

Q
AMERICAN CIVIL LIBERTIES UNION OF NEW JERSEY
45 Academy Street, Rm. 203, Newark, N. J.
Phone: 201-623-5171

Misc.

Fred Barbaro
Executive Director

Date: September 23, 1965

FOR RELEASE ON SUNDAY, SEPTEMBER 26, 1965

The American Civil Liberties Union of New Jersey this week termed Newark Mayor Hugh J. Addonizio's new plan to deal with charges of alleged excessive use of force by patrolmen inadequate and misdirected.

In a six page letter to the Mayor, Fred Barbaro, the Union's executive director said, "The responsibility for enforcing the laws of this state properly rests with the law enforcement officials, the judiciary and the executive officers in the state. Your plan to routinely refer all cases of alleged police brutality to the Federal Bureau of Investigation implies that it is impossible to receive an impartial investigation involving a citizen and a patrolman. In Mississippi, it is necessary to turn to Federal authorities because it has been demonstrated time and again that justice for Negroes does not exist. However, in a northern city, in the enlightened state of New Jersey, this implication is unacceptable. Your action should not be to invite the FBI to investigate but to make the necessary changes within the police department that will insure an impartial hearing. If the police are not prepared to police themselves, the responsibility rests with your office to correct the situation, not the FBI. No person or group is above the law."

Stating other objections to the plan, Barbaro added:

1) "The FBI can only become involved in violations of Federal laws. In cases of police homicides, the charges should be state charges of murder or manslaughter and not lesser Federal charges of denying a citizen his civil rights.

2) "The FBI is responsible to the Attorney General and not city or state officials. The reports will be sent to Washington and the results will not necessarily be shared with local officials.

3) "Many Negroes in Newark are recent migrants from the South, where the FBI's record on civil rights, until recently, has been poor. This fact plus recent attacks by Director Hoover against Martin Luther King, (considered by many Negroes, the spiritual leader of the civil rights movement) has not instilled the confidence in the FBI's role in this area."

The other plan, to resolve complaints other than those involving brutality, was found to be unacceptable "due to a lack of confidence" on the part of the public in those individuals involved in the investigating procedure.

"The past attitudes of high ranking officers of the police department and the questionable behavior of the Newark Human Rights Commission this summer, especially the role played by its new executive director, contributed greatly to this lack of confidence."

Other parts of the Mayor's new police-community relations program were well received, with some reservations, by the civil liberties organization.

RULES OF CONDUCT

"I applaud your stand regarding the rules of conduct to be promulgated by the Director of Police. It is an important educational tool to indicate that the Mayor and high ranking police officials will not tolerate the derogatory labeling of people in the daily routine of duty. It is unfortunate that these rules are necessary. Their ultimate success will depend on their enforcement by senior officers.

ASSAULTS ON POLICE

"It is undoubtedly true that there are cases of patrolmen being attacked without provocations by frustrated individuals striking out against the city's foremost authority symbol. These cases certainly should be prosecuted expeditiously. However, this part of your statement should have been incorporated in a separate message dealing with court reform to assure that all cases are quickly tried.

ASSIGNMENT OF POLICE PERSONNEL TO COMMUNITY RELATIONS ACTIVITY

"This is an important step in interpreting police problems and problems involving crime control to the general community. These positions should not be viewed as public relations jobs. The appointed officers should have the power to initiate reforms, where reforms are called for, at the precinct level. He should also have the full support of the Director of Police.

CITIZEN OBSERVER PROGRAM

"This program, initiated last summer, has not been successful due to procrastination on the part of the police officials and the inability of civil rights leaders to recruit observers. Nevertheless, it is an important program that tends to decrease the distance between patrolmen and citizens. It should not be viewed as a direct deterrent to police misconduct since this would involve placing a citizen in each patrol car and precinct, seven days a week.

HUMAN RELATIONS TRAINING INSTITUTE

"Your plan for the creation of a human relations training institute in cooperation with Rutgers University is a good one. May I suggest that you include courses dealing with the Bill of Rights and courses designed to interpret recent court decisions regarding the rights of the accused. It is imperative that officers attend these classes on duty time or are compensated if they must attend after duty hours.

INCENTIVE TO POLICE FOR PROFESSIONAL IMPROVEMENT

"A highly educated police department is a truly worthwhile long range goal. A high standard of professionalism will go a long way in alleviating many of the difficulties which prompted the preparation of this report.

"It is important that the revised police pay scale be competitive with those of the other professions to attract persons who already have some college training or even a degree. Anything less will not achieve the desired results.

IMPROVED LEGAL SERVICES FOR THE INDIGENT

"I welcome your support for the neighborhood legal centers for the indigent members of the community. I, (and other members of the ACLU) have been meeting with interested members of the Bar and representatives of the poor since May of this year to prepare the proposal and submit it to the Office of Economic Opportunity."

In closing, Barbaro urged the Mayor to continue to work in the area of modernizing and professionalizing the police force. He suggested that a special committee composed of prominent citizens be appointed to continue the work started this summer.