if they are  
2 ready. If they are available I will give them  
3 to you and I will be very happy to do it.

4 MR. JAFFE: I have been in communication

1 with the prosecutor and the prosecutor said  
2 that the Newark Police Department had those  
3 and we would like them for our files.

4 THE WITNESS: We will do that for you.

5 MR. JAFFE: My next question, very briefly,  
6 is this: I would like your opinion as to  
7 what you think the command structure should be  
8 when the State Police and the National Guard  
9 come into a city to help contain a riot.

0 What do you think the chain of command  
1 should be and how do you think the Newark or  
2 any local Police Department ought to interact  
3 with these two groups?

4 THE WITNESS: Well, it all depends  
5 on the situation again, on what you are going  
6 to call the situation when you come into the  
7 city.

8 MR. JAFFE: Well, let's say it is some-  
9 thing like Newark.

0 THE WITNESS: I know, but if you are  
1 going to call it complete anarchy where you  
2 are going to have martial law, it is a different  
3 story.

4 If you have martial law the Army naturally  
5 should take precedence.

1       MR. JAFFE: Assuming you don't have  
2 martial law.

3       THE WITNESS: In a situation like we  
4 had in Newark last time I think that the  
5 Newark Police should have the supreme  
6 command, that the State Police should work  
7 subordinate to the Newark Police and the  
8 National Guard subordinate to the State  
9 Police.

10       I think this is really the proper  
11 command structure.

12       One of the problems we had is the  
13 difficulty of making decisions.

14       For example, I would go to the Armory  
15 and I would discuss a situation with Colonel  
16 Kelly and he would have to call General  
17 Cantwell in and then before you knew it  
18 there would be 5 or 6 people around the table  
19 and a simple thing, for example, like I  
20 didn't have the manpower and I wanted either  
21 National Guardsmen or State Police on top  
22 of the high rise projects and some of the  
23 high buildings in the City of Newark.

24       It took 2 or 3 hours to make a decision.  
25 There is no necessity for something like this.

1 This is not good operations.

2 I enjoyed the best of rapport with  
3 Colonel Kelly but again he had problems with  
4 the military too.

5 Sometimes I think-- I'm not sure--  
6 he had to talk to the Governor.

7 I'm not sure about this but I know that  
8 there was no reason for some of the decisions  
9 we made where we had to wait 2 or 3 hours  
10 for them.

11 MR. JAFFE: You also discussed briefly  
12 the communications setup and you said that  
13 were there to be another riot in Newark the  
14 State Police at this point have particular  
15 communications equipment and radio equipment  
16 sent into various places in the city.  
17 Would that obviate the problem that  
18 occurred during the Newark riot of last summer,  
19 namely, the State Police and Newark Police  
20 not being on the same radio band and not being  
21 able to communicate with each other except  
22 through central headquarters?

23 Does that problem still exist or  
24 does what you are discussing obviate that?

25 THE WITNESS: It is obviated by the

1 fact that you have two radios, two different  
2 systems in the same room.

3 Then Actually there were 3.

4 You had your National Guard setup too  
5 in the same room.

6 It is obviated by that. It is not the  
7 best answer.

8 MR. JAFFE: You still need to communi-  
9 cate with the field?

10 THE WITNESS: That's right. The men in  
11 the State Police don't know what the men in  
12 the City Police have been ordered to do unless  
13 there is a feedback by the State Police to  
14 the men in the field.

15 That's why it was so important and  
16 over and over again we would have to stress  
17 there are State Troopers on top of building  
18 so-and-so and there are a lot of guys down-  
19 stairs who don't know it and they see a gun  
20 upstairs and they are going to start shooting.

1 This is one of the problems that we had.

2 MR. JAFFE: I gather the answer to the  
3 problem, if it is feasible from a technical  
4 standpoint, is that the State Police and  
5 Newark Police and the National Guard operate



1 on a single band.

2 ~~over~~ THE WITNESS: You can't do that either.  
3 Then you have an overload on one channel and  
4 it would be impossible to broadcast the way  
5 you want to.

6 MR. JAFFE: So how do you solve the  
7 problem?

8 THE WITNESS: You have two channels.  
9 It was all right this way, as long as you  
10 have them in the same room where they can  
11 talk back to one another.

12 MR. JAFFE: How do you solve it out  
13 in the field?

14 THE WITNESS: There has to be a feedback  
15 from each network. It has to be written--  
16 this is something that has not been done yet--  
17 it has to be written down so everybody under-  
18 stands it.

19 ~~no~~ MR. GIBBONS: Shouldn't there be at  
20 least one common frequency for use in  
21 emergencies such as this?

22 ~~prose~~ THE WITNESS: You can't have it because  
23 the cost is prohibitive.

24 MR. GIBBONS: The cost of the damage  
25 was prohibitive too. I think we ought to have

1           this THE WITNESS: I know that. It was  
2 over \$15 million.

3           arrest I realize that.

4           charge MR. JAFFE: You wouldn't be opposed to  
5 it, a common frequency for emergencies?

6           copies THE WITNESS: Oh, no. I am only looking  
7 at it practically. That's the only thing.

8                   MR. JAFFE: Yes. You said before that  
9 7 people had been arrested for sniping.

10                   Do you know what charges were placed  
11 against these 7 people?

12           with THE WITNESS: I don't remember. I think  
13 maybe possession of a dangerous weapon.

14                   I'm not sure. We will give you the 7  
15 that I am sure of.

16                   MR. JAFFE: The reason I ask is that,  
17 my recollection may be wrong but I think this  
18 Commission has heard testimony that there were  
19 no snipers arrested.

20                   THE WITNESS: Who said this?

21           an abs MR. JAFFE: I don't know whether the  
22 prosecutor said it or whether it was said by  
23 various other law enforcement officials.

24           window My recollection may be wrong.

25                   If this is so I think we ought to have

1 this cleared up, if they were arrested for  
2 sniping and how you know that they were  
3 arrested for sniping and what the eventual  
4 charges were.

5 THE WITNESS: We will give you the 7  
6 copies that I have right now and if there  
7 are any more we will give those to you too.

8 MR. JAFFE: I wonder if you could send  
9 that along.

10 THE WITNESS: Yes.

11 MR. GIBBONS: Did you have any luck  
12 with Life Magazine over the identity of the  
13 alleged sniper in the photograph?

14 THE WITNESS: Well, that is simulated.  
15 This is a phony.

16 MR. GIBBONS: Do you know that for a  
17 fact? Has it been checked out?

18 THE WITNESS: No, but just common sense  
19 and intelligence.

20 Here is a house that is supposed to be  
21 an abandoned house. That's what it says in  
22 the caption.

23 On the floor there is a rug and on the  
24 window there's drapes.

25 I know of no buildings in the Central

1 Ward that will ever have any drapes or any  
2 rug on the floor if they are abandoned.

3 This I can swear my life on.

4 MR. JAFFE: Director, if you don't have  
5 that now I wondered if you could send it to  
6 us at the same time that we receive the  
7 ballistics reports.

8 THE WITNESS: Yes. We are making a  
9 notation of that. It should be in one of  
10 these folders here.

11 MR. JAFFE: My last question to you is  
12 just a very general question and you may feel  
13 that it is an inappropriate question to answer  
14 and if you care to we would like the benefit  
15 of your views, as to what you think in a  
16 capsule form are the meaningful areas that  
17 this Commission can comment upon to make this  
18 a meaningful report.

19 THE WITNESS: You mean as to ways and  
20 means in which conditions can be remedied  
21 so that they will not happen again?

22 MR. JAFFE: Yes.  
23 THE WITNESS: I think basically there is  
24 the matter of decent housing.  
25 As I commented before, putting people

1 in these multi-storied buildings is not  
2 human.

3 I think that the answer lies in 2 and  
4 3-story homes.

5 I think that if you could ever discuss  
6 this problem with a Walter Cohn, and I would  
7 like for this Commission to call him in--  
8 he is a realtor and a lawyer who is intensely  
9 interested in this city, especially in the  
10 areas of housing for people, and it is his  
11 contention, and I will follow him, that  
12 in order for us to get these people into the  
13 main stream of life you have got to give them  
14 some kind of an incentive.

15 You have got to give them some kind of  
16 a feeling that they are wanted.

17 The way to do this, it is his feeling,  
18 even though they are on relief, is to make  
19 them property owners.

20 Right now he and some other people in  
21 private industry are experimenting on  
22 rehabilitating 7 tenement houses in the City of  
23 Newark.

24 They are now being financed by private  
25 industry. They are experimenting on this same

1 kind of a basis.

2 I think housing is extremely important.  
3 I think it is extremely important too that  
4 these people be motivated to get in the main  
5 stream of life by getting jobs and working  
6 for a living.

7 I think one of the worst things that is  
8 happening to the people of the United States  
9 is this welfare system that we have.

10 I think it destroys incentive.

11 I think it destroys the capability of  
12 people to do things for themselves.

13 I think that it creates a dependency  
14 upon government which they in fact later  
15 demand as a right and they are doing now with  
16 the help of the SDS and the National Welfare  
17 Association Plan.

18 I think this is extremely important to  
19 get these people working, to make a meaningful  
20 life for them.

21 I think too there must be some motiva-  
22 tion and it must be done by some kind of  
23 dedicated people or some especially gifted  
24 people to get these people to involve them-  
25 selves in the proper kind of cultural activity

1 so again they contribute something toward  
2 social consciousness and the social life of  
3 this country of ours.

4 I think basically these are the things  
5 that are important.

6 MR. LOFTON: Director, just 2 or 3  
7 quick questions.

8 You indicated that during the Halloween  
9 hysteria, prior to Halloween, in the period  
10 leading up to it, that you went and talked  
11 with Willie Wright and you thereafter  
12 explained to us as all of us realize that  
13 fortunately we had a quiet situation in the  
14 city.

15 Do you attribute that to the Willie  
16 Wright or do you attribute to Willie Wright  
17 a considerable amount of influence in those  
18 elements in the city that may be prone to  
19 engage in civil disturbances?

20 THE WITNESS: No. Only for propaganda  
21 purposes.

22 I think the fact that other militants  
23 saw his statement in the paper made them  
24 more or less go along with his thinking.

25 MR. LOFTON: My second question relates

1 again to this--

2 THE WITNESS: He doesn't have that kind  
3 of power.

4 MR. LOFTON: I didn't think so.

5 THE WITNESS: I know he doesn't.

6 MR. LOFTON: With respect to again  
7 Life Magazine where it was indicated about the  
8 sniper that was pictured there, there is also  
9 another picture in the Life Magazine that has  
10 caused a considerable amount of consternation,  
11 at least in the community and I might add  
12 with certain members of the Commission, as it  
13 relates to-- I think in the picture I believe  
14 it was a Newark police officer or a State  
15 Trooper.

16 MR. GIBBONS: It was a Newark police  
17 officer.

18 MR. LOFTON: Shooting a looter or  
19 proposed looter and I think the young fellow's  
20 name was Billy Furr.  
21 I don't, As I understood from your prior that  
22 testimony, there was no order to police officers  
23 to shoot looters, is that correct? to, I'm

24 sure. THE WITNESS: I didn't give any orders  
25 to anybody to shoot anybody except under the



1 proper criminal violations.

2 MR. LOFTON: My question is this:

3 Do you think that that would be a proper  
4 circumstance, with respect to the regulations  
5 promulgated by the department from yourself  
6 or under the existing law, was that a proper  
7 act on the part of a police officer, to  
8 shoot the person who was a looter?

9 THE WITNESS: I wasn't there. I have  
10 heard-- and I have not had an opportunity to  
11 investigate this or even to look at the  
12 report, but I have heard that prior to the  
13 shooting that this individual-- and I if I  
14 remember his name-- had thrown a bottle of  
15 whiskey at this police officer.

16 I'm not sure so I don't know what  
17 happened.

18 and I myself would not fire to kill a man  
19 who was just looting a few articles.

20 MR. LOFTON: Is that one of the shootings--  
21 I don't know if the fellow died or not-- that  
22 is under investigation by the department?

23 MR. GIBBONS: It is referred to, I'm  
24 sure. The report of October 24, 1967, shows  
25 Case Number 45274, showing that he did have a

1 prior record and I am sure it is this incident  
2 on July 14, a 16-year old black male killed  
3 by a shotgun shot by Newark Police on the  
4 street while escaping after breaking and  
5 entering or entering of a liquor store during  
6 riot.

7 That is one of the ones that is the  
8 subject matter of the investigation.

9 MR. LOFTON: Director, with respect to  
10 the groups that you mentioned, the Loyal  
11 Americans For Law & Order and this other  
12 group that you indicated was headed by this  
13 Anthony Imperiale, and you indicated, if I  
14 recollect, a certain kind of feeling in the  
15 Police Department because of certain actions  
16 of some of the police officers involved in  
17 being in favor of this canine corps situation  
18 and you indicated that certain police officers  
19 had infiltrated these organizations to give  
20 the kind of G-2 intelligence you need to know

21 Q what these groups are doing, are you aware  
22 that up? of any of the police officers in the Police

23 A Department who are members of these groups  
24 the one circ other than in an intelligence capacity?

25 prior meeting. THE WITNESS: Well, I didn't say they

1 were police officers that had penetrated it.

2 Mr. [redacted] They are not police officers.

3 MR. LOFTON: Informants or otherwise.

4 then. THE WITNESS: I know that there are  
5 at least two members of the Loyal Americans  
6 For Law & Order who are policemen.

7 I know this. But in the North Ward  
8 Citizens League there are no policemen in it.

9 My informant is a citizen or two citizens.

10 MR. LOFTON: With respect to the two  
11 police officers who are members of this  
12 organization that you indicate are described  
13 as being an extremist kind of group--

14 THE WITNESS: I didn't say that. I  
15 said they are militant.

16 MR. LOFTON: Well, if I understood you  
17 correctly you indicated that they were  
18 circulating the hate literature and so forth,  
19 is that correct?

20 THE WITNESS: No, sir, I did not say that.

21 Q What are they circulating? Why don't we clear  
22 that up?

23 A I think this North Ward Citizens League is  
24 the one circulating that literature that I described at a  
25 prior meeting.

1                   MR. ROBINSON: Does that clear it up,  
2 Mr. Lofton?

3                   MR. LOFTON: I have another question  
4 then.

5                   THE WITNESS: The L.A.L.O. has circu-  
6 lated some literature and I think copies of  
7 it are in that folder, but it is not racist.

8                   MR. LOFTON: The reason I am pursuing  
9 this and asking you these questions is because  
0 there are certain segments in the black com-  
1 munity who allege-- rightly or wrongly, I  
2 don't know-- that there are members of the  
3 Police Department who are members of these  
4 white extremist groups and thereby, this exa-  
5 cerbates the situation in terms of their  
6 feeling that in terms of saying that these  
7 are the kind of police officers that we have  
8 in the city that are part of these groups.

9                   My question then is whether or not there  
0 has been any regulation or any statement from  
1 yourself to the members of the Police Depart-  
2 ment insofar as whether or not they should  
3 become affiliated with these groups.

4                   THE WITNESS: Well, in the first place,  
5 I know of no reason why I should forbid

1 anybody from belonging to any of these groups,  
2 maybe except the North Ward Citizens League.

3 Capital This other group, L.A.L.O., is a  
4 militant organization but it is not a  
5 racist group.

6 of re The predominant people in that organi-  
7 zation are white women. They are the ones  
8 that are actually running the organization.

9 by do They are not racist.

10 MR. LOFTON: I just have one further  
11 question, Director.

12 With respect to the appointing of a  
13 Negro Police Captain in a precinct, I think  
14 the Commission has at least received some  
15 vicarious information in terms of how the  
16 situation worked out in New York.

17 co the I don't think we have had any direct  
18 testimony that this was that situation.

19 extro It has been stated, and I don't know  
20 how credible, that this has gone a long way  
21 towards easing the community tensions in  
22 that area. are going to be a lot more hostile

23 than t Now recognizing the kind of duality  
24 that you mentioned in terms of the morale

25 of the Police Department and so forth in terms

1 of putting a Negro Captain in a precinct  
2 that is already manned by a very good Police  
3 Captain, I can understand the problems that  
4 this creates but in terms of equating these  
5 two things, do you think that the possibility  
6 of relieving community tensions outweighs the  
7 consideration in terms of the internal kind of  
8 morale problem that you would be faced with  
9 by doing that? know my people pretty well.

10 THE WITNESS: I think you would create  
11 a worse situation. know my people.

12 I think there is a rise in the mili-  
13 tancy of the white people.

14 One of the things that they keep  
15 talking about is that the white administration  
16 here in the City of Newark keeps giving in  
17 to the Negroes and that it is my firm belief  
18 that if we do anything like this it would be  
19 extremely harmful. know about the situation.

20 and I think it would be more and more  
21 polarization of the white people to the degree  
22 where they are going to be a lot more hostile  
23 than they are today. especially so. Halard,

24 has pu I think that secondly the demoralization  
25 in the Police Department, which is small,

1 like Newark's in comparison to New York City--  
2 you know, you can always bury somebody some-  
3 place in New York City and nobody knows  
4 about it because you get to be impersonal  
5 numbers, not names anymore in a large depart-  
6 ment like that and I think that the harm  
7 it would do to the morale would be beyond  
8 belief.

9 I think I know my people pretty well.

10 Further, I don't think that this is  
11 doing Captain Williams any good.

12 I think he is embarrassed by these  
13 repeated statements.

14 I don't think it is fair to him  
15 either.

16 MR. LOFTON: I have nothing further.

17 MR. ROBINSON: Director, I want to  
18 express sincere gratitude to you for what I  
19 regard as a tremendous amount of preparation  
20 and a tremendous amount of helpful informa-  
21 tion.

22 I know what you have put into it and I  
23 know what your staff, especially Mr. Malard,  
24 has put into it and on behalf of the Commission  
25 we deeply appreciate it.

1 THE WITNESS: It was my pleasure and  
2 I think it is my duty to do the things  
3 that I did.

4 MR. GIBBONS: Director, I can join in  
5 that.

6 You were the most thoroughly prepared  
7 witness that we have had before us.

8 Obviously you have done a considerable  
9 amount of work and we appreciate it.

10 THE WITNESS: Thank you very much, Mr.

11 Gibbons. of the State of New Jersey, do  
12 hereby certify that the foregoing transcript is  
13 a true record of the proceedings and testimony  
14 as taken stenographically by me at the time  
15 and place indicated.

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DATED: December 7, 1941