

Mr. GARDNER. May I still say, I think this was the case, the first part of it, that they helped in the city of Newark to incite the situation that later developed.

Mr. SHRIVER. All right. What I am trying to get at—

Mr. GARDNER. Here is a statement made by one of your employees on June 27 before a Board of Education Committee—he makes statements that blood will be running in the streets, if certain things are not met, and this was only dealing with the employment of a secretary with the Board of Education, and yet I call statements like “blood running in the streets” and saying, “If you don’t take a certain action tonight we will see a holocaust.”

Mr. PUCINSKI. Would the gentleman yield for a question?

Mr. GARDNER. Yes.

Mr. PUCINSKI. Was this person working for a public agency, or with a private agency?

Mr. GARDNER. This was a community action agency in the city of Newark.

Chairman PERKINS. Hired by local people.

Mr. GARDNER. Paid for by OEO. They were hired by the officials of this Community Action Program in the city of Newark.

Chairman PERKINS. I think you ought to give the gentleman’s name.

Mr. GARDNER. His name is Mr. Harry Wheeler, and this is his testimony that I received in the Newark Police Department.

Mr. PUCINSKI. May I get one point clear. Was this person you are talking about hired by an agency that is managed or controlled by some Government agency in Newark or is this a private citizen?

Mr. GARDNER. It is a CAP agency in Newark.

Chairman PERKINS. They are the agency who did the employing of this individual.

Mr. GARDNER. That is correct.

Chairman PERKINS. That is the responsibility, I take it, of the local people. That is all in their hands, Mr. Shriver, to hire and fire local personnel to direct CAP?

Mr. SHRIVER. That is correct.

It is also true that if somebody can show us, under the directives that I have issued, that somebody is actually inciting people to violence, that I have taken over to myself the power, you might say—somebody said I didn’t have it, so I took it—to suspend people on my own motion if I had the facts in front of me.

I have suspended a number of people on my own motion on the basis of facts produced for us by the investigation department.

This case that Congressman Gardner speaks about here now, what this man said, it at least seems to me to be both a possible case of entrapping people to riot. It could also be a case of merely predicting what in that person’s judgment was going to happen.

Sometimes when somebody says, “If you don’t do something, this is going to happen,” the person to whom you say that feels what you are doing is trying to get it to happen, whereas in fact all you are predicting is what would happen.

Let me give you an example, Congressman Scherle: There is no use shaking your hand.

Mr. SCHERLE. You are pretty naive.