

1 the housing situation to point out the problem.
2 When white people say to me, "Well, why,
3 Harry? Why did this happen in Newark?" First of
4 all, I get insulted because what you are implying
5 is that there is nothing wrong with the system as
6 it relates to the Negro, and every white person in
7 America with one ounce of intelligence knows
8 better than that. Any conscious, intelligent
9 person would have to agree that certainly the
10 basic problem in America is: when are we going to
11 provide the machinery for the black man to enter
12 the main stream of American life? There is no
13 question about this problem, no question about it
14 at all. But we still have the temerity to come to
15 Negroes and say, "why?" The housing problem, the
16 chicanery, and the whole urban removal movement
17 is another reason why.

18 X Finally excessive police force on the part of
19 the Newark Police Department in the black com-
20 munity.

21 MR. DRISCOLL: You mean excessive police

22 THE WITNESS: Excessive police force, exactly
23 as I said it, by the Newark Police Department on
24 the black community.

25 MR. LOFTON: You mean the use of force?

1 THE WITNESS: Yes. I was giving the title of
2 it and then got involved in it. This is what it
3 means to me.
4 I think I ought to start by describing Nigger
5 Day. Nigger Day is when young, ambitious white
6 policeman decide that on this day the first group
7 of "niggers we see we are going to beat some heads."
8 That is Nigger Day. Here again this is not far-
9 fetched, and this is not a fantasy. I want you to
10 understand the strength of my convictions in this
11 matter. If you bring Dick Spine here tomorrow and
12 you sit him there and sit me here, I will tell
13 him that there is Nigger Day and at one time "you
14 participated in it if you are not doing so now."
15 This is how prevalent it has been and continues
16 to be.
17 Let me just give you a first-hand reference.
18 At one time I lived on Hunterdon Street and just
19 across the street from my house was the Fifth
20 Precinct. For relaxation and trying to keep the
21 weight off of me I play golf occasionally. This
22 morning it was about one thirty in the morning,
23 and I had on a tartan plaid cap. My clubs were
24 in the trunk of my car. I parked my car on
25 Hunterdon Street not too far from the house, got

1 out of my car and locked it and started toward the
2 house when out of police headquarters, or the
3 Fifth Precinct, came about three or four policemen.
4 "Where are you going, Nigger?" They said it to
5 the wrong person. I said, "None of your damned
6 business." "Oh, you're one of these fresh Niggers."
7 I said, "There is nothing fresh about me, but I
8 have enough intelligence to know that you don't
9 have the right to address me in that manner and
10 the moment you lose respect for me, then I am not
11 compelled to give you respect."

12 By this time they were on me and one of them
13 was brandishing the club. He said, "Yes, what
14 does this mean? We are going to teach you a lesson,
15 Nigger." I said, "Well, if you want to be enter-
16 tained, come on." The fellow with him said, "Wait
17 a minute." So for some reason they went back and
18 got three more. By this time, Mr. Driscoll, my
19 reaction was, Number One, I wasn't going to run;
20 Number Two, if I had to die there, well, this was
21 the spot for me to go because I was not going to
22 let them abuse me.

23 They came back and there were exchanges, but
24 the brandishing of the clubs had stopped. Finally
25 I turned and walked away. My inward reaction was

1 if I am followed, then this is the end of the
2 ball game, but they didn't. But that is a des-
3 cription of Nigger Day by the Newark Police
4 Department in the City of Newark.

5 It is common knowledge, "All you black people
6 look alike anyhow. What do you expect from us?"
7 Further to highlight the attitude of the Police
8 Department, there was a woman by the name of
9 Carrie Powell who was vice-principal of one of
10 the local schools, who happened to be in Penn
11 Station while they were beating a man. You have
12 to understand the kind of woman Carrie Powell is--
13 very soft spoken, very dignified and a lady in
14 every sense of the word. They were beating this
15 man while she was standing there. It got so bad
16 she finally said to this officer, "Do you have to
17 beat him like that?" What did she say that for?
18 He abused her orally, and he arrested her.

19 Now, in the black community they know that
20 this wasn't right and they further know that had
21 it been a white woman, it would never have hap-
22 pened. So what I am talking about is the complete
23 lack of respect on the part of the Police Dep-
24 artment for the black community.

25 Police brutality -- a living fact in Newark,

1 and I want to talk to you just a moment about
2 Sats' office and this whole public relations move
3 by Addonizio on the question of police brutality
4 where he said that after all of this problem on
5 the police review board and that kind of thing
6 that any cases in police brutality would be ref-
7 erred to the FBI. He went on to imply in the
8 public relations thrust that by virtue of this
9 that august agency would certainly render an
10 impartial decision and we would know. There is a
11 catch in it. The FBI is purely an investigatory
12 agency and when they finish with their investi-
13 gation, what they normally do is send it on to the
14 Justice Department to determine whether or not the
15 civil rights of the individual have been abridged,
16 and not police brutality. This is the case, and
17 this what happened was Mr. Addonizio used the FBI
18 to hoodwink the black community because once the
19 investigation goes to the Justice Department there
20 is nothing in the federal statutes that says at
21 that time findings must be returned to the local
22 community. As a matter of fact, they have been
23 here is that right, Oliver? You are an assistant
24 federal DA.
25 like MR. LOFTON: Irrespective of that, I don't

1 think the result is that the report is confidential.
2 It is not made public anyway.
3 THE WITNESS: I told you in the beginning I
4 was born and reared in Newark, so I have been a
5 first-hand observer from the cradle. If you want
6 to measure the standards of the so-called solid
7 citizen, my family owned property, sent us all to
8 school. I did all of the things that the average
9 American boy will do, made the honor role in
10 elementary school, the National Honor Society and
11 the History Honor Society in high school, played
12 football, went on the track team and got all of the
13 idolatry that is peculiar to that kind of American
14 boy dream, went on to college and came back, and
15 in Newark right up to this very day the attitude
16 of the Newark Police Department is the same, and
17 this attitude starts with the Director.
18 Here again, having lived in Newark all of my
19 life, I enjoyed this kind of advantage. I know the
20 Director and I knew him before he became Director.
21 Their attitude hasn't changed as the result of
22 human upheaval. As a matter of fact, they have been
23 more oppressive, and I would tell him, and the only
24 reason I don't mention anything further is I would
25 like to say in his presence that your design is to

1 make Newark a police state because you don't know
2 any better. You don't have any common grounds for
3 coming together to develop this kind of dialogue
4 that will produce some understanding.

5 This is why I can sit here and tell you that
6 if the attitudinal atmosphere of the City of Newark
7 doesn't change, the people aren't going to wait
8 for the long, hot summer. The rebellion will come
9 along in the long, bitter winter months. It is
10 just below the surface for anyone who has been an
11 observer of all of this. Without there is some
12 dramatic change as it relates to the respect and
13 dignity of the black man in the City of Newark
14 this is what you are going to have. X

15 Now the final point of what I wanted to say,
16 I was part of the committee, with Mr. Lofton, that
17 spoke to the Governor in the early periods of the
18 rebellion, and at one time urged de-escalation,
19 and I want to tell you that when de-escalation
20 came, it was not so much because we had been per-
21 suasive but because in my opinion Dick Hughes
22 realized that neither he nor Colonel Kelly really
23 had the control necessary for them to be trying to
24 protect the citizens of Newark because it is a
25 fact that the State Police, the National Guard and